

The regular meeting of the Botetourt County Board of Supervisors was held on Tuesday, April 27, 2021, at the Botetourt County Administration Center in Daleville, Virginia, beginning at 2:00 P.M.

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

ABSENT: Members: None

Others present at the meeting:

Mr. Michael Lockaby, County Attorney
Mr. David Moorman, Deputy County Administrator
(left at 5:30 P. M.)
Mr. Gary Larrowe, County Administrator

The Chairman called the meeting to order at 12:32 P.M.

On motion by Dr. Bailey, seconded by Mr. Martin, and carried by the following recorded vote, the Board went into Closed Session pursuant to the Code of Virginia, 1950, as amended, to discuss the following: Section 2.2-3711.A. 3, Acquisition or disposition of real property for economic development purposes where discussion in open session would adversely affect the County's bargaining position or negotiating strategy namely concerning the Amsterdam (Greenfield), Blue Ridge, and Buchanan districts; Section 2.2-3711.A. 5, Discussion on prospective businesses or industries or the expansion of existing businesses or industries where no previous announcement has been made of their interest in locating or expanding facilities in the community in the Amsterdam (Greenfield) and Fincastle Districts; Section 2.2-3711.A. 6, Discussion of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the County would be adversely affected concerning the Amsterdam (Greenfield) district; and Section 2.23711.A. 7, Consultation with legal counsel pertaining to actual or potential litigation, where such consultation or briefing in an open meeting would adversely affect the negotiating/litigating posture of the County regarding the AquaVirginia rate case before the State Corporation Commission. (Resolution Number 21-04-01)

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

NAYS: None

ABSENT: None

ABSTAINING: None

The Chairman called the meeting back to order at 2:00 P.M.

On motion by Mr. Martin, seconded by Dr. Bailey, 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 21-04-02)

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

NAYS: None

ABSENT: None

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.

Dr. Scothorn then welcomed those present to the meeting

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

Dr. Scothorn then asked for a moment of silence. He noted that there is a book that he reads every now and then that everyone should read. He noted that a citizen who spoke at last month's meeting said that we need to become neighbors. Dr. Scothorn said that thou shalt love thy neighbor as thyself. He stated that there are individuals in this country that are becoming destructive. He stated that we need to know who our neighbors are to learn about them and he hopes that the government, both State and country, is doing the same thing so we will know who is next to us, and in front of us.

Dr. Scothorn stated that we should love our neighbor as we love ourselves.

Dr. Scothorn then thanked Chief of Fire and EMS Jason Ferguson for scheduling the Covid-19 vaccination clinic in Buchanan this past weekend and for making arrangements to go to the homes of citizens who cannot attend these clinics to give vaccinations. He also thanked Chief Ferguson and his staff for all of the hard work that they do.

Dr. Scothorn then asked that Mr. Ray Sloan come forward. He stated that Mr. Sloan served as the Buchanan District representative on the Board of Supervisors for 3 years before resigning in December 2020 to fulfill other responsibilities with the Buchanan Fire Department.

Dr. Scothorn stated that he got to know Mr. Sloan during his tenure on the Board and he has become a great friend. He thanked Mr. Sloan for his friendship, the time he gave to the County and its citizens, and for the hard decisions that he made while serving on the Board.

He then presented Mr. Sloan with a watch containing the County seal on its dial and a framed copy of his Board of Supervisors name plate.

Mr. Sloan thanked Dr. Scothorn for the kind comments and for the presentations.

Dr. Scothorn then asked that Mr. Chris Booth, Commissioner of Revenue, come forward for a presentation to a retiring employee.

Mr. Booth stated that Debbie Firebaugh has worked for the County in various positions/offices for over 33 years beginning in the late 1980s. He noted that she was hired as a full-time staff member in the Commissioner's Office in 1994 and is retiring at the end of April.

Mr. Booth stated that he is sure that she is excited about retiring and he thanked her for her service to the County. He then presented Mrs. Firebaugh with a County watch.

Dr. Scothorn congratulated Mrs. Firebaugh on her retirement and thanked her for her service to the County.

After questioning by Dr. Scothorn, Mrs. Firebaugh thanked the Board for this presentation and said that it "has been a great ride."

Chief of Fire and EMS Jason Ferguson then stated that another vaccination clinic has been scheduled for Friday, April 30 at Orchard Hills Baptist Church on Alternate 220 from 4 – 7 PM. He noted that they are also still taking appointments for in-home vaccinations to help meet the demands of the community during the pandemic and expressed his gratitude for the members of his team that have worked on this. He noted that there are many people responsible for the success of these efforts.

Chief Ferguson then introduced two new full-time employees to the Board. He noted that Matthew Scott moved to the County 1½ years ago from California and worked part-time for the County until recently being hired full-time. Chief Ferguson stated that Mr. Nick Delaney has also been a part-time employee and both attended and graduated from the 16 week course at

the Regional Fire Academy during the winter; graduating in early April. He noted that the other 6 County staff members will graduate from the Academy in approximately 4 weeks. He also noted that Mr. Scott was elected as Academy Class President.

Chief Ferguson noted that these individuals were previously trained as EMTs and obtained firefighter training through the Regional Academy.

He then introduced Mr. Jonathan Boggs to the Board. Chief Ferguson noted that Mr. Boggs is a member of the Troutville Volunteer Fire Department and he and a total of 8 other volunteer members achieved their firefighter certification through the partnership Volunteer Academy with Roanoke County. He stated that the other volunteer members were not able to attend today's meeting due to scheduling conflicts.

Chief Ferguson then recognized Lieutenant Jonathan Rodgers who has been a County employee for 7 years. He noted that Lieutenant Rodgers recently received an instructor award through the Regional Fire/EMS Academy as the instructor from Botetourt County that the recruits admired most.

Dr. Scothorn thanked and congratulated each of these individuals for their hard work in obtaining these achievements. Mr. Martin echoed Dr. Scothorn's comments.

The public comment period was then opened.

Mrs. Anita Firebaugh of Blacksburg Road then spoke via telephone. Mrs. Firebaugh stated that her comments pertain to Item #20 regarding the Library Board's request to transfer their governing responsibilities to the County.

Mrs. Firebaugh stated that she served on the Library Board in the early 2000s. She stated that the Library Board should be made an advisory board instead of a governing board under the State Code's provisions and encouraged the Board to approve this request.

Dr. Scothorn thanked Mrs. Firebaugh for her comments.

Mrs. Beverly Fringer Cole of Fringer Trail in Buchanan stated that many years ago she worked on the citizens' petition to name this road. Mrs. Cole stated that in October 2020 she submitted a petition to the Board regarding the current condition of Fringer Trail and requested that the roadway be paved/surface treated. Mrs. Cole stated that she has also discussed the road's condition with Ray Sloan, former Supervisors' member; Ray Varney, VDoT's Resident Engineer; Amy White, current Supervisors member; and Cody Sexton, former Assistant to the County Administrator.

Mrs. Cole noted that her father wrote to VDoT about the road's condition many years ago and the road is "worse than ever now." She requested that the Board respond to the residents' concerns. Mrs. Cole stated that the northern end of this road which intersects with Mountain Valley Road should be paved first.

Mrs. Cole stated that she cannot open the windows in her home due to the dust that is created by passing traffic. She noted that dust creates safety and health concerns for the residents. She asked that the Board fix the problem and not continue to do the same things which do not solve the problem. Mrs. Cole stated that she is unsure of what the ingredients are in the dust-control chemicals put on the roadway by VDoT but believes that silica is one component. She noted that silica is a known health hazard.

After discussion, Mrs. Cole stated that Appalachian Power Company has also been contacted to relocate one of their poles along this roadway to increase visibility.

Mr. Bill Tanger of Dancing Tree Lane in the Carvin's Cove area stated that this road is located off of Reservoir Road (Route 648). Mr. Tanger stated that there is a "dog leg" curve on

Reservoir Road at the Dancing Tree Lane intersection. He noted that vehicles cutting the corner have caused a muddy/eroded area along the roadway and the neighbors have placed rocks in the area for several months to try to stop the erosion problems.

Mr. Tanger stated that earlier this month a tractor trailer became hung up on the inside corner of this sharp curve and closed the road for 4 hours while a wrecker worked to tilt the vehicle upright so it could be removed. Mr. Tanger requested that “no through truck” signage be installed on Reservoir Road.

He also noted that there is a culvert in this area that is clogged. Mr. Tanger stated that VDOT has said that they cannot work outside of their right-of-way even though the impacted property owner is willing to sell/give an easement to improve this intersection.

After questioning by Mr. Martin, Mr. Tanger confirmed that his comments were regarding Reservoir Road.

Mrs. Dave Condon of McKinney Hollow Road in Eagle Rock then made comments on her husband’s behalf. Mrs. Condon stated that military planes have flown training sessions over the mountains of southwest Virginia for over 50 years and some of their routes fly near/over the Rocky Forge wind farm site.

