

The regular meeting of the Botetourt County Board of Supervisors was held on Tuesday, April 22, 2014, in Rooms 226-228 of the Greenfield Education and Training Center in Daleville, Virginia, beginning at 2:00 P. M.

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

ABSENT: Members: Dr. Donald M. Scothorn, Chairman

Others present at the meeting:

Mr. David Moorman, Deputy County Administrator  
Mrs. Kathleen D. Guzi, County Administrator  
Mr. Jim Guynn, County Attorney

The Chairman called the meeting to order at 2:00 P. M. and asked for a moment of silence.

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

Mrs. Guzi then introduced Ms. Penny Hall to the Board. She noted that Ms. Hall began work on April 1 as the Director of the Department of Social Services. Mrs. Guzi noted that Ms. Hall previously worked for Roanoke County's Department of Social Services. She stated that Ms. Hall has met with County staff and been brought up to date on her department's proposed FY 15 budget.

Mr. Leffel then welcomed Ms. Hall to the County and presented her with a County seal lapel pin.

Ms. Hall thanked Mr. Leffel for his comments.

Mr. Jim Farmer, Sports Complex Manager, then introduced Mr. Marcus Thompson to the Board. He noted that Mr. Thompson has been a part-time employee for the County since 2010 and became a full-time Maintenance Crew Leader for the Sports Complex as of March 1.

Mr. Leffel welcomed Mr. Thompson to full-time employment with the County.

Mr. Tony Zerrilla, Director of Finance, then introduced Ms. Karen Dunbar to the Board. He noted that Ms. Dunbar began work yesterday as a Bookkeeper I for the County. He noted that she will be responsible for the County's accounts payable and general ledger activities as Roni Ramsey, who currently handles these duties, is taking over the Bookkeeper II position upon Barbara Ennis' retirement on July 1.

Mr. Zerrilla stated that Ms. Dunbar is originally from this area and most recently worked for Advance Auto Parts, ITT, and Koyo Steering Systems, while most of her relevant experience with accounts payable has been in Colorado. He noted that Ms. Dunbar also has experience in payroll and will be cross-trained in the County's payroll system. Mr. Zerrilla stated that he looks forward to working with Ms. Dunbar and believes that she will be a great asset to the County.

Mr. Leffel welcomed Ms. Dunbar to employment with Botetourt County.

Mrs. Guzi then asked Katherine Carter from the Virginia Cooperative Extension Service's Botetourt Office to come forward.

Mrs. Guzi noted that May 2014 is the Extension Service's 100<sup>th</sup> birthday and a proclamation to that effect has been drafted for the Board's consideration. Mrs. Guzi then read the proclamation as follows:

**WHEREAS**, Virginia Cooperative Extension of Botetourt County is part of the nationwide Cooperative Extension System that is a partnership of federal, state and local governments and Virginia Tech and Virginia State University, the state's land-grant universities in Virginia; and,

**WHEREAS**, The Smith-Lever Act of 1914 established the Cooperative Extension Service, utilizing faculty serving as Extension Agents, who along with local staff and community-based resources, extend university research and knowledge to local communities; and,

**WHEREAS**, Virginia Cooperative Extension provides wide-ranging educational programs and information in the areas of agriculture, natural resources, family and consumer sciences, 4-H youth development, food, nutrition and health, along with related areas of economic and workforce development across Virginia; and,

**WHEREAS**, Virginia Cooperative Extension programs in Family and Consumer Sciences; Agriculture and Natural Resources; 4-H Youth Development; and Community Viability, benefit more than 13,000 families, schools, and businesses in Botetourt County;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Botetourt County that May 2014 be designated as National Cooperative Extension Centennial Celebration Month in Botetourt County and that we encourage residents to take advantage of the programs and educational opportunities that Virginia Cooperative Extension offers to the community.

Mr. Leffel then presented a signed copy of the proclamation to Mrs. Carter. Mr. Leffel stated that he has known Mrs. Carter for many years and is glad that she is working for the County's Extension Office.

Mrs. Carter thanked the Board for their support of the Cooperative Extension Service and its activities in the County.

After discussion, on motion by Mr. Williamson, seconded by Mr. Martin, and carried by the following recorded vote, the minutes of the Budget Committee meeting held on March 19, 2014, the minutes of the regular meeting held on March 25, 2014, and the minutes of the budget public hearing held on April 9, 2014, were approved as submitted. (Resolution Number 14-04-02)

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

NAYS: None

ABSENT: Dr. Scothorn

ABSTAINING: None

Consideration was then held on approval of transfers and additional appropriations. Mr. Tony Zerrilla, Director of Finance, stated that there were three transfers and four pass through appropriations for the Board's consideration this month. He stated that the \$200,000 transfer from the Undesignated Fund Balance to the Employee Health Fund will be used to pay hospitalization/medical claims submitted by County employees. Mr. Zerrilla noted that this transfer will assist the Treasurer in meeting the health provider's claim payment deadlines.

Mr. Zerrilla stated that the appropriations were for receipt of donations, cost reimbursements, reinsurance funds, and an appropriation for the use of School Capital Reserve Fund monies as recommended by the County's auditors.

After questioning by Mr. Williamson, Mr. Zerrilla stated that, twice monthly when the County pays a health insurance claim, the funds go into the Employee Health Fund. He noted that at times the claim payment amount exceeds \$130,000 which necessitates County staff having to contact the Treasurer to determine if there are adequate funds available. Mr. Zerrilla stated that this transfer will ensure that there is an adequate amount of working capital in this account.

After further questioning by Mr. Williamson, Mr. Zerrilla stated that the Board does have the ability to transfer any of these funds remaining at the end of the fiscal year back into the General Fund. After further questioning by Mr. Williamson, Mr. Zerrilla stated that the Employee Health Fund amount is shown on the Treasurer's trial balance each month.

There being no further discussion, on motion by Mr. Martin, seconded by Mr. Dodson, and carried by the following recorded vote, the Board approved the following transfers and additional appropriations. (Resolution Number 14-04-03)

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

NAYS: None

ABSENT: Dr. Scothorn

ABSTAINING: None

Transfer \$15,036.94 from the E911 Fund to the County General Fund. This is to recapture E911 operating expenses.

Transfer \$200,000 from General Fund – Undesignated Fund Balance to Botetourt County Employee Health Fund. This transfer will assist in providing the Treasurer with available funds in the event there is a timing difference between the deposit of County funds and the withdrawal of funds to pay claims.

Transfer \$901.87 to Sheriff's Department - Vehicle & Power Equipment Supplies, 100-4031200-6009, from the various departments as follows for vehicle repairs at the County Garage:

\$ 31.36	Dep. Co. Admin–Repair & Maint.–Vehicles, 100-4012121-3312
\$ 40.82	Public Works – Repair & Maint. – Vehicles, 100-4040000-3312
\$ 52.24	Devel. Svces. – Repair & Maint. – Vehicles, 100-4034000-3312
\$139.86	Animal Control-Veh. & Power Equip. Supp. - 100-4035100-6009
\$ 47.06	Maintenance – Repair & Maint. – Vehicles, 100-4043000-3312
\$191.76	Emerg. Svces. – Repair & Maint. – Vehicles, 100-4035500-3312
\$101.94	Parks & Rec.–Veh. & Power Equip. Supp., 100-4071000-6009
\$ 79.67	Van Program – Repair & Maint. – Vehicles, 100-4071500-3312
\$ 67.68	Library – Repair & Maint. – Vehicles, 100-4073100-3312
\$ 10.86	Sports Complex – Repair & Maint.–Vehicles, 100-4071300-3312
\$ 29.45	Tourism – Vehicle & Power Supplies, 100-4081600-6009
\$109.17	Utilities – Repair & Maint. – Vehicles, 502-4041500-3312

Additional appropriation in the amount of \$250 to Parks & Recreation – Education & Recreation Supplies, 100-4071000-6013. This is a donation from Wal-Mart to purchase youth football playing equipment.

Additional appropriation in the amount of \$635.28 to Emergency Services – Subsistence & Lodging, 100-4035500-5530. These are funds received from International Association of Fire Chiefs for a room reimbursement for attending a four day Virginia Chiefs Conference.

Additional appropriation in the amount of \$134,898.62 to Hospital & Medical Costs Account #2300 – Various Departments. These are reinsurance funds received as part of the specific stop insurance element of the County's self-funded health insurance program.

Additional appropriation in the amount of \$6,758.28 for use of existing funds in the School Capital Reserve Fund. This appropriation is for procedural purposes, as recommended by the County's auditors.

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 \$972,625.82; \$880,493.09 in General Fund invoices; and \$92,132.73 in Utility Fund expenditures. He also stated that this month's Short Accounts Payable totaled \$217,939.91; \$204,972.58 in General Fund invoices; \$3,055 in Debt Service Fund expenditures; and \$9,912.33 in Utility Fund invoices.

