

The regular meeting of the Botetourt County Board of Supervisors was held on Tuesday, July 28, 2015, in Rooms 226-228 of the Greenfield Education and Training Center in Daleville, Virginia, beginning at 2:00 P. M.

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

ABSENT: Members: None

Others present at the meeting:

Mr. David Moorman, Deputy County Administrator  
Mrs. Kathleen D. Guzi, County Administrator  
Mr. Michael Lockaby, County Attorney

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

Dr. Scothorn then asked for a moment of silence. Mr. Dodson then led the group in reciting the pledge of allegiance.

Ms. Lisa Moorman, Tourism Manager, then introduced Ms. Mariana Toledo to the Board as the County's new Communications and Digital Marketing Specialist. She noted that Ms. Toledo has six years of strategic marketing experience and has served in previous marketing communications positions in both North Carolina and Virginia.

The Board then welcomed Ms. Toledo to employment with Botetourt County.

Chief Jeff Beckner then stated that he would like to present diplomas to two Fire and EMS Department staff who had recently received their Professional Emergency Manager certifications from the Virginia State Fire Officers Academy.

He noted that Mr. Adam Smith is the ninth Botetourt County staff member to graduate from this Academy. Chief Beckner stated that Mr. Smith is also the first department member to complete the Virginia Department of Fire Programs criteria to be certified as a Fire Investigator. He also noted that Mr. Daniel Murray has received his Professional Emergency Manager designation. He noted that Mr. Murray completed 400 hours of classroom education to obtain this designation and he is the first Botetourt County staff member to achieve this designation. Chief Beckner stated that Mr. Murray is also a team leader in the County's newly created Search and Rescue Program.

After questioning by Dr. Scothorn, Mr. Murray stated that his 400 hours of class work was divided into two week sessions.

Dr. Scothorn and the Board congratulated Mr. Smith and Mr. Murray for their achievements in obtaining these certifications and stated that he is encouraged by the Chief's support of his staff members' efforts to obtain additional education in their field.

After discussion, on motion by Mr. Dodson, seconded by Mr. Leffel, and carried by the following recorded vote, the Board approved the minutes of the regular meeting held on June 23, 2015, and the minutes of the continued meeting held on June 29, 2015, as submitted.  
(Resolution Number 15-07-01)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on approval of transfers and additional appropriations. Mr. Tony Zerrilla, Director of Finance, stated that there was one transfer and 16 pass through appropriations for the Board's consideration this month. He noted that these appropriations were for receipt of donations, miscellaneous receipts, revenue collections, cost reimbursements, insurance claims, grants, telephone commissions, and the annual appropriation of property seizure funds into their respective accounts under the Sheriff's and Commonwealth's Attorney's oversight.

There being no discussion, on motion by Mr. Williamson, seconded by Mr. Leffel, and carried by the following recorded vote, the Board approved the following transfer and additional appropriations. (Resolution Number 15-07-02)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Transfer \$20,354.92 from the E911 Fund to the County General Fund. This is to recapture E911 operating expenses.

Additional appropriation in the amount of \$300 to Sports Complex – Other Operating Supplies, 100-4071300-6014. These are funds received from the Military Officers Association of America Southwest Virginia Chapter to be applied against expenses associated with the Wounded Warriors softball event.

Additional appropriation in the amount of \$784.50 to Sports Complex – Marketing, 100-4071300-5840. These are gate receipts (net of costs and fess) received from a tournament to be submitted to USSSA for the recently held Women's World Series event.

Additional appropriation in the amount of \$500 to Parks & Recreation – Other Operating Supplies, 100-4071000-6014. These are donations received from Twin River Outfitters to assist with the development of the Glen Wilton James River public access point.

Additional appropriation in the amount of \$8,764.86 to Sheriff's Department – Special Law Enforcement, 100-4031200-5880. This is the portion of FY15 traffic fine proceeds payable to the Town of Buchanan per the County's contract for law enforcement services. This payment is included in this month's Accounts Payables.

Additional appropriation in the amount of \$4,684.35 to Sheriff's Department – RAID Patrol, 100-4031200-5830. This is a quarterly reimbursement of RAID program expenses for the Botetourt County Sheriff's Office Alternative Program.