She stated that, as part of the Rocky Forge approval process, a report was conducted by the FAA on the impact these turbines would have on aircraft using this area. She noted that the FAA report identified 2 flight routes that conflict with this wind farm’s location—Visual Route 96 and Visual Route 41. Mrs. Condon stated that in December 2019 a letter was sent to Governor Ralph Northam and Mr. Charlie Johnson with Apex Clean Energy from the Office of the Assistant Secretary of Defense which mentioned the adverse impact to low-level military operations from this wind farm. She further stated that, in a May 2020 letter from the Department of the Air Force, only one route (Visual Route 96) was mitigated regarding the Apex project.

She stated that the FAA declared that the site would be a hazard to aviation and, after a notification regulation/administration error, sent out notices in late 2020 requesting additional public comments. She noted that this notice was also sent out in violation of FAA regulations.

Mrs. Condon stated that, should this wind farm project be allowed to move forward, it will result in the lives of military and medical response helicopter pilots being lost. She also noted that there is the potential for aviation fuel from these incidents to end up in the James River.

Mr. Chris McCloud of Tinkerview Drive in Cloverdale stated that he is a member of the Fincastle Rifles and the Sons of Confederate Veterans. He then quoted comments made by Mr. Clinton in a recent newspaper article regarding the Confederate Monument in front of the Circuit Courthouse—“An outcome that’s workable and fair and equitable for as many people as possible, I think, is the most important thing”. “Whether that comes about through something like a referendum or legislative process, that really should be the goal. Bad decisions can come from a lot of sources, but I think the likelihood of an enlightened decision is probably higher in a legislative process than a direct vote. [It might] not necessarily be a popular decision, but it goes back to the idea of the tyranny of the majority. Majority votes aren’t always the best votes, and they can lead to tyranny, especially for the 49% that loses.” “...the referendum fails on the idea of research, deliberation and careful consideration and understanding of the issues. Probably an elected body is going to be more capable in that respect, and they’re also obligated to do that. The public doesn’t have to go into a referendum with any knowledge. It’s an emotional vote.”

Mr. McCloud stated that a referendum in Botetourt County would have had the same result as the Franklin County referendum where a majority of citizens voted in favor of the mon-

ument remaining in its current location. Mr. McCloud stated that he and others are looking into creating a petition to present to the Board to have this issue put before a referendum of the County's citizens. Mr. McCloud stated that he and others plan to attend the Board's meetings on a regular basis regarding this issue.

Mr. David Wright of Pinehurst Drive in Daleville stated that he supports leaving the monument where it is. Mr. Wright noted that he supports the veterans of all wars and encouraged the Board to not mix government and selfish opinions regarding the memorial.

Mr. Wright stated that he has heard that there are over 1,000 veterans buried in Botetourt County at this time. He noted that Vietnam war veterans were called baby killers. He stated that "they are veterans that represented us and did their duty. Mr. Wright noted that his father was a World War 2 veteran and he supports the veterans because they did their duty.

After discussion, Mr. Wright stated that he is the direct descendant of 7 confederate army members. He noted that 96 of 98 of his soldier ancestors did not own slaves.

He noted that veterans are always called upon to give the most and he supports the veterans who did their duty. He stated that the County should "keep your hands off of what is put up to honor our veterans."

Colonel Carter Gill of Trinity Road stated that he is retired from the United States Air Force and has lived in the County for 20 years. He stated that the Board should not move or demean the Courthouse monument to citizens who fought to protect the County against Yankees in the war of northern aggression.

Colonel Gill stated that his great, great, grandfather fought during the Civil War and owned slaves. Colonel Gill stated that he understands that some liberal members of the Board think that minorities would be offended about a monument for a war that was fought over 150 years ago.

Colonel Gill stated that, when he was in pilot training, he was told that he was the "dumbest red neck that came from southwestern Virginia." Colonel Gill stated that his point is that the Board works for the citizens of Botetourt County and the veterans expect the Board to respect this monument. He further stated that "if the monument is moved, do not hide it in a place/area of insignificance."

Dr. Scothorn thanked those who spoke for their comments.

Mr. Ray Varney, Resident Engineer with the Virginia Department of Transportation was then present to speak to the Board.

Mr. Varney then reviewed VDoT's monthly report. He noted that the Route 220 safety improvement project is on schedule for completion this fall, VDoT staff is preparing the roadways scheduled for resurfacing this year, and paving is to likely begin this month and extend until October.

Mr. Varney stated that VDoT is also conducting various site plan reviews and traffic impact analyses (TIA) including Mountain View Homes; Daleville Town Center, Phase 4; The Preserve at Ashley; Our Savior Evangelical Lutheran Church; Rocky Forge/Dagger Spring Road and bridge plans; and fiber repair work on Webster Road. He noted that VDoT staff is working through the site plan for the proposed new church on Route 220, their review of the plans for the Rocky Forge project are almost complete and they are working with the designer on the new Dagger Spring Road bridge. Mr. Varney stated that VDoT's comments on the Rocky Forge plans should be submitted to the County by the end of this week.

After discussion, Mr. Varney stated that there were 13 utility permits, 10 private entrance permits, and 1 logging entrance permit approved in the past month. Regarding the Murray Drive project, Mr. Varney stated that the road has been paved and only some clean-up work on the shoulders and final stabilization work is needed to complete this project. He also stated that the Stone Coal Road Rural Rustic Road project is scheduled to begin this summer. Mr. Varney noted that a couple of the adjacent property owners have not been responsive to VDoT's request for an access easement so the contractor will have to work within the existing right-of-way.

Mr. Varney stated that the new landscaping contract for the pollinator area has been awarded and the contractor has started work for the spring season. He noted that additional fall work will be done as well. Mr. Varney further noted that VDoT has also awarded a contract for additional maintenance work in the roundabout area.

After discussion, Mr. Varney stated that VDoT staff have also been conducting a lot of in-house projects including grading gravel roads, adding stone, pavement patching, trimming work, pipe replacements, etc.

He further stated that in response to Mr. Tanger's comments earlier, VDoT is aware of these issues and are doing some maintenance work on Reservoir Road.

Mrs. White then stated that she would like to revisit the Fringer Trail discussion. She noted that a citizen commented earlier today regarding paving this road. She noted that the Board discussed having improvements made to this gravel road as far back as November 2012 during the Ellis Run Road abandonment. Mrs. White then quoted the minutes from that Supervisors' meeting.

She further noted that approximately 2 dozen residents of Fringer Trail submitted a petition to the Board in 2020 requesting that the road be paved. She then read the names of the petition's signers. Mrs. White stated that these citizens are asking for the Board's help with this situation. She noted that the road has an average daily traffic count of 110 and there are two roads currently included on the Six Year Plan that have a lower daily traffic count than Fringer Trail.

After a comment by Mrs. White, Mr. Varney stated that this road is the second-most traveled gravel road in the County that is not currently included on the Six Year Plan.

Mrs. White stated that this road could be paved in sections and noted that the northernmost section (0.6 mile) should be completed first.

Mrs. White then made a motion to add Fringer Trail to the Secondary System Six Year Plan.

Dr. Scothorn stated that a work session on the Six Year Plan is scheduled for later in the meeting and suggested that Mrs. White delay her motion until that time.

Mrs. White then withdrew her motion.

After questioning by Mr. Clinton regarding the TIA for Mountain View Subdivision (formerly Greenfield Meadows), Mr. Varney stated that this study is completed by the developer's consultants and the study is then reviewed by VDoT staff. He further noted that the study's parameters can be expanded beyond the traffic impacts of the development's connection with Etzler and Catawba Roads.

Mr. Clinton stated that during the previous consideration of this development there was a sizable TIA conducted which included the development's traffic impact on the Route 220/Catawba Road intersection as well as on Etzler and Catawba Roads due to a much higher level of traffic being anticipated from the proposed 300+ single family homes and apartments.

Mr. Varney noted that the current subdivision plan proposes approximately 130 residential lots.

After discussion by Mr. Clinton, Mr. Varney stated that input from County and VDoT staff will be obtained on this TIA. Mr. Varney further noted that VDoT cannot request improvements to the Route 220/Catawba Road intersection caused by an increase in traffic from this new development; however, the County may be able to request off-site improvements if the development was a rezoning or conditional use permit. He further noted that, if not, any improvements needed to these roads would have to go through the SmartScale program's application process.

Mr. Clinton then stated that community discussion is occurring regarding the installation of crosswalks on Route 220 at the Daleville Town Center entrance. He noted that the recent completion of the second phase of apartments and the completion of additional single family dwellings have resulted in increased pedestrian traffic trying to cross Route 220 to reach Food Lion, CVS, etc.