Mr. Zerrilla noted that this month's large expenditures included \$66,136 to the Botetourt County Health Department for a quarterly budget payment; \$31,097 to Dell Marketing for computer software; \$37,950 to Earth Movers, Inc., for grading work at the Greenfield Recreation Park; and \$30,000 to Earth Movers, Inc., for rock drilling and blasting work at the Greenfield Recreation Park.

After questioning by Mr. Williamson regarding the Debt Service Fund, Mr. Zerrilla stated that this payment is included on the Short Accounts Payable in order to meet the bank's monthly payment due date for the loan for the Buchanan fire truck.

There being no further discussion, on motion by Mr. Williamson, seconded by Mr. Dodson, and carried by the following recorded vote, the Board approved the Accounts Payable list and ratified the Short Accounts Payable List as submitted. (Resolution Number 14-04-04)

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

NAYS: None

ABSENT: Dr. Scothorn

ABSTAINING: None

Consideration was then held on approval of the 2014 tax rate resolution and the FY 14-15 County and Schools budget resolution. Mr. Tony Zerrilla, Director of Finance, stated that the public hearings on the tax rates and budgets were held on April 9, 2014. He noted that the County's tax rates are proposed to remain unchanged in 2014.

Mr. Zerrilla stated that after the budget public hearing the Board expressed their interest in providing funding to Brain Injury Services of Southwest Virginia (\$2,500) and the Botetourt County FFA Alumni (\$1,000). Mr. Zerrilla stated that it is now estimated that the County's allocation to Animal Control-Professional Services for the County's portion of services provided at the Roanoke Center for Animal Control and Protection (RCACP) will be less than originally proposed. Mr. Zerrilla noted, therefore, that the funds for these two groups can be taken from the Animal Control-Professional Services account. Mr. Zerrilla stated that the total budget amount (\$90,663,310) will remain unchanged.

He then requested the Board's approval of both the tax rate and FY 15 budget resolutions.

After questioning by Mr. Williamson, Mr. Zerrilla stated that the County's FY 15 share of the RCACP expenses will be 14% instead of 16%.

After further discussion, on motion by Mr. Martin, seconded by Mr. Dodson, and carried by the following recorded vote, the Board approved the following resolution to set the tax rates for 2014.

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

NAYS: None

ABSENT: Dr. Scothorn

ABSTAINING: None

## Resolution Number 14-04-05

**WHEREAS**, the County proposed tax levy was duly advertised and a public hearing was held on April 9, 2014, in accordance with the Code of Virginia;

**NOW, THEREFORE, BE IT RESOLVED**, that the tax rates per \$100 of assessed value for tax year 2014 are set as follows:

Personal property	\$2.63
Machinery and Tools	\$1.80
Public Utilities	\$0.72
Mobile Homes	\$0.72
Real Estate	\$0.72

On motion by Mr. Martin, seconded by Mr. Williamson, and carried by the following recorded vote, the Board adopted the following FY 2014-2015 budget resolution:

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

NAYS: None

ABSENT: Dr. Scothorn

ABSTAINING: None

## Resolution Number 14-04-06

**WHEREAS**, the County proposed budget was duly advertised and a public hearing was held on April 9, 2014, in accordance with the Code of Virginia,

**NOW, THEREFORE, BE IT RESOLVED**, that the Botetourt County budget for Fiscal year 2014-2015 is:

Revenues:

## General Fund Revenues:

Local	42,509,813
State	10,662,934
Federal	<u>849,000</u>
<i>Total General Fund Revenues</i>	54,021,747

## School Fund Revenues:

Local	2,420,897
State	25,671,144
Federal	<u>2,968,403</u>
<i>Total School Fund Revenues</i>	31,060,444

Use of Prior Year Assigned Fund Balance	992,671
Projected Use - Unassigned Fund Balance	1,198,444

Utility Fund Revenues	<u>3,390,504</u>
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**Total Revenues** **\$90,663,810**

Expenditures:

## General Fund Expenditures:

Operations as detailed on following pages*	26,678,515
Capital Projects	<u>774,000</u>
<i>Total General Fund Expenditures</i>	27,452,515

## Debt Fund Expenditures:

County / VPSA Fund	3,641,037
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School Literary Fund	<u>775,462</u>
<i>Total Debt Fund Expenditures</i>	4,416,499
Contingency	100,000
School Operating Fund Expenditures:	53,609,726
Social Services Fund Expenditures:	1,694,566
Utility Operating Fund Expenditures:	
Operations	1,741,565
Capital Projects	484,500
Debt Service	965,949
Transfer to Utility Capacity Fund	<u>198,490</u>
<i>Total Utility Operating Fund Expenditures</i>	3,390,504
<b>Total Expenditures</b>	<b><u><u>\$90,663,810</u></u></b>

\* OPERATIONS DETAIL:

BOARD OF SUPERVISORS	223,316
COUNTY ADMINISTRATOR	370,842
DEPUTY ADMINISTRATOR	402,899
COMMISSIONER OF REVENUE	379,727
ASSESSOR	190,800
TREASURER	422,873
FINANCIAL SERVICES	356,902
MANAGEMENT SYSTEMS	707,022
CENTRAL PURCHASING	89,521
CENTRAL GARAGE	68,715
ELECTORAL BOARD / REGISTRAR	279,468
CIRCUIT COURT	57,751
GENERAL DISTRICT COURT	34,166
MAGISTRATE	905
CLERK OF CIRCUIT COURT	611,443
COMMONWEALTH'S ATTORNEY	738,481
SHERIFF	4,623,108
DISPATCH	797,565
VOLUNTEER FIRE & RESCUE	1,572,300
CORRECTION & DETENTION	3,634,870
JUVENILE DETENTION CENTER	85,000
PROBATION OFFICE	5,600
DEVELOPMENT SERVICES	680,427
ANIMAL CONTROL	503,422
EMERGENCY SERVICES	2,870,356
EMERGENCY COMMUNICATIONS	209,244
PUBLIC WORKS	402,275
DIVISION OF WASTE MANAGEMENT	629,452
MAINTENANCE OF BUILDINGS & GROUNDS	717,811
LOCAL HEALTH DEPARTMENT	329,252
MENTAL HEALTH SERVICES BOARD	38,743
COMPREHENSIVE SERVICES	1,181,018
TOTAL ACTION FOR PROGRESS (TAP)	1,000
BRAIN INJURY SERVICES	2,500
BOTETOURT RESOURCE CENTER	6,500

LEAGUE OF OLDER AMERICANS	11,000
DABNEY S. LANCASTER COMMUNITY COLLEGE	2,140
VIRGINIA WESTERN COMM. COLLEGE - SCHOLARSHIPS	2,932
VIRGINIA WESTERN COMM. COLLEGE - CCAP PROGRAM	30,000
BOTETOURT COUNTY FFA ALUMNI	1,000
PARKS & RECREATION	1,203,923
BOTETOURT SPORTS COMPLEX	403,151
VAN PROGRAM	79,529
ROANOKE VALLEY CONVENTION AND VISITORS BUREAU	57,026
BOTETOURT COUNTY MUSEUM/HISTORICAL SOCIETY	9,000
LIBRARY	1,015,487
TOURISM/MARKETING	231,225
PLANNING DISTRICT COMMISSION	26,634
ECONOMIC DEVELOPMENT PARTNERSHIP	68,917
BOTETOURT COUNTY CHAMBER OF COMMERCE	4,500
ATTIC PRODUCTIONS	6,953
STANDING ROOM ONLY	6,953
WESTERN VA. EMS COUNCIL	6,722
ENVIRONMENTAL MANAGEMENT	19,155
COOPERATIVE EXTENSION PROGRAM	66,994
WELLNESS PROGRAM	50,000
REVENUE REFUNDS	150,000
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GENERAL FUND EXPENDITURES - OPERATIONS	\$26,678,515

Consideration was then held on amendments to Chapter 10. Erosion and Sediment Control of the Botetourt County Code to add Article III. Stormwater Management and to amend Article I. In General and Article II. Control Plan for Land-Disturbing Activities to comply with federal and State laws and regulations. Mr. David Givens, Construction Compliance Manager, stated that after conducting a public hearing in February the Board tabled adoption of these amendments until the General Assembly had made changes to the legislation and it had been signed by the Governor. Mr. Givens stated that the Governor signed this legislation at the end of March.

Mr. Givens noted that this amended legislation now requires that the County submit its proposed ordinance and fee schedule to the State for approval by June 15, 2014, rather than the previous date of May 15. He stated that the County is required to adopt a Virginia Stormwater Management Program (VSMP) by July 1, 2014, that is consistent with the proposed State regulations. Mr. Givens stated that localities can opt out of local oversight of the VSMP and the Virginia Department of Environmental Quality would then be responsible for handling the program's implementation. He stated that DEQ is required to establish a VSMP for any locality that neither opts to establish its own program nor operates a municipal separate storm sewer system (MS4) and the VSMP requirement would be deferred for six months for certain recently-designated MS4 localities. He noted that Botetourt County has been designated as a MS4 locality for several years.