Additional appropriation in the amount of \$4,221.89 to Sheriff's Department – Repair & Maintenance Equipment, 100-4031200-3311. These are insurance funds received for a vehicle damage claim.

Additional appropriation in the amount of \$14,507 to Fire & EMS – Capital Outlay, 100-4035500-8012. These are Fire Program Funds received from the State.

Additional appropriation in the amount of \$260 to Fire & EMS – Other Operating Supplies. 100-4035500-6014. These are donated funds.

Additional appropriation in the amount of \$35,130.16 to Volunteer Fire & Rescue – County Volunteer Rescue Squads, 100-4032200-5651. These are Four-For-Life funds received from the State.

Additional appropriation in the amount of \$2,585.28 to Volunteer Fire & Rescue County Volunteer Fire Departments, 100-4032200-5641. These are insurance funds received for a damaged apparatus claim.

Additional appropriation in an amount up to \$19,652.05 to the Property Seizure Proceeds Fund – Sheriff's Office – Federal Justice. This provides the authorization to expend these funds based upon predetermined expenditure guidelines.

Additional appropriation in an amount up to \$13.82 to the Property Seizure Proceeds Fund – Federal Treasury. This provides the authorization to expend these funds based upon predetermined expenditure guidelines.

Additional appropriation an amount up to \$69,701.74 to the Property Seizure Proceeds Funds – Sheriff's Office – State. This provides the authorization to expend these funds based upon predetermined expenditure guidelines.

Additional appropriation in an amount up to \$9,941.39 to the Asset Forfeiture Fund – Commonwealth's Attorney – Federal .This provides the authorization to expend these funds based upon predetermined expenditure guidelines.

Additional appropriation in an amount up to \$23,202.51 to the Asset Forfeiture Fund – Commonwealth's Attorney – State. This provides the authorization to expend these funds based upon predetermined expenditure guidelines.

Additional appropriation in an amount not to exceed \$8,000 to Correction & Detention – Inmate Phone Commissions, 100-4033100-5820. This is an advance pass-thru for funds received for debit card phone commissions received by the County.

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 \$956,252.77; however, he would like to add a late invoice in the amount of \$3,500 payable to the University of North Carolina's School of Government for education and training costs for the Technology Services Manager who is working toward his Master's certificate as a Certified Government Chief Information Officer, account 100-4012510-5540. Mr. Zerrilla stated that with this addition, the accounts payables now total \$959,752.77; \$920,324.53 in General Fund invoices; and \$39,428.24 in Debt Service fund expenditures.

He noted that the Short Accounts Payable total \$596,448.48; \$593,393.48 in General Fund expenditures; and \$3,055 in Debt Service Fund invoices. Mr. Zerrilla stated that this total includes \$270,519 in semi-annual operational support payments to the County's volunteer fire and rescue agencies.

Mr. Zerrilla stated that this month's large expenditures include \$40,783 to Wampler-Eanes Appraisal Service for work to date on the County's real estate reassessment; \$28,410 to the Roanoke Valley/Alleghany Regional Commission for their FY 16 budget allocation; \$36,330 to the Regional Partnership for one-half of their FY 16 budget allocation; \$15,299 for utility-related expenses received/incurred after the July 1, 2015, transition of the County's water/sewer systems to the Western Virginia Water Authority; and \$38,878 in debt service payments to Bank of America for the County's new telephone system. Mr. Zerrilla stated that the utility expenses will be covered by future appropriations of receipted funds from the June 2015 water and sewer service billings/collections.

There being no discussion, on motion by Mr. Martin, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board approved the accounts payable list with the addition of an invoice in the amount of \$3,500 payable to the University of North Carolina's School of Government from Technology Services-Convention and Education, account 100-4012510-5540, and ratified the Short Accounts Payable List as submitted. (Resolution Number 15-07-03)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on a supplemental appropriation request from FY 15 to FY 16. Mr. Tony Zerrilla stated that these requests are to reappropriate funds from the FY 14-15 County budget into the FY 15-16 budget to complete projects that were not finished by June 30, 2015. He noted that the State Code requires that no more than 1% of the total annual budget can be considered for appropriation by the County each month without a public hearing being scheduled. Mr. Zerrilla stated that, after review, the staff has identified a total of \$1.6 million in supplemental appropriations from FY 15 to be considered by the Board in FY 16 and these requests will be brought to the Board for consideration at future meetings.