Mr. Varney noted that VDoT looked at this issue a year or so ago to determine the implications of increased pedestrian traffic at this intersection. He noted that this project may be eligible for SmartScale funding. Mr. Varney stated that the goal is to have a 3-phase traffic signal at this intersection and VDoT's consultants are looking at how a crosswalk could be developed that would work with this type of signal. Mr. Varney noted that he hopes to have more information available before the next Supervisors' meeting. He further noted that the solution may be a "diagonal crosswalk."

Mr. Clinton then stated that he visited the Reservoir Road site mentioned earlier by Mr. Tanger and endorses Mr. Tanger's concerns about the increased traffic on this curvy road and the need for centerline striping.

Mr. Varney stated that part of the issue is that any road alignment changes on paved roads have to be done under the SmartScale application program. He noted that VDoT is beginning an analysis of this roadway and will look at traffic volumes and other traffic safety issues which may include the installation of additional signs.

Dr. Scothorn then thanked Mr. Varney for the landscaping improvements at Exit 150 and for his assistance on matters regarding roadway/pavement subsidence and erosion issues in Hunter's Green Subdivision.

There being no further discussion, the Board thanked Mr. Varney for his monthly report update.

On motion by Mr. Martin, seconded by Mr. Clinton, and carried by the following recorded vote, the Board approved the following consent agenda items: (Resolution Number 21-04-03)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Approval of minutes of the regular meeting held on March 23, 2021;
Approval of minutes of the joint meeting with the EDA held on March 25, 2021;
Approval of minutes of the budget public hearing held on April 20, 2021;
Approval of the following resolution declaring May as "GBS and CIDP Awareness Month:"

Whereas, the month of May has been designated as "GBS and CIDP Awareness Month" to educate the public and to focus attention on Guillain-Barre Syndrome (GBS) and Chronic Inflammatory Demyelinating Polyneuropathy (CIDP), which are rare, paralyzing, and potentially catastrophic disorders of the peripheral nerves; and,

Whereas, the cause of GBS and CIDP is unknown and the length of the illness is unpredictable. It's characterized by the rapid onset of weakness and often paralysis of the legs, arms, breathing muscles, and face. Usually months of hospital care are required with patients and families facing an uncertain future, not knowing if and when recovery will occur and some may face long-term disabilities of varying degrees. GBS and CIDP can develop in any person at any age, regardless of gender or ethnic background; and,

Whereas, in 1980, the Guillain-Barre Syndrome Foundation International (now the GBS/CIDP Foundation International), was founded to provide a support network to patients and their families through the national office headquartered in Philadelphia and its 185 chapters with more than 40,000 members throughout the United States, Canada, Asia, Europe, Australia, South America, and South Africa; and,

Whereas, there are approximately 308 citizens in the Roanoke area that are afflicted with one of these syndromes or variants of GBS/CIDP and over 1,047 diagnosed patients in the State of Virginia; and,

Whereas, through the local chapter's liaison, the Foundation provides educational materials including a comprehensive booklet, "GBS, an Overview for the Layperson," newsletters, as well as funding medical research and conducting symposia; and,

Whereas, the Foundation's Medical Advisory Board includes prominent neurologists active in GBS and CIDP research, leading physicians in rehabilitation medicine, and physicians who, themselves, have had the disorder;

Now, therefore, I, Dr. Donald M. Scothorn, Chairman of the Botetourt County Board of Supervisors, do hereby proclaim the month of May 2021 as "**GBS/CIDP AWARENESS MONTH**" and I encourage all citizens to recognize the importance of raising public awareness of GBS and CIDP.

Approval of a resolution declaring April as "Child Abuse Awareness Month;"
Approval of the following resolution declaring May 16 – 22, 2021, as "EMS Week:"

WHEREAS, emergency medical services is a vital public service; and,

WHEREAS, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and,

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and,

WHEREAS, emergency medical services has grown to fill a gap by providing important, out of hospital care, including preventative medicine, follow-up care, and access to telemedicine; and,

WHEREAS, the emergency medical services system consists of first responders, emergency medical technicians, paramedics, emergency medical dispatchers, firefighters, sheriff's deputies, educators, administrators, pre-hospital nurses, emergency nurses, emergency physicians, trained members of the public, and other out of hospital medical care providers; and,

WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, it is important to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week;

NOW THEREFORE, BE IT RESOLVED, that the Botetourt County Board of Supervisors in recognition of this event does hereby proclaim the week of May

16-22, 2021, as **EMERGENCY MEDICAL SERVICES WEEK**, with the theme, *EMS Strong: THIS IS EMS: Caring for Our Communities*.

Approval of a one-time amendment to the School Board Capital Reserve Fund Policy to allow the FY 2021 year-end school funds to revert to the County;
Approval of the following resolution to reauthorize the revised Emergency Operations Plan for a four year period to expire in 2025:

WHEREAS the Board of Supervisors of Botetourt County, Virginia, recognizes the need to prepare for, respond to, and recover from natural and manmade disasters; and

WHEREAS Botetourt County has a responsibility to provide for the safety and well-being of its citizens, businesses, and visitors; and

WHEREAS Botetourt County has established and appointed the County Administrator as Director of Emergency Management and assigned the Coordinator of Emergency Management position in the Department of Fire and EMS,

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Botetourt County, Virginia, officially adopts this Emergency Operations Plan as revised, and

IT IS FUTHER RESOLVED AND ORDERED that the Director of Emergency Management is tasked and authorized to maintain and revise as necessary this document over the next four (4) year period and at such time be ordered to come before this Board for review.

Approval of a lease extension for the Commonwealth Attorney's Office space in the Spickard Building through 2024 subject to potential renewal if agreeable by all parties;

Approval of a Quitclaim Deed of Easement Vacation with the Western Virginia Water Authority for a 20' sewer easement across Teresa Lane in Cottages of Steeple-Chase Subdivision, Section 6, and authorization for the County Administrator to sign the deed on the County's behalf;

Approval of the following resolution to amend the Roanoke Valley/Alleghany Regional Commission's charter to reduce membership requirements:

WHEREAS, the Roanoke Valley-Alleghany Regional Commission ("The Commission") is seeking to amend its charter to reduce the number of Commissioners serving on its Board from 38 to 30; and

WHEREAS, in April of 2019 the Chair of the Roanoke Valley-Alleghany Regional Commission directed Commission staff to review the board size of peer Commissions, absentee and attendance data of the Commission, and requirements of the Code of Virginia regarding the Commission's board structure; and

WHEREAS, the Roanoke Valley-Alleghany Regional Commission board was determined to be the second largest board in the Commonwealth, behind only the Hampton Roads Planning District Commission with 47 members; and

WHEREAS, it was determined that under current Charter rules and population forecasts the Commission Board was expected to grow even larger in 2022 with an additional member from the City of Roanoke, bringing the total to seven representatives comprised of four elected officials; and

WHEREAS, a Restructuring Committee was formed in October of 2020 to review staff research and produce a recommendation to the full Board; and

WHEREAS, after reviewing the research and conferring with their local governing bodies as well as chief administrative officers for Commission member jurisdictions, the members of the Restructuring Committee recommended changes to the membership formula for the Commission Board; the addition of a provision for alternate members of the Board to provide flexibility to member governments; and clarification on the definition of Population for purposes of determining membership; and,

WHEREAS, the Commission Board voted to accept the recommendations of the Restructuring Committee at the February 25, 2021 meeting of the Commission; and,

WHEREAS, Article II, Section 1 of the Charter shall be amended to read: "The membership of the Roanoke Valley-Alleghany Regional Commission shall be composed of representatives of the member governmental subdivisions, on the basis of two members from each governmental subdivision, at least one of whom is an elected member of the governing body of the subdivision. In addition, each governmental subdivision with population in excess of 25,000 and less than 50,000 shall appoint one additional member who must be an elected official of the governing body of the subdivision. Each governmental subdivision with a population in excess of 50,000 shall further appoint one additional member, who may but need not be an elected official of the governing body of the subdivision, provided that at least a majority, but not substantially more than a majority, of the Commission members shall be elected officials of the governing bodies of the governmental subdivisions. In determining the population of counties, the numerical total shall be exclusive of participating towns who have a population of three thousand, five hundred; said towns are eligible to have at least two representatives; and

WHEREAS, Article II, Section 2 of the Charter shall be amended to read: "'Population," unless a different census is clearly set forth, means the number of inhabitants according to the United States census latest preceding the time at which any provision dependent upon population is being applied, or the time as of which it is being construed, unless there is available an annual estimate of population prepared by the Weldon Cooper Center for Public Service of the University of Virginia, which has been filed with the Department of Housing and Community Development, in which event the estimate shall govern."; and

WHEREAS, Article II, Section 6 shall be added to the Charter, reading: "Each governmental subdivision of the Commission shall have the option of appointing an alternate member. An alternate member shall be entitled to receive notice of all meetings of the Commission and of all meetings of committees of which the appointed member is a part, and to attend and vote at any such meeting at which the appointed member is not personally present. When appointing alternates for an elected official of the governing body, the governmental subdivision must appoint a member of the same governing body."; and

WHEREAS, any changes to the Commission charter must be approved unanimously by the governing bodies of all Commission member jurisdictions.