Mr. Givens noted that the legislation signed by the Governor alters the permitting appeals process and allows for an agreement in lieu of a stormwater management plan and also directs the State Water Control Board (SWCB) to adopt regulations regarding the issuance of permits for parcels in subdivisions, the registration of single family residences, and the reciprocity for proprietary Best Management Practices established elsewhere. He further noted that

VSMP permits for single family dwellings will not be required to pay the DEQ portion of the fee for the State general permit.

After discussion, Mr. Givens stated that the legislative changes approved by the Governor required additional amendments to the County's draft E&S Ordinance as follows: definition of "agreement in lieu of a stormwater management plan;" added a provision for executed agreements in lieu of a stormwater plan; the "Regulated activities, submission and approval of permit applications" section (Section 10-54(a)) has been revised to read: "No person shall conduct any land-disturbing activity until he has submitted a permit application to the VSMP authority that includes a state VSMP permit registration statement, *if such statement is required,....*", as this language needs to be added to the applicable sections of local ordinances that require registration statements prior to issuance of land disturbance permits; revised fees for single family homes that disturb 1 - 5 acres, regardless of their inclusion in common plan of development; addition of language to ensure that stormwater management plans for residential, commercial, or industrial subdivisions are approved and which govern the development of individual parcels within that plan, throughout the development life even if ownership changes; clarify that a registration statement is not required for detached single-family home construction within or outside of common plan of development or sale, but that such projects must adhere to the requirements of the general permit; revised and clarified provisions for hearings, as the language now simply requires such hearings in a manner consistent with local hearing procedures; the "Appeals" section (Section 10-63) was revised as the Code now specifically references an opportunity for judicial review in the circuit court.

Mr. Givens stated that citizens constructing single family dwellings do not have to submit the "VSMP permit registration statement" mentioned in Section 10-54(a). He noted that the County is also required to adopt a fee schedule for these stormwater management permits. Mr. Given stated that the fee schedule included in the Board's agenda packet is based on estimates of State and local costs to administer this program.

Mr. Given then recommended that the Board approve the proposed amendments to the Erosion and Sediment Control ordinance and the fee schedule effective July 1, 2014.

After questioning by Mr. Martin, Mr. Givens stated that the County did not set the rates contained in the fee schedule; they were approved by the Virginia Department of Conservation and Recreation and the Virginia Department of Environmental Quality. Mr. Givens stated that 28% of the permit fees collected by the County are required to be forwarded to the State of Virginia.

After questioning by Mr. Williamson, Mrs. Guzi stated that the County Attorney has reviewed the additional, proposed amendments as required by the Governor's revisions to this legislation and determined that the amendments are "less restrictive" than the original amendments and; therefore, do not necessitate the advertisement of another public hearing by the Board.

Mr. Williamson then noted that he had found a few minor errors in the proposed ordinance which should be corrected prior to enactment of this revised ordinance. He noted that on page 2 of the draft ordinance, under the definition of "adequate channel," the word "within" should be removed; and on page 13, under Section 10-31.1(a), remove "or."

After questioning by Mr. Dodson regarding an analysis of what costs the County will incur under this program, Mr. Givens stated that the County has two employees who will be certified as Stormwater Administrators and it will approximately double their workload to conduct

reviews, inspections, and long-term inspections for projects that will require a permit for land disturbing activities. Mr. Givens noted that he does not have an actual number of the additional costs incurred with these new requirements.

Mrs. Guzi stated that this additional staff workload was discussed during the FY 14-15 budget development process. Mrs. Guzi noted that the staff does not believe that an additional staff person will be necessary at this time but the situation will be closely monitored once the program becomes effective and the construction season gets underway. Mrs. Guzi stated that, if necessary, she may have to come back to the Board during FY 15 and request additional staffing for this purpose.

Mr. Dodson stated that the County needs to make sure that we are covering all costs to implement this program.

Mrs. Guzi noted that the County is implementing only the portion of this stormwater management program that meets the State's requirements; "no more and no less."

Mr. Leffel noted that there are exemptions for agricultural-type uses in these proposed ordinance amendments.

There being no further discussion, on motion by Mr. Leffel, seconded by Mr. Dodson, and carried by the following recorded vote, the Board approved the following resolution adopting the attached amendments to Chapter 10. Erosion and Sediment Control of the Botetourt County Code to add Article III. Stormwater Management and to amend Article I. In General and Article II. Control Plan for Land-Disturbing Activities to comply with federal and State laws and regulations, with the following amendments, effective July 1, 2014: (Resolution Number 14-04-07)

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

NAYS: None

ABSENT: Dr. Scothorn

ABSTAINING: None

**WHEREAS**, Botetourt County desires to update its erosion and sediment control ordinance to reflect changes required due to a new section specifically addressing stormwater; and

**WHEREAS**, notice of the intention of the Botetourt County Board of Supervisors to consider said ordinance was published February 12 and 19, 2014, in The Fincastle Herald, a newspaper published in and having a general circulation in Botetourt County and a public hearing was held; 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** Chapter 10. Erosion and Sediment Control, of the Botetourt County Code, is hereby amended and reenacted as attached, with the following amendments:

Section 10-21. Definitions, under "adequate channel," remove the word "within."

Section 10-31.1 Agreement in lieu of a plan, subsection (a), remove the word "or."

On motion by Mr. Dodson, seconded by Mr. Martin, and carried by the following recorded vote, the Board adopted the following resolution approving the Virginia Stormwater Management Program (VSMP) Fees effective July 1, 2014.

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

NAYS: None

ABSENT: Dr. Scothorn

ABSTAINING: None

## Resolution Number 14-04-08

**WHEREAS**, the Board of Supervisors has authority to adopt a fee schedule for the issuance, modification, and transfer, and maintenance of General Permits for the Discharge of Stormwater from Construction Activities associated with implementation of its Virginia Stormwater Management Program pursuant to Virginia Code §§62.1-44.15:27, et seq.; and,

**WHEREAS**, the Board of Supervisors deems it appropriate to adopt the fee schedules for this purpose promulgated by the State Water Control Board and set forth in 9VAC25-870-820, 9VAC25-870-825, and 9VAC25-870-830;

**NOW, THEREFORE BE IT RESOLVED**, that the Botetourt County Board of Supervisors hereby adopts the VSMP Fee Schedule set forth as attached.

Mr. Dan Collins, Residency Administrator, and Mr. Kevin Hamm, Maintenance Operations Manager with the Virginia Department of Transportation, were then present to speak to the Board.

Mr. Collins then presented the Board with a handout containing a summary of House Bill 2 which was signed by the Governor earlier this year. He noted that this legislation directed the Commonwealth Transportation Board to develop a statewide prioritization process for transportation project selection beginning July 1, 2016, with a goal to fund the “right projects that yield the greatest benefits at the maximum return on investment for the public’s dollars.” He noted that funding for these projects will be determined through an objective process based on local input and needs primarily through recommendations from the local Metropolitan Planning Organizations (MPOs).

Mr. Williamson stated that the MPO has been historically focused on projects in the southern part of Botetourt County and questioned if this is being changed.

Mr. Collins stated that primary highways (route numbers below 600) “will go through the MPO” for review/recommendation to the Primary System Six Year Plan under this new legislation.

Mr. Collins then presented the Board with another handout regarding proposed Primary System Six Year Plan funding for Route 220 north of Eagle Rock. He noted that it is estimated to cost \$400 million to four-lane the section of Route 220 between Eagle Rock and Iron Gate. Mr. Collins stated that, as a \$400 million project is not feasible with the current forecasted State revenues, VDoT’s Salem District Office has considered options to improve the road to increase safety.

Mr. Collins stated that it is estimated to cost \$150 million to provide a two-lane, high-speed design for an approximate 10 mile section of this road and an estimated \$113.5 million for sectional and spot improvements. He noted that there is currently \$78 million in the draft Six Year Plan (FY 14-15) to improve a portion of the 10 mile section of road which includes possibly adding passing lanes to some sections. Mr. Collins stated that this funding availability is subject to change each year. Mr. Collins stated that this amount does not include the previously budgeted funds for safety improvements along this road.

After discussion, Mr. Collins stated that this Route 220 improvement project will be implemented in three phases beginning with the middle section, followed by improvements on each end. He noted that the handout contains additional information on the proposed improvements as well as a map containing crash/accident data along this roadway from 2008 – 2012.

Mr. Leffel stated that this is the best proposal that he has heard for some time regarding improvements to this section of Route 220. He noted that the dollar amounts are encouraging and questioned the work schedule for these improvements.

Mr. Collins stated that this work (\$78 million) is included in the FY 14-15 portion of the proposed Primary System Six Year Plan and VDoT's "District Office says that this looks promising" for inclusion in the final Six Year Plan.

After questioning by Mr. Williamson, Mr. Collins stated that the middle section of this project would probably be constructed first as it is the easiest section to work on.

There being no further questions, Mr. Collins thanked the Board for allowing him to give his presentation.