Mr. Zerrilla stated that this month's supplemental appropriation requests total \$697,750; \$377,136 in General Fund Operations requests and \$320,614 in Capital Improvement Plan requests. He noted that the requests included funds toward the replacement of recording equipment in the dispatch center, sponsorship funds for the Wounded Warrior tournament, website improvements for the Economic Development Department, consultant costs for the Exit 150 Study, \$199,759 for continuation of the enterprise-wide software updates, funds for the Route 606/11 intersection improvement project, Library incentive fund monies, and an initial appropriation to plan for County building maintenance improvements, among others.

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 supplemental appropriation requests from the FY 15 County budget into the FY 16 budget to allow for carry-over of projects not completed by June 30, 2015. (Resolution Number 15-07-04)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Destination Acct. #	Account Description	Amount	Explanation/Reason For
<b><u>General Fund Operations:</u></b>			
100-4012121-3100	Dep. Co. Admin.-Professional Svces.	\$45,000	County/Econ. Devel. website enhancements
100-4012121-3100	Dep. Co. Admin.-Professional Svces.	\$5,000	Completion of Agric. Study / Plan
100-4012121-3180	Dep. Co. Admin.-Instr. & Training	\$3,000	Training - Economic Devel. Mgr. (was deferred)
100-4012121-3180	Dep. Co. Admin. Instr. & Training	\$6,000	For staff training
100-4012430-3120	Financial Svces.-Acctg./Auditing Svces.	\$3,500	Consulting serv.-Software convers.
100-4013300-1100	Registrar - Salaries & Wages - Regular	\$16,721	Separation pay
100-4013300-2100	Registrar - FICA	\$1,279	Separation pay
100-4031200-1300	Sheriff's Dept. - Part-Time Wages - Reg.	\$1,776	Incr. courtroom security activity
100-4031200-5530	Sheriff's Dept. - Subsistence & Lodging	\$3,876	Lodging/food at classes
100-4031200-5830	Sheriff's Dept. - RAID Patrol	\$31,694	Sheriff's Dept. Funds-Non-County funds.
100-4031200-5860	Sheriff's Dept. - Anti-Drug Education	\$50	Sheriff's Office Funds-Donations
100-4031200-6015	Sheriff's Dept. - Firing Range Expenses	\$4,469	Range Funds-For Sheriff's Dept. use