NOW THEREFORE BE IT RESOLVED that Botetourt County approves the Charter changes of the Roanoke Valley-Alleghany Regional Commission.

BE IT FURTHER RESOLVED that aforementioned Charter changes of the Roanoke Valley-Alleghany Regional Commission will become effective on July 1, 2022, and that the resulting reduction in Board size will be reached through attrition of existing Board members whose terms end on or after July 1, 2022.

Approval of the following resolution requesting the CTB to approve Economic Development Access Program funding for a new roadway to serve the Munters site in Botetourt Center at Greenfield:

WHEREAS, the Botetourt County Board of Supervisors requests assistance in the development of County-owned property for the purpose of economic development located off of International Parkway (State Route 839), in Daleville, Virginia, within the Botetourt Center at Greenfield; and,

WHEREAS, this property is expected to be the site of new private capital investment in land, building, and manufacturing equipment which will provide substantial taxable investment and employment opportunities; and,

WHEREAS, the subject property has no access to an improved public street or highway and will require the construction of a new roadway to connect with International Parkway (State Route 839); and,

WHEREAS, the County of Botetourt hereby guarantees that the necessary environmental analysis, mitigation, fee simple right-of-way, and utility relocations or adjustments, if necessary, for this project will be provided at no cost to the Economic Development, Airport, and Rail Access Fund; and,

WHEREAS, the County of Botetourt acknowledges that no land disturbance activities may occur within the limits of the proposed access project prior to appropriate notification from the Department of Transportation; and,

WHEREAS, the County of Botetourt hereby guarantees that all ineligible project costs and all costs not justified by eligible capital outlay will be provided from sources other than those administered by the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, THAT, the Botetourt County Board of Supervisors hereby requests that the Commonwealth Transportation Board provide Economic Development Access Program funding to provide an adequate road to this property; and,

BE IT FURTHER RESOLVED THAT: The Botetourt County Board of Supervisors hereby agrees to provide a surety or bond, acceptable to and payable to the Virginia Department of Transportation, in the full amount of the Commonwealth Transportation Board's allocation less eligible capital outlay credit as determined by VDoT; this surety shall be exercised by the Department of Transportation in the event that sufficient qualifying capital investment does not occur on Tax Map 88, Parcel (26) 2, consisting of 35.568 acres, within five years of the Commonwealth Transportation Board's allocation of funds pursuant to this request; and,

BE IT FURTHER RESOLVED THAT: The County Administrator and/or his designee(s) be authorized to act on behalf of the Botetourt County Board of Supervisors to execute any and all documents necessary to secure the funding sought through the Economic Development Access Program up to, but not exceeding, \$650,000 in State funds; and,

BE IT FURTHER RESOLVED THAT: The Botetourt County Board of Supervisors hereby requests that the new roadway so constructed will be added to and become a part of the Secondary System of State Highways pursuant to Section 33.2-1509, paragraph C., of the Code of Virginia.

A public hearing was then held on the abandonment of State Route 733 in the Oriskany area. Mr. David Givens, County Engineer, stated that the County received a request from VDoT late last year to begin the process of abandoning State Route 733 in Oriskany. He noted that the roadway, which is 0.05 mile in length and intersects with New's Road (Route 705), is a "paper" street that no longer appears to physically exist.

Mr. Givens stated that the Code of Virginia requires that road abandonment public hearing notices be posted along the roadway for 30 days prior to the hearing date. He noted that these notices were posted on March 23 and the public hearing notice was advertised in The Fin-castle Herald on March 24 and 31, 2021, and the adjacent property owners were notified by certified mail of the purpose, date, time, and location of the hearing. Mr. Givens stated that no public comment regarding this proposed abandonment has been received as of this time.

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

There being no further discussion, on motion by Dr. Bailey, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board adopted the following resolution requesting VDoT take the necessary action to abandon the 0.05 mile length of State Route 733 in the Oriskany area from its intersection with Route 703 (New's Road) to the end of State maintenance.

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

NAYS: None

ABSENT: None

ABSTAINING: None

Resolution Number 21-04-04

WHEREAS, the project sketch and VDOT Form AM-4.3, attached and incorporated herein as part of this resolution, defines adjustments necessary in the Secondary System of State Highways as a result of the road no longer existing or being utilized; and

WHEREAS, certain segments identified in the incorporated Form AM-4.3 appear to no longer serve public convenience and should be abandoned as part of the Secondary System of State Highways; and

NOW, THEREFORE, BE IT RESOLVED that:

1. the Board of Supervisors hereby requests the Virginia Department of Transportation to take the necessary action to abandon those segments identified on the attached project sketch and Form AM-4.3 as part of the Secondary System of State Highways, pursuant to §33.2-902, *Code of Virginia*, and
2. a certified copy of this resolution be forwarded to the VDOT Salem Residency, by the Clerk to the Board of Supervisors.

Consideration was then held on approval of transfers and additional appropriations. Mr. Tony Zerrilla, Director of Finance, stated that there was 1 transfer, 11 pass-through appropriations, and four regular appropriations for the Board's consideration this month. He noted that these are for recurring quarterly transfers, donations, expenditure reimbursements, receipt of grant funds, year-to-date costs for the Greenfield ETC utilization study, the Sheriff's mobile safety plan, the Registrar's Office renovation project, and telephone and LAN switch upgrades/replacements for the Technology Services Department.

There being no discussion, on motion by Dr. Scothorn, seconded by Mr. Martin, and carried by the following recorded vote, the Board approved the following transfers and additional appropriations. (Resolution Number 21-04-05)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Transfer \$615.49 to Sheriff's Department - Vehicle & Power Equipment Supplies, 100-4031200-31200-6009, from the various departments as follows for vehicle repairs at the County Garage:

\$ 51.74 Sports Complex Repair & Maint.–Veh., 100-4071300-71300-3312
 \$ 42.79 Comm. Devel.–Repair & Maint.–Veh., 100-4081200--81200-3312
 \$ 86.36 Animal Cont.-Veh. & Power Equip. Supp., 100-4035100-35100-6009
 \$ 19.36 Rec. & Facil.–Veh. & Power Equip. Supp., 100-4071100-71100-6009
 \$ 29.42 Van Program–Repair & Maint.–Vehicles, 100-4071500-71500-3312
 \$ 47.65 Maintenance–Repair & Maint.–Vehicles, 100-4043000-43000-3312
 \$150.99 Fire & EMS–Repair & Maint. – Vehicles, 100-4035500-35500-3312
 \$ 34.22 Purchasing – Repair & Maint.-Vehicles, 100-4012530-12530-3312
 \$152.96 Library – Repair & Maint.-Vehicles, 100-4073100-73100-3312

Additional appropriation in the amount of \$2,500.00 to Library – Marketing, 100-4073100-73100-5840. These are donated funds received from the Kiwanis Club to be applied towards children's programming.

Additional appropriation in the amount of \$46.13 to Library – Books & Subscriptions, 100-4073100-73100-6012. These are donated funds received from the Blue Ridge Chapter of the Friends of the Library.

Additional appropriation in the amount of \$3,906.38 to Waste Management – Salaries and Wages, 100-4042400-42400-1100. These are funds received from County Waste as a reimbursement of landfill operational support services performed by County personnel.

Additional appropriation in the amount of \$828.89 to Animal Control – Professional Services, 100-4035100-35100-3100. These are Animal Friendly Grant funds received from the State to be passed through to the spay/neuter service provider (Angels of Assisi) for the regional animal shelter.

Additional appropriation in the amount of \$1,375.00 to Electoral Board/Registrar, 100-4013300-13300-5210. This is a reimbursement of postage expenses.

Additional appropriation in the amount of \$4,500.00 to be allocated as follows: \$2,250.00 to Attic Productions, 100-4072000-72242-3800; and \$2,250.00 to Standing Room Only, 100-4072000-72241-3800. These are Cultural Enrichment Grant funds received from the State.

Additional appropriation in the amount of \$355.00 to Fire & EMS – Other Operating Supplies, 100-4035500-35500-6014. This is for receipt of donations.

Additional appropriation in the amount of \$616.88 to the following Fire & EMS accounts: \$98.88 to Subsistence & Lodging, 100-4035500-35500-5530; and \$518.00 to Maintenance Service Contracts, 100-4035500-35520-3320. The former is a reimbursement for travel expenses and the latter is for the reimbursement of a duplicate payment.

Additional appropriation in the amount of \$33,978.04 to Dispatch – Maintenance Contracts, 100-4031400-31400-3320. This is a Virginia Department of Emergency Management grant which covers the first draw for expenditure reimbursements.