Mr. Kevin Hamm then reviewed VDoT's monthly report. He noted that the Route 779/672 intersection project is still delayed due to some construction-related issues. Mr. Hamm also noted that, after questions arose last month, he checked with the contractor and there are construction vehicles using Glebe Road to access the fill material borrow site at Daleville Town Center. He noted that there were issues with the trucks having to make U-Turns on Route 220 to access DTC if they drove down Catawba Road and, by using Glebe Road, they avoid this safety concern.

Mr. Hamm then stated that there were 17 utility entrance permits, eight private entrance permits, and one special use permit issued by VDoT in the past month. He noted that VDoT's crews have been busy over the past few weeks patching potholes before the paving work begins. Mr. Hamm noted that there is a listing of those County roads scheduled to be paved this summer included in the monthly report. He further noted that all of these paving projects have been awarded for bid and VDoT is also working on developing the 2015 paving schedule.

Mr. Hamm stated that work is proceeding on the Fringer Trail realignment project which should be completed by the end of May. Regarding the traffic/speed study on Hardbarger Road (Route 636), Mr. Hamm stated that the study has been completed and signs will be installed shortly. Mr. Williamson noted that, as per a constituent's telephone call, the signs on one end of Hardbarger have already been installed.

Mr. Hamm noted that the Lithia Road speed study is still under review. He further stated that the traffic study on the U-Turn issues on Route 220 between 779 and Daleville Town Center has been completed and forwarded to the County for review. He stated that there are short-, mid-, and long-term proposals for this section of roadway. Mr. Hamm then stated that VDoT has installed signage along Webster Heights Road and Willowbrook Lane giving notification of a public comment period regarding the proposed through truck restriction on these roads.

After questioning by Mr. Williamson regarding the December 9, 2014, advertisement date for the Exit 150 improvement project, Mr. Hamm noted that he is not sure if this date has been changed from what was shown on previous monthly reports but will check and report back to the Board.

A public hearing was then held on the restriction of through tractor truck and trailer and/or semi-trailer combination traffic on Valley Road (Route 779) between U. S. Routes 11 and 220. Mrs. Guzi stated that, if approved, this through truck restriction would only affect through truck traffic on Valley Road, not those trucks making deliveries along the roadway. She noted that VDoT's Through Truck Restriction Program requires that an alternate route be designated on any roadway restricted to through truck traffic. She stated that this alternate route would be

Route 11 south and Route 220 north to Daleville both of which are primary highways. Mrs. Guzi noted that this alternate route is 3.25 miles longer than if trucks used Valley Road.

After questioning, Mr. Hamm stated that he had no further information to add to this matter.

Mr. Robert Frydrych of Country Club Road then stated that he has discussed this through truck restriction proposal with Mr. Hamm. Mr. Frydrych then questioned what the County would do when construction work begins on the Exit 150 improvement project. He noted that the trucks coming through the Exit 150 area would have limited alternatives to reach their destinations instead of having to go through the work zone. Mr. Frydrych stated that the trucks could use Route 640 (Brugh's Mill Road) which he assumes that the Board does not want them to do. He noted that Route 640 is of a similar condition and terrain to Valley Road—narrow and curving.

After questioning by Mr. Williamson, Mr. Hamm stated that the Exit 150 area will be open to traffic during the construction; the exit will not be closed.

Mr. Frydrych stated that there are not many alternate routes that trucks can take off of I-81 to reach the Fincastle/Daleville area and there are not many areas of ingress/egress for emergency vehicles. Mr. Frydrych stated that Valley Road should be upgraded in the future. He further stated that the traffic situation in Daleville is becoming more and more congested.

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

Mr. Martin then questioned if there was "any fix" for this situation.

Mr. Dodson stated that it would take time to make any road improvements. He noted that Exit 150 will not be closed during the upcoming interchange improvement project and this proposed through truck restriction is for the safety of residents and local drivers that use Valley Road.

There being no further discussion, on motion by Mr. Dodson, seconded by Mr. Williamson, and carried by the following recorded vote, the Board adopted the following resolution regarding the restriction of through tractor truck and trailer and/or semi-trailer combination traffic on Valley Road (Route 779) between U. S. Routes 11 and 220.

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

NAYS: None

ABSENT: Dr. Scothorn

ABSTAINING: None

Resolution Number 14-04-09

**WHEREAS**, the Botetourt County Board of Supervisors, has studied the possibility of placing a through tractor truck and trailer and/or semi-trailer combination restriction on Route T-779/779 (Valley Road), and

**WHEREAS**, the through tractor truck and trailer and/or semi-trailer combination restriction is proposed on Route T-779/779 (Valley Road), beginning at the intersection of Route 11 (Lee Highway), and ending at the South Intersection of Route 220 (Roanoke Road), with the termini to termini distance equaling approximately 1.70 miles, and

**WHEREAS**, the alternate route proposed is Route 11 (Lee Highway) beginning at the intersection of Route T-779 (Valley Road), then traveling south on Route 11 (Lee Highway), to the Intersection of Route 220 ALT (Cloverdale Road), then traveling North on Route 220 ALT (Cloverdale Road), to Route 220 North (Roanoke Road), then traveling North on Route 220 (Roanoke Road), and ending at the South intersection of Route 779 (Valley Road), with the termini to termini distance equaling approximately 3.25 miles, and

**WHEREAS**, the alternate route has been found by the Virginia Department of Transportation to be reasonable, and

**WHEREAS**, a public hearing was held on April 22, 2014, according to Section 46.2-809 of the Code of Virginia, 1950, as amended,

**NOW, THEREFORE BE IT RESOLVED**, that the Botetourt County Board of Supervisors requests the Virginia Department of Transportation to restrict through tractor truck and trailer and/or semi-trailer combination on Route T-779/779 (Valley Road), beginning at the intersection of Route 11 (Lee Highway), and ending at the South Intersection of Route 220 (Roanoke Road), with the termini to termini distance equaling approximately 1.70 miles, and

**BE IT FURTHER RESOLVED**, that the Botetourt County Sheriff's Office will enforce the proposed restriction in Botetourt County.

It was noted that the next item scheduled on the agenda was a public hearing to consider 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) west of Eagle Rock and consideration of approval of a Commission Permit regarding this abandonment. Mrs. Guzi noted that this matter was advertised for a public hearing at today's Board meeting; however, the applicant has had a change in legal counsel and requests that the Board delay action until the May regular meeting.

Mrs. Guzi noted that the adjoining property owners have been notified of this request for delay.

After questioning by Mr. Williamson, Mrs. Guzi stated that the public hearing will be readvertised.

Mr. Williamson noted that he visited the site a few weeks ago and has some questions that the applicant and their attorney should be notified of prior to the May public hearing. He questioned if the applicant is proposing to abandon the VDoT right-of-way on this proposed 30' X 750' section of Patterson Trail, terminate the right-of-way, or retain the right-of-way and terminate VDoT's maintenance of this portion of roadway.

Mr. Leffel noted that he also discussed this matter earlier today with a representative of the Eagle Rock Fire Department. He noted that the Department is requesting that, if the road is closed, that the owners consider the possibility of allowing the Department to have a key to the gate in order to be able to access the creek to fill their tanker trucks.

Mrs. Guzi noted that these comments would be forwarded to the applicant and their new attorney.

There being no further discussion, on motion by Mr. Leffel, seconded by Mr. Williamson, and carried by the following recorded vote, the Board tabled the public hearing 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) west of Eagle Rock and consideration of approval of a Commission Permit regarding this abandonment until the May regular meeting and directed staff to forward their questions about this proposal to the applicant and their attorney. (Resolution Number 14-04-10)

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

NAYS: None

ABSENT: Dr. Scothorn

ABSTAINING: None

A work session was then held with VDoT on the proposed FY 2015-2020 Secondary System Six Year Plan. Mr. Brian Blevins, VDoT's Area Land Use Engineer, stated that this

work session is to allow him to obtain information from the Board on the road improvement projects that they would like to see placed on the Secondary System Six Year Plan. Mr. Blevins noted that information from the Board on amendments to the Plan will be compiled in order that a public hearing can be held at the Supervisors' May or June meeting. He noted that the Plan has to be adopted by the Supervisors by July 1.

Mr. Blevins then reviewed the project priorities as listed on the current draft Plan. He noted that priority 0 (Lee's Gap Road, Etzler, Road, and Catawba Road) are either projects that have been completed or are currently under construction. He noted that the Lee's Gap and Etzler Road projects are completed but have to be included on the Plan until they are closed out. Mr. Blevins stated that priority #1 is for \$1.4 million in vertical curve improvements on Glebe Road. He noted that this project is subject to funding and has an advertisement date of December 2021. Mr. Blevins stated that priority #2 is the Fincastle bypass project; and priority #3 is a bridge replacement on Springwood Road near Route 635.

Mr. Blevins stated that the future Six Year Plan revenue projections "have been pulled back by the State," so there will be less funding than anticipated available over the next few years for road improvement projects.