100-4031700-8001	Dispatch - Cap. Outlay - Mach. & Equip.	\$36,399	Replacement of recorder
100-4033100-5820	Corr. & Det.-Inmate Phone Comm.	\$18,944	Phone Comm.-For Sheriff's Dept. use
100-4033100-8001	Corr. & Det.-Cap. Out.-Mach. & Equip.	\$14,337	Replace Jase system (electronic master controls)
100-4034000-3100	Comm. Devel. - Professional Svces.	\$55,000	Exit 150 Mktg. Study - Contract & add'l. svces.
100-4035100-5530	Animal Control - Subsistence & Lodging	\$500	Out-of-town certification classes
100-4040000-1100	General Svces.-Salaries & Wages-Reg.	\$3,940	To cover trailing O/T & separation costs - Utilities
100-4040000-2100	General Svces. - FICA	\$301	To cover trailing O/T & separation costs - Utilities
100-4042400-8012	Waste Mgt.-Capital Outlay-Other Cap.	\$17,000	From Gen. Svces.-DEQ - Sediment pond work
100-4071000-3800	Parks & Rec. - Other Gov't Entities	\$8,750	Cover FY15 bill (umpire services)
100-4071000-6013	Parks & Rec.-Education & Rec. Supplies	\$7,000	Cover FY15 bill (sports equipment)
100-4071000-6013	Parks & Rec.-Education & Rec. Supplies	\$4,500	4 new soccer goals for Greenfield
100-4071000-6014	Parks & Rec. - Other Operating Supplies	\$8,000	Consulting - trailway planning & design
100-4071000-8001	Parks & Rec.-Cap. Out.-Mach. & Equip.	\$13,600	Infield prep attachments for grooming machines
100-4071300-5510	Sports Complex - Mileage	\$1,000	From Parks & Rec. - Mileage for Event Supervisor
100-4071300-6014	Sports Complex - Other Operating Suppl.	\$32,500	Wounded Warrior tournament sponsorships
100-4071300-3313	Sports Complex-Repair & Maint. - Bldgs.	\$5,000	Gutter & soffit repairs due to winter damage
100-4071300-3313	Sports Complex-Repair & Maint. - Bldgs.	\$2,500	Parking lot & sidewalk repairs
100-4081600-3100	Tourism - Marketing	\$9,500	For digital ad revisions & bolster social mktg.
100-4091503-2300	Employee Welfare - Hospital Medical	<u>\$16,000</u>	For potential increased incentive participation
TOTAL	General Fund Operations	\$377,136	
<b><u>CIP Projects:</u></b>			
100-4094101	Enterprise-wide Software	\$199,759	For continuation of project.
100-4094312	Portable Radio Upgrades	\$20,000	Awaiting grant results before purchasing.
100-4094402	Marion Oaks Roadway Improvement	\$6,430	To complete project.
100-4094405	Infrastructure Improvements	\$12,000	Initial appropriation for Co. bldg. maintenance planning
100-4094719	Library Incentive Fund	\$5,000	From Library Dept. - matching funds for projects
100-4094723	Rec. Incentive Program	\$12,828	To complete current Rec. Incentive Fund projects
100-4094808	Industrial Site Infrastructure	\$4,237	To be applied toward Shell Building County costs
100-4094809	VDOT Revenue Sharing Match	<u>\$60,360</u>	Route 606/11 intersection improv. project
TOTAL	CIP	\$320,614	

<b>GRAND TOTAL</b>	General Fund Operations & CIP	\$697,750
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Mrs. Guzi then informed the Board that Mr. Zerrilla had recently received a Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association on the preparation of the County's FY 2014 annual financial report. Mrs. Guzi stated that the efforts of the Finance Department staff, the County Treasurer, Commissioner of Revenue, and many other departments contributed to the receipt this award. She noted that this report is judged by an impartial panel and this certificate of achievement is well deserved. Mrs. Guzi further noted that the efforts in putting this audit report together fall upon Mr. Zerrilla's shoulders "but many others make this happen" and this has resulted in the County receiving this award for many years.

Mr. Williamson stated that he recently attended a financial seminar and the County's audit was handed out as an example of how this type of report should be done. He congratulated Mr. Zerrilla for this award.

Mr. Zerrilla stated that this award is a team effort and many County staff members put a lot of work throughout the fiscal year to make sure that the information included in the audit is accurate.

Consideration was then held on a request to advertise for a public hearing on proposed amendments to Chapter 23. Taxation regarding elderly and disabled tax exemptions. Mr. Michael Lockaby, County Attorney, stated that this issue was raised by County Treasurer Bill Arney who was concerned that there was the potential for individuals who were eligible for elderly and disabled tax exemptions under this ordinance that would not apply for these exemptions and who could possibly become delinquent in paying their real estate taxes.

Mr. Lockaby stated that there is a "means test" for citizens to qualify for these exemptions including age, disability, and income-based criteria. He noted that Section 23-49(5) of the ordinance also requires that participating taxpayers have no outstanding delinquent taxes. Mr. Lockaby stated that the Treasurer was concerned that a person who is not up-to-date in paying their taxes could not qualify for this exemption either now or in the future.

Mr. Lockaby stated that removal of this provision would benefit an individual who is behind on their taxes and "they will not dig themselves deeper" into debt. He noted that the taxpayer will still owe the County any delinquent taxes but the Treasurer can arrange a payment schedule to pay off the delinquent amount.

After questioning by Mr. Williamson, Mr. Lockaby stated that a taxpayer cannot retroactively apply for this elderly discount—the exemption application has to be applied for during the current tax year.