Additional appropriation in the amount of \$2,985.81 to the following Correction & Detention Department accounts: \$428.33 to Uniforms, 100-4033100-33100-6011; and \$2,557.48 to Medical and Lab Supplies, 100-4033100-33100-6004. The former is for contact payments and the latter is for medical cost reimbursements for the 911 system upgrade project.

Additional appropriation in the amount of \$2,138.60 to the following Sheriff's Department accounts: \$40.00 to Anti-Drug Education, 100-4031200-31200-5860; \$1,660.68 to Overtime, 100-4031200-31200-1200; and \$437.92 to Vehicle Supplies, 100-4031200-31200-6009. The first item is for a donation, the second item is for restitution and reimbursement of Task Force overtime, and the third item is for reimbursement of extradition expenses.

Additional appropriation in the amount of \$23,066.80 to CIP – Greenfield ETC Utilization Study, 100-4094000-43000-8012-602. This is to cover expenditures to date for this project.

Additional appropriation in the amount of \$52.51 to CIP- Sheriff Mobile Safety Plan, 100-4094000-31200-8005-205. This is to cover the remaining project balance.

Additional appropriation in the amount of \$6,230.51 to CIP – Voter Registration Expansion, 100-4094000-13300-8012-418. This appropriation will cover expenditures to date for this project.

Additional appropriation in the amount of \$1,608.08 to the following Technology Services projects: \$1,496.18 to Cisco Phone Upgrade, 100-4094000-12510-8007-120; and \$111.90 to LAN Switch Additions & Replacements, 100-4094000-12510-8007-121. These appropriations will cover expenditures to date for these projects.

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 payables totaled \$1,498,734.82, including \$135,074.34 in CARES Act expenditures. He noted that this month's large expenditures included: \$29,297 to Sycom Technologies for IT software support; \$64,910 to Sheehy Automotive for two Sheriff's Department vehicles; \$75,696

for the fourth quarter budget payment to the Botetourt County Health Department; \$41,040 to Draper Aden Associates for professional services for the sewer extension along West Center Drive; \$33,978 to Intrado for partial billing for the Dispatch Center 911 enhancement project to be paid from grant funds; and \$38,300 to Visit Virginia’s Blue Ridge for their fourth quarter budget payment.

There being no discussion, on motion by Dr. Bailey, 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 21-04-06)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on approval of the FY 21 - 22 School budget. Mr. Tony Zerrilla, Director of Finance, stated that the FY 22 budget process for the school system began late last year; work sessions with staff and the School Board Budget Committee began in January 2021; the School Board’s budget public hearing was held on March 25, the County and Schools budgets were advertised for a public hearing by the Board of Supervisors on April 7, and the public hearing was held on April 20, 2021.

He noted that the total recommended School budget for FY 22 is \$65,227,144, which is an increase of \$6.2 million over the FY 21 School budget. Mr. Zerrilla stated that this budget funds the Schools’ general operations including self-sustaining and discrete funds including the following additions: 1 step salary scale increase for eligible employees; 3% salary scale adjustment to classified and certificated scale personnel; 2% administrator pay adjustments; personnel requests--1 school social worker, 1 gifted teacher, 1 operations/maintenance employee, and 6 special education instructional assistants; and funding for the virtual school academy. Mr. Zerrilla stated that the total of these new expenditures is \$2.6 million; \$1.4 million of which will be funded by the State and \$1.2 million by the County.

There being no discussion, on motion by Mr. Martin, seconded by Dr. Bailey, and carried by the following recorded vote, the Board adopted the following resolution approving the FY 22 School budget.

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

NAYS: None

ABSENT: None

ABSTAINING: None

Resolution Number 21-04-07

WHEREAS, the proposed FY 2021-2022 School budget was duly advertised and a public hearing was held on April 20, 2021, in accordance with the Code of Virginia;

NOW, THEREFORE, BE IT RESOLVED, that the Botetourt County Public Schools budget for Fiscal Year 2021-2022 is:

<u>Revenues:</u>	<u>Approved FY 21 – 22</u>
School Fund Revenues:	
Local	\$26,441,235
State	\$28,074,568
Federal	\$ 50,000
Other	\$ 580,284

School Instructional Programs with Self-Sustaining Funds	\$ 4,426,190
School Nutrition Fund	\$ 1,916,285
Textbook Fund	\$ 2,500,519
Capital Reserve Fund	<u>\$ 1,238,063</u>
Total School Fund Revenues	<u>\$65,227,144</u>

Expenditures:

School Operating Fund	\$55,146,087
School Instructional Program with Self-Sustaining Funds	\$ 4,426,190
School Nutrition Fund	\$ 1,916,285
Textbook Fund	\$ 2,500,519
Capital Reserve Fund	<u>\$ 1,238,063</u>
Total School Fund Expenditures	<u>\$65,227,144</u>

A work session was then held on VDoT's FY 22 – 27 Secondary System Six Year Plan. Mr. Ray Varney, VDoT's Resident Engineer, then gave a PowerPoint presentation on the Six Year Plan. He displayed a chart showing the estimated construction program allocations from the Telefee and District Grant-Unpaved accounts. He noted that, in future years, the unpaved road monies are anticipated to increase but the Telefees are expected to remain at the same annual amount (\$94,328).

Mr. Varney then reviewed the listing of roads currently in the Plan: Stone Coal Road (1.0 mile)—work is expected to begin this summer; Clydes Run Road (1.2 miles)—work is anticipated to begin in 2022; Prices Bluff Road (0.8 miles)—2023; Back Creek Lane (0.5 miles)—2024; Stevens Road (1.2 miles)—2025; Ball Park Road (1.4 miles)—2026; and Mountain Valley Road (0.4 miles)—2027. He noted that these roads are proposed to be reconstructed and surface treated and the construction cost estimates are based on 2019 data.

Mr. Varney stated that the only road project to be completed and removed from the current Six Year Plan is Murray Road which accesses the new Colonial Elementary School. Mr. Varney further noted that the Plan includes "Cost Center accounts" for Countywide traffic services such as speed studies, new signage, and for traffic studies such as the Daleville Town Center crosswalk study mentioned earlier today; Countywide engineering and surveying projects; and Countywide fertilization and seeding projects.

Mr. Varney noted that there is the potential to add one or two new road reconstruction projects to the 2026 and 2027 Plan years. He then reviewed the six proposed project additions in daily traffic count order: Laymantown Road--0.08 miles, 130 vehicles per day (vpd), estimated cost \$40,000; Fringer Trail--0.7 miles of the total road length of 1.36 miles, 110 vpd, estimated cost \$500,000; Sugar Tree Hollow Road--4.5 miles, 90 vpd, estimated cost \$2.2 million; Old Hollow Road--0.6 mile, 70 vpd, estimated cost \$300,000; Roy Road—1.4 miles, 60 vpd, estimated cost \$700,000; and Trevey Road—0.6 miles, 50 vpd, estimated cost \$300,000.

He then displayed maps of these roadways. He noted that a small section (0.08 mile) at the end of Laymantown Road on the north side of Mountain Pass Road is gravel and has a daily traffic count of 130 vehicles. Mr. Varney noted that the original improvement request for Fringer Trail consisted of only the 0.7 mile northern section. He further noted that a portion of Fringer

Trail is paved; however, 1.36 miles of this roadway from the paved section to Mountain Valley Road is gravel.

Regarding Sugar Tree Hollow Road, Mr. Varney stated that the southern portion of this 4.5 mile gravel roadway is the most challenging and most expensive to complete as it is very narrow with a sharp drop off on the side. He further stated that additional right-of-way may be needed to achieve a 16' wide roadway with 1' shoulders.

Mr. Varney then displayed maps of Old Hollow Road, Trevey Road and Roy Road. He noted that Trevey Road has a 50 vpd traffic count which is the minimum that a gravel road can have to be considered for inclusion on the Plan. Mr. Varney stated that the unpaved portion of Trevey Road is a difficult section to improve due to steep, narrow, and curvy conditions. He further noted that a small section of Old Hollow Road is currently paved and Roy Road parallels I-81.

After discussion, Mr. Varney noted that there are no Rural Addition projects proposed in the Plan as these types of improvement projects have portions that have to be paid for by someone else before VDoT can accept them into the Secondary System for maintenance.

After questioning by Dr. Scothorn, Mr. Varney stated that he would recommend that the Board add the Laymantown Road and Fringer Trail projects to the Plan. He noted that, since the Laymantown Road project is so small, it may be able to be completed earlier than 2027 depending on available funding.

There being no further discussion, on motion by Mrs. White, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board directed staff to advertise the FY 22 – 27 Secondary System Six Year Plan and the FY 22 budget for public hearing at the May regular meeting, including the Laymantown Road (Route 658) and Fringer Trail (Route 645) projects. (Resolution Number 21-04-08)

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

NAYS: None

ABSENT: None

ABSTAINING: None

After questioning by Mr. Clinton on whether the overages in the Countywide Traffic Services and the Countywide Engineering and Surveying accounts are limiting factors in future Plan years, Mr. Varney stated that these accounts "are another type of budget" within VDoT's Plan. He noted that these account overages would be paid out of the Plan's total budget amount.