After discussion, Mr. Blevins stated that priority #4 is the resurfacing of McFalls Road at an estimated cost of \$500,000. He noted that this road was added to the Plan last year when unpaved road funds became eligible for projects having an average daily traffic count of 200+ vehicles.

After questioning by Mr. Williamson, Mr. Blevins stated that the earliest advertisement of any of the first three road improvement priorities is 2021.

After questioning by Mr. Martin, Mr. Blevins stated that unpaved roads are required to have a minimum traffic count of 50 vehicles per day at the present time; however, funding was made available last year for unpaved roads with daily traffic counts of 200 or more and McFalls Road was the only unpaved road in the County that met this requirement. Mr. Blevins stated that there are some engineering "complexity issues" on the McFalls Road project.

Mr. Dodson noted that wording on the Plan indicates that the Fincastle bypass and the Springwood Road bridge replacement are eligible for federal funding.

Mr. Blevins noted that this is correct; however, these projects were shelved when revenues were directed to the Catawba and Etzler Road projects. After further questioning by Mr. Dodson, Mr. Blevins stated that these two projects could be eligible for 80/20 federal/State funding.

After questioning by Mr. Williamson, Mr. Blevins stated that these projects were delayed due to a lack of State funding over the past few years. He noted that if there were State funds available then these projects would be eligible for federal monies.

After questioning by Mr. Leffel, Mr. Blevins stated that these projects were delayed due to a lack of State funds. He noted that the only new funds in FY 15 are unpaved road funds from the Commonwealth Transportation Board.

After questioning by Mr. Dodson, Mr. Blevins stated that the \$210,000 in funding for the Fincastle bypass is for preliminary engineering work done to date. After further questioning by Mr. Dodson, Mr. Blevins stated that the estimated cost for this project in 2004 was approximately \$4 million and he would estimate that it would cost at a minimum of \$7-8 million to build this bypass today.

Mr. Blevins then reviewed the remaining information in the Six Year Plan. He stated that the "Cost Centers" listing is to fund speed studies, install traffic signs, etc.; there are \$204,473 in funds available for rural addition projects which are used to bring roads that are not in the Secondary System up to State standards; engineering and surveying projects; and fertilization and seeding costs. Mr. Blevins further stated that the Bridge Street North (Route 1303) Rural Rustic Road project is fully funded and construction should begin this summer.

Mr. Blevins stated that potential projects to be added to the Plan include Buhrman Road (Route 696) and Deerfield Road (Route 670). He noted that these potential RRR projects are estimated to cost \$381,000 (Buhrman) and \$318,000 (Deerfield). Mr. Blevins stated that these projects are being considered for inclusion on the Plan due to the numerous calls from residents and also these gravel roads require continuous maintenance by VDoT personnel.

Mr. Blevins then noted that an updated copy of the County's Gravel Road Priority List had been included in the information on this item. He noted that projects identified with a "complexity" level of 3 may not be eligible for RRR funding and may have to be considered as a "full construction project."

After questioning by Mr. Williamson regarding Trevey Road (Route 638), Mr. Hamm stated that this is a narrow, hilly road and it would be both an extensive and expensive project to widen the right-of-way. He noted that the roadway would have to be widened to at least 18' to be considered a RRR road.

Mr. Blevins stated that, for a roadway to be considered as a RRR project, there are certain engineering parameters that have to be met.

After discussion, Mrs. Guzi stated that McFalls Road was added to the Plan last year as it met the unpaved road criteria of a traffic count of 200 vehicles per day.

After questioning by Mr. Williamson, Mr. Blevins stated that the traffic count data are shown in column 6 on the Gravel Road Priority List.

After questioning by Mr. Dodson, Mr. Blevins stated that Buhrman and Deerfield Roads are not on the Six Year Plan at this time. He noted the Board can add projects to the Plan if they wish and determine the roads' construction priorities. After further questioning by Mr. Dodson, Mr. Blevins stated that the Board can ask today that VDoT place Buhrman or Deerfield or any of the gravel road projects on the Plan.

After discussion, Mr. Blevins suggested that the Board further review this information over the next couple of weeks and provide any questions/suggestions that they have to the County Administrator and she can forward this information to him for preparation of the final Six Year Plan and budget prior to scheduling the public hearing at either the Board's May or June meetings.

After discussion, Mr. Williamson recommended that the unpaved portion of Old Hollow Road (Route 642) be considered for inclusion on the Plan.

Mr. Leffel suggested that the Board provide their proposed additions to the Plan to the County Administrator who would forward them onto Mr. Blevins for inclusion in the final Plan to be advertised for a public hearing in either May or June.

Mr. Leffel then thanked Mr. Blevins, Mr. Hamm, and Mr. Collins for their presentations at today's meeting.

Consideration was then held on a request from Daleville Town Center (DTC) for an outdoor musical or entertainment festival permit. Mrs. Guzi stated that this permit application was

submitted to the County under the provisions of the current Outdoor Musical or Entertainment Festival ordinance. Mrs. Guzi noted that this application is for three events proposed to be held at DTC on the following dates: May 10 (noon – 6PM; May 15 (5:30 PM to 9PM); and May 29 (5:30 PM to 9 PM).

She noted that some of the ordinance's provisions are "archaic," as there is language requiring that the applicant obtain approval from the "health officer" and the "County's representative of the State Division of Forestry." Mrs. Guzi noted that, to work with this language, Daleville Town Center has stated in their permit that they will comply with all State and local regulations and ordinances. She noted that this application has been reviewed by the County Attorney and the Sheriff has reviewed the proposed parking plan for this site.

Mrs. Guzi stated that representatives of Fralin and Waldron, DTC's developers, are aware of the discussions held by the Board and area residents at last month's meeting regarding noise issues resulting from events held at this site last year. She noted that F&W has submitted a letter to the County with their plan of action to lessen the off-site noise. Mrs. Guzi noted that these action plan items including events ending no later than 9:30 PM, rearrangement of the venue layout to help block and baffle sound from the amphitheatre traveling toward Glebe Road, and electronic monitoring of noise levels by event and DTC staff to help assure that "reasonable standards are not exceeded," with readings to be made near adjoining properties to establish a baseline of reasonableness at the beginning of the event season. Mrs. Guzi noted that F&W desires to be a good neighbor and they realize that the noise from last year's events was excessive.

After questioning by Mr. Williamson, Mrs. Guzi noted that today's permit request is for the three events planned for the month of May at DTC (May 10, May 15, and May 29). She noted that the appropriate permit fees for these three events (\$25/each) have also been paid to the County. She further noted that the Board can set a bond amount not to exceed \$100,000 for these events. Mrs. Guzi noted that the intent of the bond requirement in the existing Amusements Ordinance is to repair any damages that occur from such an event on County property. She noted that the DTC events are on private property.

Mr. Williamson noted that the May 10 event will be held from noon to 6:00 P. M. Mr. Williamson encouraged DTC to monitor the noise levels, individually document the monitoring at these three events, and supply a copy of these results to the County Administrator's Office. He suggested that the noise be monitored from the sites designated by the County based on previous citizen complaints. Mr. Williamson stated that "hopefully, we can learn something from these tests" to be used in considering future permit applications.

Mr. Dodson stated that DTC wants to be a good neighbor. After questioning by Mr. Dodson, Mrs. Guzi stated that the onus will be on the event planner to provide the County with the noise level readings. After further questioning by Mr. Dodson, Mrs. Guzi stated that the Sheriff is aware of the events associated with this permit request and, if DTC meets the permit requirement, then "it will be business as usual" as far as enforcement of any complaints from citizens. She further stated that DTC must comply with the provisions of their application.

Mr. Dodson stated that this will be a learning process for the County and this noise level data may be of use at similar events held elsewhere in the future.

There being no further discussion, on motion by Mr. Williamson, seconded by Mr. Dodson, and carried by the following recorded vote, the Board approved an Outdoor Musical or Entertainment Festival Permit from Fralin and Waldron/EventZone for events scheduled on May

10 (noon – 6:00 P. M.), May 15 (5:30 P. M. – 9:00 P. M.), and May 29, 2014 (5:30 P. M. – 9:00 P. M.), at Daleville Town Center, as per the provisions of their application letter dated March 31, 2014, with the stipulation that the noise levels at each event be monitored by the applicant and the results provided to the County Administrator after each event to establish a sound level baseline for consideration of whether additional restrictions are necessary for the subsequent event(s), and the Board also agreed to waive the requirement for a bond for these events.

(Resolution Number 14-04-11)

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

NAYS: None

ABSENT: Dr. Scothorn

ABSTAINING: None

Consideration was then held on proposed amendments to Chapter 3. Amusements of the Botetourt County Code regarding outdoor musical or entertainment festivals. Mrs. Guzi stated that the Board had held the public hearing on these proposed amendments at their March regular meeting. She noted that these amendments removed obsolete provisions from the Amusements Ordinance and included language to allow for the issuance of an annual permit.