There being no further discussion, on motion by Mr. Williamson, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board authorized the advertisement of a public hearing at the August regular meeting on proposed amendments to Chapter 23 Taxation of the Botetourt County Code to delete subsection (5) from Section 23-49. General prerequisites to grant to remove the provision that there be no delinquent real estate taxes on a parcel for which an elderly or disabled person's real estate tax exemption is being claimed. (Resolution Number 15-07-05)

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

NAYS: None

ABSENT: None

ABSTAINING: None

A public hearing was then held to restrict through truck traffic on Mountain Pass Road (Route 652) between U. S. Route 460 and U. S. Route 11.

Mr. Dan Collins, VDoT's Residency Administrator, stated that there are sharp curves on this roadway which have caused large trucks and tractor trailers to become stuck which causes traffic hazards and safety issues. He noted that VDoT's traffic engineering staff have reviewed this roadway and their data supports this proposed full through truck restriction.

He noted that this public hearing, including a description of the designated alternate truck route, was advertised in The Fincastle Herald as required. Mr. Collins ask that the Board open the public hearing, allow any citizens present to speak, and he will be available to answer any additional questions on this proposed truck restriction after the hearing is concluded.

Mr. Richard Harvey of Gillie Lane in Blue Ridge stated that restricting truck traffic on Mountain Pass Road "is long overdue" and he appreciates the Board's efforts to get this accomplished. Mr. Harvey stated that it takes approximately 30 – 40 minutes to clear a tractor trailer incident after it has become stuck on this road. He noted that approximately 90% of the truck traffic using Mountain Pass Road originates from Route 11 and Humbert Road not from Route 460. Mr. Harvey suggested that signs also be posted on Humbert Road notifying trucks of the restriction on Mountain Pass Road.

Mr. Craig Coker of Mountain Pass Road requested that the Board approve this through truck restriction. Mr. Coker stated that twice since June 1 there have been tractor trailers "hung up" on the hairpin curve on Mountain Pass Road which has caused delays for area traffic.

He noted that in 2009 there were 900 vehicles per day using this roadway and that number increased to 1,100 per day in 2014. Mr. Coker stated that the roadway is 18' wide in front of his property and today's commercial vehicles are 8½' wide. He noted that the road's width makes it difficult for these trucks to stay in their travel lanes and there is no shoulder area for vehicles to get out of the way of oncoming traffic.

Mr. Coker further stated that the roadway is paved with tar and gravel which wears rapidly and, with large trucks using this roadway, it will deteriorate sooner. Mr. Coker stated that VDoT has no funds budgeted in 2016 to pave/improve this roadway. He then requested that the Board approve the resolution restricting through truck traffic on Mountain Pass Road.

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

Mr. Collins stated that he believes that VDoT intends to install truck warning signs on Humbert Road as well. He further stated that VDoT is aware of Mountain Pass Road's traffic counts and the pavement's condition.

Dr. Scothorn stated that the General Assembly and VDoT have implemented new qualifications for localities to meet regarding roadway upgrades. After questioning by Dr. Scothorn, Mr. Collins stated that VDoT will review this road's condition along with other roads in the County. He noted that repairs will be made, if needed.

After further questioning by Dr. Scothorn, Mr. Collins stated that tar and gravel surface treatments last between 5 and 8 years while asphalt lasts 8 to 15 years before it needs to be repaved. He noted that an asphalt road surface is significantly more expensive to put down

than tar and gravel and a road's repaving schedule depends on the type of traffic using that particular road.

Mr. Martin stated that he has received a number of calls regarding truck traffic using Mountain Pass Road and sees no problem in the Board approving this truck restriction resolution.

After questioning, Mr. Collins stated that once this resolution is approved by the Board, a copy is sent by the Administrator's Office to his office in Salem, it is then sent to the District Administrator's Office, then reviewed by the Richmond Central Office with the Commonwealth Transportation Board, and then if the request is approved, it is returned to the District Administrator to sign. He further stated that temporary truck restriction signs have been ordered and should be delivered next week.

After questioning by Mr. Dodson, Mr. Collins stated that VDoT's review and action on the truck restriction resolution should take approximately three months.

Mr. Williamson stated that he would have thought that this roadway had a traffic count higher than the previously quoted 1,100 vehicles per day. He then discussed possible widening and stabilization of sections of this road.