After further questioning by Mr. Clinton, Mr. Varney stated that the current \$17,000 deficit in the Traffic Services account would be covered from funds allocated elsewhere in the Plan.

Mr. Varney then stated that the updated Plan developed for the May public hearing will consist of a different account/budget layout than was shown today as VDoT has changed their process and format for the Six Year Plan.

There being no further discussion, the Board thanked Mr. Varney for this presentation.

Mrs. Nicole Pendleton, Director of Community Development, then updated the Board on the Apex Rocky Forge project. Mrs. Pendleton displayed a chart showing the progress on the submittal of various site plans/fees for this project.

She stated that the onsite and offsite plans have been submitted to the County and deemed complete by staff and are currently undergoing a substantive review. Mrs. Pendleton noted that the onsite plans and Dagger Spring Road improvement plans were distributed to VDoT in March and the County's Department of Fire and EMS for review. She further noted that VDoT has to return the onsite plans to her office by May 2 and the road improvement plans

by May 10. Mrs. Pendleton then stated that the Zoning Administrator has 35 days to incorporate VDOT's and Fire/EMS' comments into the zoning review comments and respond to the applicant's onsite and road improvement plans by June 6 and June 14, respectively.

Mrs. Pendleton stated that the County had previously renewed its contract with Antares and has engaged them to conduct a third-party review of both sets of plans and hope to receive their comments by the middle of next week.

After questioning by Mrs. White as to how the County reconciles Antares' findings with the VDOT, Fire/EMS, and County staff plan reviews, Mrs. Pendleton stated that staff will review these comments/recommendations with the checklist of the required component items to ensure that everything is aligned and there are no issues/comments unresolved.

Mrs. Pendleton stated that the review process is being conducted as diligently as possible.

After questioning by Mrs. White, Mrs. Pendleton stated that any comments from Antares will be incorporated into the staff report.

Dr. Bailey then stated that Mrs. Dave Condon made statements during the public comment period expressing concerns about the FAA review of this project. He questioned if these matters would be considered by the County or Apex.

Mrs. Pendleton stated that there are many State/federal reviews of wind farms that are outside of the purview of the Planning/Zoning Office. She stated that the County does not have any authority over the Federal Aviation Administration's (FAA's) findings in this matter.

After further questioning by Dr. Bailey, Mrs. Pendleton stated that, if the FAA signs off on/approves Apex's permit request, then there is nothing else that the Planning/Zoning Office would need in this regard.

After questioning by Mrs. White, Mrs. Pendleton stated that she reviews the FAA's website to determine the status of this project's application.

There being no further discussion, the Board thanked Mrs. Pendleton for her update.

Consideration was then held on a request from the Library Board to transfer library-related personnel/ finance governing responsibilities to the County. Dr. Marlene Preston, Library Board of Trustees Chair, and Ms. Julie Phillips, Library Director, were then present to speak to the Board.

Dr. Preston thanked the Board for their support of the County's libraries. She noted that today's request is to give the Library Board "protection" by formally designating them as an advisory body and approval of the transfer of personnel, finance, and governing responsibilities from the Library Board to the County.

She noted that the Library Board does not make money or hire the Library Director, and its members are not covered by liability insurance which means that they are subject to lawsuits if an individual visiting a library property has an accident. Dr. Preston stated that, as part of this governance change, the Library Board is also requesting that the Board direct County staff to petition the County's General Assembly representatives to seek and secure an exception to State Code Section 42.1-36 to designate the Library Board as an advisory board.

Dr. Preston noted that the Board's agenda item on this request included a memo from the Library Board explaining these requests and a comparison chart of the duties and responsibilities of governing versus advisory boards. She noted that the Library Board has been an advisory board for quite some time and they would like to formalize this designation.

Ms. Phillips stated that it has been helpful to her to have a close association with the County and its staff which can supply resources that are beyond what the Library Board can provide.

Dr. Scothorn thanked Dr. Preston for volunteering her time in service on the Library Board.

Mr. Clinton stated that he supports these proposals which “bring things into the way that they are really run.” He noted that it is realistic to have the Library’s liability, reporting, and human resources responsibilities overseen by the County. Mr. Clinton stated that he is the ex-officio member on the Library Board and anything that the Supervisors can do to support the Libraries makes sense.

There being no further discussion, on motion by Mrs. White, seconded by Mr. Martin, and carried by the following recorded vote, the Board authorized County staff to work with the County Attorney to draft an agreement between the County and the Library Board of Trustees to effectively transfer governing authority and responsibilities for Botetourt Libraries to the County as of July 1, 2021, and authorize the County Administrator or his designee to execute the agreement on the County’s behalf. (Resolution Number 21-04-09)

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

NAYS: None

ABSENT: None

ABSTAINING: None

On motion by Dr. Bailey, seconded by Mr. Clinton, and carried by the following recorded vote, the Board authorized the staff to petition the County’s General Assembly representatives to seek and secure an exception to Code of Virginia Section 42.1-36 to designate the Library Board of Trustees for Botetourt County as an advisory board. (Resolution number 21-04-10)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on proposed amendments to Chapter 25 Zoning of the Botetourt County Code to amend the maximum square footage of signage permitted in commercial zoning districts. Mrs. Nicole Pendleton, Director of Community Development, stated that her office received a request from Mr. Dave Preston with DART I, LLC, who owns the Country Cookin’ property at Exit 150.

She noted that the restaurant’s sign was damaged by a tractor trailer several months ago and Mr. Preston would like to replace the sign. Mrs. Pendleton stated that this sign was installed over 30 years ago and is considered non-conforming under the Zoning and Sign Ordinance provisions. She noted that any replacement sign would have to comply with the current Sign Ordinance regulations.

Mrs. Pendleton stated that staff have discussed amending the Sign Ordinance for many years as several businesses, especially those located along I-81 have requested more flexibility in the ordinance’s provisions. She noted that today’s request is an opportunity to improve and update the ordinance to make it more compatible with current needs and conditions.

Mrs. Pendleton stated that staff plans to initiate a comprehensive review and amendment process following the filling of current staff vacancies in her office; however, ordinance amendments specific to a request such as Mr. Preston’s have already been drafted and can be finalized by staff for public hearing by the Planning Commission and Board in June. She noted that this proposal has been discussed with Mr. Preston and he is agreeable to this timeline.

Dr. Scothorn noted that the damage caused to this sign was an unfortunate situation and there were limits imposed by the insurance company on reimbursement of the sign's repair costs. Dr. Scothorn further noted that citizens have asked him about the sign's replacement and he has discussed this situation with the applicant. Dr. Scothorn stated that he is in favor of anything that will expedite landscaping improvements in the Exit 150 area.

After discussion by Dr. Bailey, Mrs. Pendleton stated that this proposal offers an additional opportunity to have better and more visible signage along the interstate and Route 11 corridors.

Dr. Scothorn stated that the pandemic shut down this restaurant last year and the owner would now like to sell this property. He noted that whatever the County could do to help in this situation would be appreciated.

After questioning by Dr. Bailey, Mrs. Pendleton stated that DART, in which Mr. Preston is the managing partner, is the current owner of this property. She further noted that these Sign Ordinance amendments are proposed to be specific to properties with visibility from both the Interstate and a major road in the County.

There being no further discussion, on motion by Dr. Scothorn, seconded by Mrs. White, and carried by the following recorded vote, the Board directed staff to develop and refer proposed amendments to Division 2. Signs, Section 25-461 of the County Zoning Ordinance to the Planning Commission for its review and recommendation via public hearing to the Board of Supervisors at their June regular meeting. (Resolution Number 21-04-11)

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

NAYS: None

ABSENT: None

ABSTAINING: None

A public hearing was then held on Amendment #2 to the CLEO Charter Agreement with the Workforce Development Board (WDB) to change the fiscal agent. Mr. David Moorman, Deputy County Administrator, stated that in 2003 the County entered into an agreement with other Roanoke Valley localities to create a Workforce Investment Area III Chief Local Elected Officials Consortium. He noted that this Consortium appoints the membership of the Western Virginia Workforce Development Board under the provisions of the Workforce Investment Act to promote programs to support employment opportunities in the region.

Mr. Moorman noted that the WDB's current fiscal agent is the Roanoke Valley/Alleghany Regional Commission. He noted that RVARC no longer wishes to oversee these duties and it is being proposed that the Charter Agreement be amended to transfer these responsibilities to the WDB.

Mr. Moorman noted that any amendments to the Agreement require that a public hearing be held. He noted that this hearing was advertised in The Fincastle Herald on April 14 and 21, 2021.

After questioning by Mrs. White, Mr. Moorman stated that this amendment will result in no fiscal implications for the County; it is only changing the agency responsible for implementation and operation of the workforce development plan.