Mrs. Guzi stated that based on comments received from the public and Board members during the public hearing, staff is recommending that Section 3-103. Plans, statements, etc., to accompany application be amended to add subsection (10) as follows, “A plan to mitigate the noise emanating from the festival, which plan may include items such as stage orientation, speaker orientation, and volume controls.” She further stated that Section 3-106. Applicant’s bond has been amended to require bond/surety for a single event permit in an amount not to exceed \$25,000. She noted that the bond will be an amount not to exceed \$100,000 for an annual permit.

Mr. Williamson then requested that Section 3-103 (10) be amended to include the following, “The plan shall include a description of the method for measuring and reporting to the County the level of noise emitting from the premises.”

After discussion, Mrs. Guzi noted that the County Attorney has determined that, as these are minor amendments to the ordinance as originally advertised for public hearing, no additional public hearing is necessary.

There being no further discussion, on motion by Mr. Williamson, seconded by Mr. Martin, and carried by the following recorded vote, the Board adopted the following resolution approving amendments to Chapter 3. Amusements, Article IV. Outdoor Musical or Entertainment Festivals of the Botetourt County Code, with the following amendment:

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

NAYS: None

ABSENT: Dr. Scothorn

ABSTAINING: None

Resolution Number 14-04-12

**WHEREAS**, Botetourt County desires to provide for annual permits, authorize the County Administrator to grant or deny permit applications and update its Outdoor Musical or Entertainment Festivals ordinance; 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** Chapter 3, Amusement, Article IV, Outdoor Musical or Entertainment Festivals, of the Botetourt County Code, is hereby amended and reenacted as attached with the following amendment:

Section 3-103. Plans, statements, etc., to accompany application, add “(10) A plan to mitigate the noise emanating from the festival, which plan may include items such as stage orientation, speaker orientation, and volume controls. The plan shall include a description of the method for measuring and reporting to the County the level of noise emitting from the premises.”

Consideration of proposed amendments to Chapter 25. Zoning of the Botetourt County Code to create a Research and Advanced Manufacturing (RAM) District, and of rezoning portions of Botetourt Center at Greenfield from Industrial M-2 and Planned Office Park (POP) Use Districts to a RAM District. Mr. David Moorman, Deputy County Administrator, stated that Botetourt Center at Greenfield was designed in 1995 as a mixed use development with two distinct areas: a business park to accommodate advanced, environmentally-compatible manufacturing, and an office park for research and development, back office, and corporate office use. He noted that, since the park’s original design, the availability of private office space in the County has increased and reduced the need for office space in Greenfield.

Mr. Moorman stated that the County’s Economic Development Study completed in 2010 encouraged the development of Greenfield for manufacturing use. He noted that, since the 1990s, manufacturing has changed significantly and the ability to quickly take ideas from concept to prototype to testing to production is now vital and, in order to remain competitive, manufacturers have to continuously innovate and develop new and improved products making research and development more central to manufacturing success than ever before.

Mr. Moorman stated that the staff has reviewed existing zoning regulations and protective covenants applicable to the Greenfield property to determine whether changes are warranted due to these new trends in economic and manufacturing development. He noted that staff discussed these proposed zoning changes with regional and State economic development offices. Mr. Moorman noted that the Roanoke Regional Partnership has offered comments on the staff’s proposal and they indicated that the proposed changes are compatible with regional and State economic development efforts.

Mr. Moorman stated that the staff is proposing a new zoning district—Research and Advanced Manufacturing (RAM), which is designed to facilitate the entire life cycle of manufacturing from research and development through production. He stated that a draft of this proposed ordinance amendment was included in the Board’s information packets. Mr. Moorman noted that this proposed zoning district will “better align Greenfield with modern manufacturing trends” and reflects local, regional, and State economic development targets. He further noted that this district could also be utilized in other areas of the County; however, it is not a replacement for the current Industrial M-1, M-2, and M-3 zoning districts.

Mr. Moorman noted that the staff recommends that the Board direct the Planning Commission to consider these amendments and, following a public hearing, make a recommendation to the Supervisors as proposed or amended.

Mr. Moorman stated that the staff is also proposing that the Board direct that an application to rezone the current Industrial M-2 and POP zoning districts to RAM on those County-owned portions of the Greenfield property be submitted to the Planning Commission for advertisement of a public hearing. He noted that, depending on the Commission's advertisement schedule, these hearings could be scheduled as early as June.

Mr. Martin noted that he thinks that this is a good move and would be beneficial for the County. He then questioned if the County has any industrial prospects at this time.

Mr. Moorman noted that the County is currently working with a couple of active manufacturing prospects.

After questioning by Mr. Dodson, Mr. Moorman noted that the proposed RAM district "fits into these prospects' needs" for a suitable location.

After questioning by Mr. Williamson, Mr. Moorman noted that the Dynax America, Capco, and Arkay Packing properties would "fit under this (zoning district) description."

After further questioning by Mr. Williamson, Mr. Guynn noted that the former JTEKT/Koyo property in Greenfield would maintain its non-conforming use status if this rezoning were approved.

After further questioning by Mr. Williamson, Mr. Moorman noted that these proposed Zoning Ordinance amendments have not yet been formally discussed with the Planning Commission members; however, they "should not be surprised" that this request is being made. Mr. Williamson suggested that the staff conduct a work session with the neighboring Greenfield property owners prior to the scheduling of a public hearing to provide information on these proposed amendments and the rezoning of the Greenfield property.

After questioning by Mr. Dodson, Mr. Moorman noted that these amendments and the rezoning request are a "springboard" to updating the covenants and restrictions on the Greenfield property.

There being no further discussion, on motion by Mr. Leffel, seconded by Mr. Martin, and carried by the following recorded vote, the Board requested that the Botetourt County Planning Commission review and consider proposed amendments to Chapter 25. Zoning of the Botetourt County Code to create a Research and Advanced Manufacturing RAM Use District, and authorized County staff to apply for a rezoning of the current Industrial M-2 and Planned Office Park POP zoned portions of Botetourt Center at Greenfield to a Research and Advanced Manufacturing RAM Use District, subject to the creation of the RAM district. (Resolution Number 14-04-13)

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

NAYS: None

ABSENT: Dr. Scothorn

ABSTAINING: None

The Chairman then called for a 10 minute break.

The Chairman called the meeting back to order at 3:55 P. M.

Mrs. Guzi then updated the Board on actions taken since the presentation of the Fire Services Board report at their March regular meeting. She noted that Mr. Leffel and Mr. Dodson were appointed by Chairman Scothorn to serve on a committee to work with County staff and the fire and rescue stakeholders to develop short- and long-term implementation plans for the study's recommendations. Mrs. Guzi noted that there was a Captains and Chiefs (C&C) meet-

ing held last night and those volunteer agenda representatives who were present expressed their willingness to put the past issues behind and move forward.

Mrs. Guzi noted that two significant changes to the County's fire and rescue operations were discussed at last night's meeting. She noted that the first was a departmental name change; the current Department of Emergency Services will now be the Department of Fire and Emergency Medical Services (EMS).

Mrs. Guzi noted that the second change was the suggestion from the volunteers concerning a title change to the vacant Emergency Services Director position. She noted that most heads of fire and EMS departments have the title of chief and the County's career staff includes two division chiefs and a battalion chief. She stated that the volunteers unanimously suggested that the position title for the new director position should be Chief of Fire and Emergency Medical Services (EMS). She noted that staff is in agreement with this proposal and will proceed accordingly.

Mrs. Guzi noted that it was also recommended that the C&C Board be codified, along with other ordinance amendments to remove various language/enforcement contradictions, and that references to the Fire and Rescue Steering Team (FARST) be removed from the County Code. She stated that a subcommittee of the C&C group will work with Mr. Dodson and Mr. Leffel to draft the proposed ordinance amendments.

Mrs. Guzi stated that two additional committees were also formed: an Apparatus Committee to set minimum specifications for new equipment purchases; and a Recruitment and Retention (R&R) Committee to work with the volunteer departments to customize R&R efforts to meet their individual needs and the "culture" of each department. She noted that there was a positive attitude at the C&C meeting and she believes that the volunteers and career staff are committed to working together.

Mrs. Guzi noted that another committee was created to select the new Chief. She noted that this committee will consist of five members including herself, a fire/rescue representative from another locality, a representative from the County's volunteer fire units who is unanimously recommended by the fire chiefs, a volunteer rescue squad representative who is unanimously recommended by the rescue captains, and a citizen representative.

After questioning by Mr. Williamson, Mrs. Guzi stated that the Apparatus Committee will begin work in the next 30 days on drafting the minimum apparatus specifications so these parameters can be used in the purchase of the new fire truck included in the FY 15 County budget.

After questioning by Mr. Williamson, Mrs. Guzi stated that examples of successful recruitment and retention programs will be given to the Board's fire and rescue committee and the other three Supervisors members for their information.