After questioning by Dr. Scothorn, it was noted that there was no one present in person or on the telephone who wished to speak regarding this matter. The public hearing was then closed.

On motion by Mr. Clinton, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board adopted the attached Amendment No. 2 to the CLEO Charter Agreement

with the Workforce Development Board to change the fiscal agent from the Roanoke Valley/ Alleghany Regional Commission to the Western Virginia Workforce Development Board and authorized the Chairman and County Attorney to sign the document on the Board's behalf.

(Resolution Number 21-04-12)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on approval of a resolution declaring May as "Business Appreciation Month" and presentation of a report on 2020 CARES Act fund allocations to local businesses/farmers. Mr. Ken McFadyen, Economic Development Director, stated that the proposed resolution reflects current economic development activities as well as the work conducted in 2020 using CARES Act funds.

After questioning by Mr. Clinton, Mr. McFadyen stated that, due to the pandemic, the staff has not made as many in person visits to the County's small businesses to discuss their situation and to see if any support from the County is needed. He noted, however, that they have worked with 82 businesses on grant applications for CARES Act monies which required a lot of telephone calls and e-mails.

After further questioning by Mr. Clinton, Mr. McFadyen stated that he and his staff have created a significant funding relationship with the Roanoke Small Business Development Center which helps small businesses with questions and needs. He noted that the RSBDC agreed to provide approximately 1800 hours of dedicated service in the County over the past 12 months. He also noted that the Advancement Center's "Gauntlet" Small Business Plan Competition Program is currently underway which offers classes, advice, and training to individuals who want to open a new business.

Dr. Scothorn noted that some of the small businesses did not return their completed CARES Act funding applications for processing/approval by the County and Mr. McFadyen contacted those businesses directly to assist in the application process. Dr. Scothorn noted that he appreciates all of the relationships that Mr. McFadyen has developed with the County's small businesses either by telephone or through personal contact before and during the pandemic.

Dr. Bailey stated that he would say the same thing about Mr. McFadyen regarding the Farm Grant program. He noted that the farmers were very appreciative of the County's efforts to assist them financially during the pandemic.

Mr. McFadyen stated that the pandemic presented an environment that the County was not as well prepared for until it occurred. He stated that the County did what we could to help as many businesses as possible and to make it as easy as could be arranged for them to complete the paperwork and application process. He further stated that this was a very extensive review and eligibility process in a compressed application period as the businesses were required to demonstrate the impact that the pandemic had on their businesses prior to the funds being awarded. Mr. McFadyen noted that only certain economic impacts qualified for funds which could only be used to purchase items such as computers/technology, on-line advertising, etc.

He noted that 140 small businesses requested applications, 116 of those were eligible for CARES Act grant funds, and 82 fully completed the application process. Mr. McFadyen noted that \$264,000 in funds was awarded by the County.

Regarding the farm grant program, Mr. McFadyen stated that 50 farms received a total of \$157,000 in CARES Act funds. He noted that the amounts ranged from \$1,250 to \$4,000

each. Mr. McFadyen stated that, to assist with the process, the County obtained eligibility information on the County's farmers from the Farm Service Agency. He noted that this ready-made information resulted in minimal information required in the farm grant application process.

Mr. McFadyen then stated that CARES Act funds were also used to create four television commercials on the County's small business and farm grant programs. He then showed two of these commercials.

Dr. Scothorn stated that the County has a contract with Effectv's (formerly Comcast) subsidiary to air these commercials to 280,000 households from Harrisonburg to Danville. He noted that Mr. McFadyen and his staff have done a good job in helping the County's small businesses and farmers alleviate the pandemic's impact.

Mrs. White then questioned as Mr. McFadyen and his staff visit small businesses and continue their follow up is there any support that these businesses need going forward.

Mr. McFadyen stated that, during the pandemic, the federal government created the Payroll Protection Program (PPP) which provided loans to small businesses suffering economic impact due to Covid-19 to maintain workers on the payroll and/or bring furloughed workers back on the job. He noted that the County provided assistance to small businesses to navigate through this program's application requirements.

Mr. McFadyen stated that the federal government has additional assistance programs available for small businesses; however, it is a matter of determining whether the businesses need these specific funds in order "to keep the red tape to a minimum."

Mrs. White complimented Mr. McFadyen on the creation of these two commercials.

After discussion, Mr. McFadyen gave an example of MicroHarmonics, which is a small business located in Fincastle, which sells its products all over the world. He noted that the County can connect that business using RAMP (the Roanoke small business incubator) and the Virginia Economic Development Partnership with international marketing groups as well as with organizations in Richmond that specialize in business expansion assistance.

Dr. Scothorn stated that every business has had an economic impact caused by the pandemic's restraints and he is glad that the County and its staff were able to help the County's businesses and farmers during this time. He then thanked Mr. McFadyen for his presentation.

There being no further discussion, on motion by Dr. Scothorn, seconded by Dr. Bailey, and carried by the following recorded vote, the Board approved the following resolution declaring May as "Business Appreciation Month."

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

NAYS: None

ABSENT: None

ABSTAINING: None

Resolution Number 21-04-13

WHEREAS, the Botetourt County Board of Supervisors is committed to ensuring the long-term economic stability of the County and creating a business-friendly environment that benefits all who live, work, and travel in the County; and,

WHEREAS, all of Botetourt County's businesses, from small, family-owned businesses to large manufacturers and logistics companies, play a pivotal role in strengthening our County and the Roanoke Valley by creating and maintaining a diverse array of jobs, utilizing innovative technologies, and investing in our community which provides greater economic prosperity for all our citizens; and,

WHEREAS, Botetourt County currently has more than 800 businesses that provide approximately 10,500 jobs in the County and beyond, and offer a variety of services and products and services locally and worldwide; and,

WHEREAS, companies locating to or expanding in Botetourt County have announced the private taxable investment of over \$230 million, over 1,200 new jobs, and over \$40 million in annual payroll in the County from 2016 to date; and,

WHEREAS, the Board of Supervisors recognizes and appreciates the new and continued accomplishments and expansions of our existing businesses and celebrates and supports the entrepreneurial spirit that thrives in Botetourt County; and,

WHEREAS, the Board of Supervisors acknowledges the many charitable, civic, and philanthropic contributions made by the County's businesses and encourages the highest level of corporate citizenship and community involvement; and,

WHEREAS, the Board of Supervisors also thanks its partnering organizations, including the Roanoke Regional Partnership, the Roanoke Regional Chamber of Commerce and Small Business Development Center, The Advancement Foundation, SCORE, and the Botetourt County Chamber of Commerce, for the collaborative efforts required to promote, retain, and grow a vibrant and varied business community; and,

WHEREAS, the Board of Supervisors has recently reaffirmed Botetourt County's commitment to assisting "our existing businesses to continually reinvest and expand" and to "maximize conditions for new businesses to establish themselves and thrive;" and,

WHEREAS, the COVID-19 public health emergency brought increased awareness to the County's efforts to support the business community, and particularly those businesses engaged in food services, retail sales, and personal services; and,

WHEREAS, during 2020, the County and the Economic Development Authority awarded 133 small businesses and farms based in Botetourt County with \$421,672 in grants to support their operations during the pandemic

NOW, THEREFORE, BE IT RESOLVED, that the Botetourt County Board of Supervisors does hereby recognize May 2021 as **Business Appreciation Month** in Botetourt County as a distinct opportunity to recognize Botetourt County's businesses for the essential roles they play in our community as well as for driving and strengthening the County's economy.

Mr. Clinton then updated the Board on the recent activities of the Historic Greenfield Committee. He noted that the group's most recent meeting was last week. He noted that they had a good fundraising event in December and will use these funds to focus on stabilizing the summer kitchen. Mr. Clinton noted that the group is requesting that the County obtain bids to stabilize the wooden structure and its chimney. He noted that these improvements will probably have the greatest tourism impact of the three structures on the preservation site.

Mr. Clinton then noted that the Lewis and Clark Eastern Legacy Trail traces the travels of Meriwether Lewis and William Clark before and after their expedition in the early 1800s to find a route to the Pacific Ocean. Mr. Clinton noted that on September 18, 2021, a representative of the National Historic Trust Council will be in the area and will tour Santillane, Greenfield, and the portion of the Lewis and Clark Trail in Botetourt County.

He then stated that Mr. Ken Conklin, a Botetourt County author, has written a book on Mr. Norvel Lee who was a Botetourt County native and won a gold medal in boxing in 1952. He noted that a fundraising program is being set up to purchase a Virginia Department of Historic Resources marker (estimated cost \$2,000) to be placed near Gala/Eagle Rock commemorating Mr. Lee.

Mr. Clinton noted that Mr. Lee stuttered and grew up in poverty. He further noted that in 1948, seven years before Rosa Parks refused to give up her seat on a bus to a white person, Mr. Lee refused to give up his seat on a train. Mr. Clinton stated that this desegregation case went before the Virginia Supreme Court which ruled in Mr. Lee's favor. He noted that this is a good book and this story is an important part of Virginia's and Botetourt County's history.