After further discussion by Mr. Williamson, Mrs. Guzi stated that the County will proceed with advertising for the Chief of Fire and Emergency Medical Services vacancy with interviews to be scheduled soon after June 1, 2014. She noted that the associated amendments to the County Code will be drafted and scheduled for a public hearing at around that same time.

Mr. Leffel stated that last night's Chiefs and Captains meeting was the most positive meeting that he has attended over the past two years. Mr. Leffel stated that he believes that "we have finally reached a common goal" and "crossed the Rubicon on this issue."

The Board thanked Mrs. Guzi for her report.

Mr. Martin then updated the Board on the yesterday's meeting in Danville of the Roanoke River Basin Advisory Committee, of which he is a member. He noted that discussion included comments from John Kennedy and Jeff Reynolds with the Virginia Department of Environmental Quality on the recent Duke Energy coal ash spill in the Dan River.

Mr. Martin stated that it was reported that there were 39,000 tons of material released into the river during this spill which included aluminum, arsenic, barium, cobalt, iron, lead, lithium, mercury, selenium, titanium, zinc, and other metals. Mr. Martin noted that Duke Energy will be required to monitor the water quality in the river for two years; however, testing has shown that the levels of these metals in the water do not exceed the State/federal safe drinking water limits. Mr. Martin noted that Duke Energy is responsible for cleaning up the spill material from the Dan River.

The Board thanked Mr. Martin for his report.

Consideration was then held on the approval of the issuance of up to \$45,000,000 in industrial development revenue bonds by The Glebe. Mrs. Guzi stated that the County's Industrial Development Authority considered this bond issuance request at a public hearing held on April 14. She noted that The Glebe is requesting the issuance of up to \$45 million in bonds with the proceeds to be used to refund the outstanding principal amount of the bonds issued in 2012 by the Virginia Small Business Financing Authority, to fund a debt service reserve fund, and to finance costs of issuance incurred during the refunding of the 2012 bonds and the issuance of the bonds.

Mrs. Guzi stated that the IDA approved the issuance of these limited obligation bonds. She further stated that approval of these bonds does not involve the creditworthiness of the County. She noted that the IDA is only a conduit for the financing of these bonds. Mrs. Guzi further noted that federal law regarding tax-exempt bonds requires the Board of Supervisors to approve the issuance of the bonds.

She stated that Mr. Carter Brothers of Spilman, Thomas and Battle, the County's IDA counsel, was present at this meeting to answer any of questions on this issuance, as are Mr. John Alderson, IDA Chairman, and Dr. Randall Robinson, President of Virginia Baptist Homes.

Dr. Robinson stated that he is grateful for the opportunity to make this presentation to the Board. Dr. Robinson stated that Virginia Baptist Homes established The Glebe retirement facility in Botetourt County in July 2005 and they have continued to develop their site since that time. Dr. Robinson noted that the assisted living facility is currently fully occupied and there is an 80% occupancy rate at their independent living facility, with ten clients waiting to move to their facility upon the sale of their private residences.

Dr. Robinson noted that Mr. Kent Phillips, VBH's Chief Operating Officer, and Mr. Ben Burkes, The Glebe's Executive Director, were also present at today's meeting. He noted that they believe that The Glebe is in firm and sound footing at this time and they believe that they can meet all of their financial obligations. He further noted that this is a great facility and they are delighted to be located in Botetourt County.

After questioning by Mr. Martin, Dr. Robinson stated that The Glebe is more financially secure now than they have been since they opened the facility and, "if things keep going as planned, (they) will meet all of their obligations."

Mr. Phillips echoed Dr. Robinson's appreciation of the IDA's and Board's consideration of this bond issuance application. He noted that The Glebe is excited with the opportunity to take advantage of the mechanism in the existing bond structure to refinance and restructure their balance sheets to expand into the future. Mr. Phillips stated that The Glebe's health care center is currently at full occupancy and they hope to expand this section of their facility shortly and eventually add to the site's other housing options.

Mr. Alderson noted that the IDA is pleased that The Glebe was well represented at both the IDA and the Supervisors meetings. He noted that the IDA approved the bond issuance and requested that the Supervisors give this request favorable consideration.

Mr. Williamson noted that he serves on the Board of Directors of the Friendship Manor Retirement Community and has received an opinion from the County Attorney that he would not have a conflict of interest in voting today on The Glebe's bond issuance request.

After questioning by Mr. Williamson, Mrs. Guzi noted that the request for up to \$45 million in bonds is to refinance two bond series issued in 2012 by the State's Small Business Financing Authority. After further questioning by Mr. Williamson on the amount of bank-qualified bonds that can be issued, Mrs. Guzi stated that up to \$10 million in bonds can be issued as bank-qualified which offers a lower interest rate. After further questioning by Mr. Williamson, Mrs. Guzi stated that, if the County intended to issue any debt in 2014, then we would hold the first \$10 million in bonds for our use; however, the County does not intend to issue any debt in this calendar year so this amount is available for The Glebe's use.

After further questioning by Mr. Williamson, Mrs. Guzi stated that, if the County had an industrial prospect this calendar year that needed bonds, then the issuance for that project could be delayed until after December 31 or the County could ask an adjacent locality's industrial development authority who had not yet issued their entire yearly bond allocation to handle this issuance.

There being no further discussion, on motion by Mr. Dodson, seconded by Mr. Martin, and carried by the following recorded vote, the Board adopted the following resolution approving the issuance of up to \$45 million in industrial development revenue bonds for The Glebe, Inc.

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

NAYS: None

ABSENT: Dr. Scothorn

ABSTAINING: None

Resolution Number 14-04-14

**WHEREAS**, the Industrial Development Authority of Botetourt County, Virginia (the "Authority") has approved the application of The Glebe, Inc. (the "Company"), a Virginia non-stock, not-for-profit corporation, requesting that the Authority issue up to \$45,000,000 of its revenue bonds in one or more series at one time or from time to time (the "Bonds") to assist the Company in (a) refunding the outstanding principal amount of the Residential Care Facility Revenue Refunding Bonds (The Glebe, Inc.) Series 2012A and the Residential Care Facility Subordinated Taxable Bonds (The Glebe, Inc.) Series 2012B (collectively, the "Series 2012 Bonds") issued by the Virginia Small Business Financing Authority for the purpose of restructuring certain indebtedness that financed the acquisition, construction, equipping and furnishing of an approximately 350,000 square foot facility and related single family cottages for the residence and care of the aged, situated on an approximately 65-acre site located adjacent to 250 Glebe Road in Botetourt County, Virginia, including 133 independent living apartments, 20 single family cottages, a 32-bed private room nursing home and a 32-unit assisted living facility and community center space (the "Project"), (b) funding a debt service reserve fund and (c) financing costs of issuance incurred in connection with the refunding of the Series 2012 Bonds and the issuance of the Bonds (collectively, the "Plan of Finance"), and has held a public hearing on April 14, 2014;

**WHEREAS**, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), provides that the governmental unit having jurisdiction over the issuer of private activity bonds and over the area in which any facility financed with the proceeds of private activity bonds is located must approve the issuance of the bonds;

**WHEREAS**, the Authority issues its bonds on behalf of Botetourt County, Virginia (the "County"), the Project is located in the County and the Board of Supervisors of Botetourt County, Virginia (the "Board"), constitutes the highest elected governmental unit of the County;

**WHEREAS**, the Authority has recommended that the Board approve the Plan of Finance and the issuance of the Bonds; and

**WHEREAS**, a copy of the Authority's resolution approving the issuance of the Bonds, subject to the terms to be agreed upon, a certificate of the public hearing and a Fiscal Impact Statement have been filed with the Board.

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

1. The Board approves the issuance of the Bonds, in an aggregate principal amount up to \$45,000,000, by the Authority for the benefit of the Company, solely to the extent required by Section 147(f) of the Code and Section 15.2-4906 of the Code of Virginia of 1950, as amended, to permit the Authority to assist in accomplishing the Plan of Finance.
2. The approval of the issuance of the Bonds does not constitute an endorsement to a prospective purchaser of the Bonds of the creditworthiness of the Plan of Finance or the Company. In accordance with the Act, the Bonds shall not be deemed to constitute a debt or a pledge of the faith and credit or taxing power of the Commonwealth or any political subdivision thereof, including the Authority and the County.
3. This resolution shall take effect immediately upon its adoption.

Consideration was then held on various appointments.

Mrs. Guzi noted that after discussions with Mr. Williamson and Mr. Leffel, consideration of appointments to the Transportation Safety Commission, the Roanoke Valley/Alleghany Regional Commission, and the Board of Social Services would be tabled until the May regular meeting.

On motion by Mr. Williamson, seconded by Mr. Martin, and carried by the following recorded vote, the Board appointed Mr. William R. Thurman of 97 Winesap Road, Roanoke, as the Valley District representative on the Planning Commission to complete a term which expires on January 1, 2018, and directed staff to send a letter to Mr. Bill Hughes thanking him for his previous 14 years of service on the Planning Commission. (Resolution Number 14-04-15)

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

NAYS: None

ABSENT: Dr. Scothorn

ABSTAINING: None

On motion by Mr. Williamson, seconded by Mr. Dodson, and carried by the following recorded vote, the Board recommended that the Circuit Court Judge appoint Mr. J. Scott Caldwell of 317 Downing Street, Roanoke, as the Valley District representative on the Board of Zoning Appeals to complete a term which expires on March 31, 2017. (Resolution Number 14-04-16)

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

NAYS: None

ABSENT: Dr. Scothorn

ABSTAINING: None

Mrs. Guzi then informed the Board that staff and the County Attorney are working to obtain information on a recent Board request regarding civil versus criminal penalties in Zoning Ordinance violations and scheduling a zoning work session with the Board and Planning Commission is in the planning stages. Mrs. Guzi further noted that the Zoning Administrator position is still vacant and she would like to delay any work sessions until this position is filled, including a discussion on grandfathering non-confirming properties.

She also noted that staff, along with the Commissioner of Revenue, continues to research and develop proposals regarding a citizen's recommendations on amendments to the County's ordinance regarding tax relief for the elderly and disabled. She noted that work on these proposals will be completed later this year and a report presented to the Board at that time.

On motion by Mr. Leffel, seconded by Mr. Williamson, and carried by the following recorded vote, the Board went into Closed Session at 4:25 P. M. to discuss the disposition/acquisition 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 14-04-17)

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

NAYS: None

ABSENT: Dr. Scothorn

ABSTAINING: None

On motion by Mr. Dodson, seconded by Mr. Martin, and carried by the following recorded vote, the meeting was called back to order at 6:01 P. M. (Resolution Number 14-04-18)

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

NAYS: None

ABSENT: Dr. Scothorn

ABSTAINING: None

On motion by Mr. Leffel, seconded by Mr. Williamson, 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 14-04-19)

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

NAYS: None

ABSENT: Dr. Scothorn

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 Buchanan Magisterial District from Virlina District Board Church of the Brethren, Inc. (Camp Bethel), for a Special Exception Permit, with possible conditions, for the purpose of establishing a recreation vehicle park for up to fifteen (15) recreational vehicle camp sites, located on a 5.51 acre portion of a 62 acre parcel at 328 Bethel Road (State Route 606) Fincastle, approximately 0.4 miles north of the Nace Road (State Route 640) intersection, identified on the Real Property Identification Maps of Botetourt County as Section 91, Parcel 19.

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

Mr. Busby stated that, after reviewing the project, the Planning Commission stated that Camp Bethel had proposed a good project with ample water, septic, and garbage facilities for the proposed RV park. He further stated that, after clarification from Camp Bethel, VDOT's recommendations for ingress/egress were already included in the Camp's master site plan. Mr. Busby noted that there were no public comments about this request made at the Planning Commission meeting; however, one telephone call was received in the Development Services office prior to the Commission's hearing.

Mr. Busby noted that the property is zoned Agricultural A-1 and this use has been existence on the property since the late 1920's. He noted that Camp Bethel is proposing to use a 5.5 acre site located near the middle of their 62 acre parcel for a recreation vehicle park for up to 15 RV camp sites. He noted that the owner may apply for a revised/additional SEP in the future to request 9 additional camping sites.

Mr. Busby noted that the County's Comprehensive Plan shows an agricultural zoning designation for this property which is partially in the 100 year flood plain. He noted that the camp sites will be elevated above the flood plain. He stated that each site will also have access to electrical service.

After questioning by Mr. Williamson, Mr. Busby stated that there are water spigots on the campground for connection to the RV campers. Mr. Busby noted that Camp Bethel has several RVs each year that use this camping area during events held at the facility. He noted that this SEP will legalize a use that has been ongoing since the 1970s.

Mr. Barry LeNoir of Bethel Road then stated that he is the manager of the Camp Bethel facility.

After questioning by Mr. Martin, Mr. Busby noted that Camp Bethel has obtained approval from the Health Department for use of the site's mass drainfields to serve these camp-sites.

After questioning by Mr. Williamson regarding the Planning Commission's vote on this request, Mr. Busby noted that Commission member Steve Kidd abstained from voting on this request and member Sam Foster was absent from the meeting. After further questioning, Mr. Busby noted that he believes that Mr. Kidd abstained as he receives revenue from cutting hay on the Camp's property.

Mr. LeNoir stated that he has worked for Camp Bethel since 2002. He noted that the camping sites will be "full sites" for RV campers with electrical, water, and sewer service for each site. He noted that the sewage will go into the facility's main septic system which has a mass drainfield. Mr. LeNoir stated that the Camp Bethel facility only uses 2/3 of the drainfield's capacity at this time.

Mr. LeNoir stated that Camp Bethel developed a master plan in 2006 for its facility which included upgrading the camping area. Mr. LeNoir stated that this facility is not a KOA (Kampgrounds of America) facility; it is by reservation only. He noted that the site is usually used for private, RV camping for visitors attending retreats/church group meetings held at the facility. He noted that the campground is not available in July and August when there are children's groups are on site. He noted that no structures will be built on this property.

After discussion, Mr. LeNoir stated that Camp Bethel does not have the funding this year to expand the campground beyond the 15 sites being requested today. He noted that they have developed a capital improvements plan and hope to begin making improvements next year and complete the work within five years. He noted that this campground is in a forested area that

needs improvements; however, they do not anticipate moving a lot of dirt during their upgrade process.

After questioning by Mr. Martin, Mr. LeNoir stated that the camp is open for anyone to use; however, it is by reservation only and is not intended to be for anyone who drives in and wants to set up a camp.

After further questioning by Mr. Martin, Mr. LeNoir stated that alcohol is not allowed on the property and there is a list of rules that the campers have to read and sign before they can use a campsite.

After questioning by Mr. Martin, Mr. LeNoir stated that there is a bathhouse that serves this camping area and they hope to construct another bathhouse in the future. He further noted that this facility is an accredited campground through the ACA (American Campers Association) which requires them to meet certain facility standards such as providing toilets, showers, etc.

After further questioning by Mr. Martin, Mr. LeNoir stated that tent camping is allowed anywhere on the Camp Bethel property with a reservation.

After questioning by Mr. Williamson, Mr. LeNoir stated that campers are allowed on the property independently of any Camp Bethel-sponsored events. He noted that they have bicyclists from the Bicentennial Bike 76 route stay at the facility from time to time as this campground is on the Bike 76 map.

After questioning by Mr. Dodson, Mr. LeNoir stated that the annual income from the RV camp sites is less than \$1,000. He noted that they had 10 RVs on the property two weeks ago during an event.

Mr. Dodson noted that the letter from VDOT regarding this request recommended that the Camp's entrance be reconfigured to meet current requirements and improve sight distance and that a Stop sign be installed at the entrance so traffic leaving the site would stop before entering Route 606.

Mr. LeNoir stated that Engineering Concepts, Inc., developed a road improvement plan for the Camp. He noted that the egress will be relocated and they have addressed VDOT's other concerns regarding this proposed SEP request.

Mr. Williamson noted that the Planning Commission did not include any conditions with their recommendation on this request and he would be concerned "if people could drive up and request a site" to camp. Mr. Williamson suggested that a condition be considered such as "For use by reservation only."

Mr. LeNoir stated that he has no concerns about this condition but there have been occurrences when campers have called/stopped by the facility late in the day on Friday asking to use the campground.

After further discussion, Mr. Williamson stated that he would withdraw his request to consider adding a condition to this SEP.

Mr. LeNoir stated that Camp Bethel is not operating this campground as a "money maker;" they want to make these improvements for the people who come to camp on their property.

After discussion, Mr. Williamson stated that there would probably not be many hunters using the campground during hunting season as no alcohol is allowed on the Camp Bethel property.

After questioning by Mr. Williamson, Mr. LeNoir stated that each campsite would have a pad, an electrical connection, and a water spigot.

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

On motion by Mr. Williamson, seconded by Mr. Martin, and carried by the following recorded vote, the Board approved a request in the Buchanan Magisterial District from Virlina District Board Church of the Brethren, Inc. (Camp Bethel) for a Special Exception Permit for the purpose of establishing a recreation vehicle park for up to fifteen (15) recreational vehicle camp sites, located on a 5.51 acre portion of a 62 acre parcel at 328 Bethel Road (State Route 606) Fincastle, approximately 0.4 miles north of the Nace Road (State Route 640) intersection, identified on the Real Property Identification Maps of Botetourt County as Section 91, Parcel 19. (Resolution Number 14-04-20)

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

NAYS: None

ABSENT: Dr. Scothorn

ABSTAINING: None

There being no further discussion, on motion by Mr. Martin, seconded by Mr. Dodson, and carried by the following recorded vote, the meeting was adjourned at 6:25 P. M. (Resolution Number 14-04-21)

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

NAYS: None

ABSENT: Dr. Scothorn

ABSTAINING: None