Mr. Clinton noted that the issue of funding the marker will be brought before the Board later this year.

Dr. Scothorn then stated that, due to a decrease in the number of new Covid-19 cases and an increase in citizens obtaining vaccinations, the County's libraries and offices will reopen to the public on June 1, 2021.

Mr. Clinton then stated that the Historic Greenfield group has been conducting a commemorative brick funding-raising program. He noted that the bricks will be engraved and the cost is \$150 and \$250 based on the size of the brick. He noted that the program is moving along very well.

After questioning by Dr. Bailey, Mr. Clinton stated that there are three historic buildings on the Greenfield preservation site and he believes that the bricks would be placed around the Farm Manager's House.

Mrs. White then thanked Chief Jason Ferguson and his team for the vaccination clinic held in Buchanan on Sunday.

Consideration was then held on the appointment of Drew Pearson, Senior Planner, as the County's Zoning Administrator, and Mrs. Nicole Pendleton as the Deputy Zoning Administrator.

Mrs. Pendleton, Community Development Director, stated that the County is required to appoint a Zoning Administrator as per the Code of Virginia. Mrs. Pendleton noted that she, as Director of Community Development, is also the current Zoning Administrator. She stated that, to allow timelier processing of zoning permits, site plans, and code enforcement, it is being requested that Mr. Pearson, who is also the County's Subdivision Agent, be appointed as Zoning Administrator and she be appointed Deputy Zoning Administrator.

On motion by Dr. Scothorn, seconded by Mr. Martin, and carried by the following recorded vote, the Board appointed Mr. Drew Pearson as the County's Zoning Administrator, and appointed Mrs. Nicole Pendleton as the Deputy Zoning Administrator, effective May 1, 2021. (Resolution Number 21-04-14)

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

NAYS: None

ABSENT: None

ABSTAINING: None

There being no further discussion, the Chairman then adjourned the meeting at 4:11 P. M. until 6:00 P. M.

The Chairman called the meeting back to order at 6:00 P. M.

A public hearing was then held on a request in the Amsterdam District from John Jerome, Jr., and Andrea L. DiPasquale for a Special Exception Permit, with possible conditions, for a second accessory building in the Residential Use R-1 District in accordance with Section 25-123. Uses permissible by special exception and Section 25-583. Special exceptions of the Botetourt County Code on property located at 79 Oxford Circle (State Route 1024), Daleville, identified on the Real Property Identification Maps of Botetourt County as Section 100B(1), Parcel BK1-13.

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

Mrs. Nicole Pendleton, Director of Community Development, stated that this property is zoned as a Residential R-1 use. She noted that the DiPasquales purchased this property last year and it contained the residence, a carport, and a shed. She stated that Mr. DiPasquale would like to place an additional storage building on the property; however, a second accessory building is only allowed through a SEP from the County.

Mrs. Pendleton noted that no complaints or comments from the adjacent property owners have been received regarding this request.

After questioning by Dr. Scothorn, it was noted that there was no one present to speak in person or on the telephone regarding this request. The public hearing was then closed.

After questioning by Dr. Scothorn, Mr. DiPasquale, applicant, stated that Mrs. Pendleton explained his request very well. Mr. DiPasquale further stated that he originally wanted to place a storage shed on the adjacent parcel of which he is one-half owner.

Mr. DiPasquale stated that he has also reviewed aerial photographs of the lot and the carport was on the property at least as far back as 2003.

After questioning by Mr. Clinton regarding comments from the neighbors, Mr. DiPasquale stated that the carport was located on the property longer than most of his neighbors have owned their homes.

There being no further discussion, on motion by Mr. Clinton, seconded by Mrs. White, and carried by the following recorded vote, the Board approved a request in the Amsterdam District from John Jerome, Jr., and Andrea L. DiPasquale for a Special Exception Permit for a second accessory building in the Residential Use R-1 District in accordance with Section 25-123. Uses permissible by special exception and Section 25-583. Special exceptions of the Botetourt County Code on property located at 79 Oxford Circle (State Route 1024), Daleville, identified on the Real Property Identification Maps of Botetourt County as Section 100B(1), Parcel BK1-13. (Resolution Number 21-04-15)

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

NAYS: None

ABSENT: None

ABSTAINING: None

A public hearing was then held on a request in the Amsterdam District from BAAJ Investments, LLC, for a Special Exception Permit for a Cabin or Cottage, with possible conditions, for the proposed use of a short-term rental in the Residential R-1 Use District in accordance with Section 25-123. Uses permissible by special exception and Section 25-583. Special exceptions of the Botetourt County Code on a 0.49-acre lot located at 281 Catawba Road (State Route 779), Daleville, identified on the Real Property Identification Maps of Botetourt County as Section 100A(3), Parcel BK4-3.

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

Mr. Drew Pearson, Senior Planner, stated that there are other R-1 and R-3 zoned properties in this residential area as well as the Daleville Town Center Traditional Neighborhood District and the Medallion Hills' townhome development.

He noted that this 3 bedroom home was constructed in 1968 and the applicant would like to rent the structure for periods of less than 30 days when the applicant, who is based in Florida, is not in residence.

Mr. Pearson stated that the County's short-term rental provisions require that the site comply with the County's Noise Ordinance, that trash be removed from the property, that owner

contact information be available for use by renters in the event of a problem/concern, etc. He noted that the ordinance also limits the number of occupants in the structure at one time to two persons over 2 years of age in each bedroom.

After discussion, Mr. Pearson stated that no comments from the public or adjacent property owners were received regarding this request. He noted that the Planning Commission recommended no conditions on this request.

Mr. Pearson further stated that the applicant is participating in the meeting virtually to answer any questions from the Board.

After questioning by Mr. Clinton, Mr. Pearson stated that short-term rentals are described in the Zoning Ordinance as those consisting of periods of less than 30 days. He noted that these types of rentals are used as alternative housing for those individuals who do not want to stay in a hotel/motel. Mr. Pearson noted that the lease has to be for rental of the entire home at one time.

After further questioning by Mr. Clinton, Mr. Pearson stated that short-term rentals are typically advertised for rent on Internet sites such as Airbnb and VRBO. After further questioning by Mr. Clinton, Mr. Pearson stated that a SEP for a cabin and cottage short-term rental had been approved in the R-1 district on Orchard Drive.

After questioning by Dr. Bailey, Mr. Pearson stated that the Zoning Ordinance requires that the name/contact information of a maintenance person/manager be available to the Zoning Administrator, as well as the renters, if this individual is someone other than the owner. Mr. Pearson noted that this property is owned by a mother who lives in Florida for part of the year, and a son who lives in the County.

After questioning by Dr. Scothorn, Mr. Pearson stated that no comments were received from the neighbors regarding this request. After further questioning by Dr. Scothorn, Mr. Pearson stated that the owners would still be able to rent the home for periods of more than 30 days as the SEP simply approves the option of being able to rent for periods of 30 days or less at a time.

After questioning by Mr. Clinton, Mr. Pearson stated that no mention has been made of any signage being placed for this type of short-term rental use. After further questioning by Mr. Clinton as to what regulations would be followed if the owner wanted to install a sign identifying this rental property, Mr. Pearson stated that, if a sign were allowed in the residential use district, it would be a very small size. He noted that usually, short-term rental owners do not provide the actual, physical address of the rental property until a day or two before the rental period begins and do not generally display signs at the property itself that advertise the short-term rental.

After questioning by Mr. Clinton, Mr. Pearson stated that there are no requirements in the short-term rental regulations regarding the provision of meals. He noted that some owners may provide snacks or bottled drinks as a welcome gift for the renters but no food preparation is allowed by the owner.

Mrs. Kathleen Focht, owner, then stated over the telephone that there would be no signage placed on the property other than the structure's street address.

After questioning by Dr. Scothorn, it was noted that there was no one else either present at the meeting or on the telephone who wished to speak regarding this matter. The public hearing was then closed.

There being no further discussion, on motion by Mrs. White, seconded by Mr. Martin, and carried by the following recorded vote, the Board approved a request in the Amsterdam District from BAAJ Investments, LLC, for a Special Exception Permit for a Cabin or Cottage for the

proposed use of a short-term rental in the Residential R-1 Use District in accordance with Section 25-123. Uses permissible by special exception and Section 25-583. Special exceptions of the Botetourt County Code on a 0.49-acre lot located at 281 Catawba Road (State Route 779), Daleville, identified on the Real Property Identification Maps of Botetourt County as Section 100A(3), Parcel BK4-3. (Resolution Number 21-04-16)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Dr. Scothorn then noted that a meeting of the Botetourt County Broadband Committee will be held on Friday, April 30 at 8AM in this same room.

There being no further discussion, the meeting was adjourned at 6:20 P. M.