Mr. Collins stated that additional rights-of-way may be needed to widen or straighten the curves on this roadway which may cause any improvement project to be considered as a construction item under the Secondary System Six Year Plan.

Mr. Williamson requested that VDoT review the "S" curves on Mountain Pass Road to assess their potential for future improvements.

Mrs. Guzi also suggested that VDoT review the roadway to see if there is existing right-of-way owned by VDoT on which maintenance could be done to make the road safer for traffic.

Mr. Martin stated that there are houses located on both sides of Mountain Pass Road in the area of the "S" curves so there would be limited options for widening/straightening the road in this section.

Mr. Collins stated that VDoT can make some improvements with maintenance funds but, if the project's scope becomes too large, then it would become a construction matter.

On motion by Mr. Martin, seconded by Mr. Dodson, and carried by the following recorded vote, the Board adopted the following resolution requesting the Virginia Department of Transportation to restrict through truck traffic on Mountain Pass Road (Route 652/T-652) between U. S. Route 221/460 and U. S. Route 11.

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

NAYS: None

ABSENT: None

ABSTAINING: None

Resolution Number 15-07-06

**WHEREAS**, the Botetourt County Board of Supervisors, have studied the possibility of placing a through truck restriction on Route 652 / Route T-652 (Mountain Pass Rd.), and

**WHEREAS**, the through truck restriction is proposed on Route 652 / Route T-652 (Mountain Pass Rd.), beginning at the Intersection of Route US 221/460 (Blue Ridge Blvd.), and ending at the Intersection of US Route 11 (Lee Highway), with the termini to termini distance equaling approximately 6.52 miles, and

**WHEREAS**, the alternate route proposed is Route US 221/460 (Blue Ridge Blvd.) beginning at the intersection of Route 652 (Mountain Pass Rd.), then traveling West on Route US 221/460 (Blue Ridge Blvd.), to Route US 220 ALT (Cloverdale Rd.), then traveling North on Route US 220 ALT (Cloverdale Rd.), to US Route 11 (Lee Highway), then traveling North on US Route 11 (Lee Highway), and ending at the intersection of

Route T-652 (Mountain Pass Rd.), in Troutville, with the termini to termini distance equaling approximately 11.20 miles, and

**WHEREAS**, the alternate route has been found to be reasonable, and

**WHEREAS**, a public hearing was held on (need date), 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 trucks on Route 652 / Route T-652 (Mountain Pass Rd.), beginning at the Intersection of Route US 221/460 (Blue Ridge Blvd.), and ending at the Intersection of US Route 11 (Lee Highway), with the termini to termini distance equaling approximately 6.52 miles, and

**BE IT FURTHER RESOLVED**, that the County will use its offices for enforcement of the proposed restriction in Botetourt County.

Mr. Robbie Williams, VDoT's District Construction Engineer, was then present to update the Board on the Exit 150 improvement project and the Route 779/672 (Catawba/Etzler Road) intersection project.

Mr. Williams stated that VDoT has awarded a \$17.9 million contract to Branch Highways for the Exit 150 improvement project. He noted that construction has begun and clearing and grubbing work on Gateway Crossing is currently underway. Mr. Williams stated that a separate contract was issued for the demolition of the former TravelCenters of America buildings and this work should be completed in approximately two weeks. He noted that the large pile of pavement millings on the former truck stops property will be re-used for base stone on the construction project and the topsoil from the Gateway Crossing project will be saved and used on various slopes on the project.

Mr. Williams stated that the contractor has submitted a project schedule which shows that work on Gateway Crossing should take approximately 18 months to complete and open to traffic. He noted that a portion of Route 11 will then be closed for about 8 months in 2016-2017 to allow Route 11 to be rebuilt and the roundabout constructed, and then work on the remainder of Route 11 near Country Cookin' will begin. Mr. Williams stated that substantial completion on the project will be late fall 2017 with demolition work on the current northbound I-81 on-ramp to be done in the spring of 2018.

Regarding the 779/672 intersection project, Mr. Williams stated that, after all of the construction and environmental issues which occurred in trying to drill through the fill material under Route 779, VDoT and the contractor (DLB) agreed to go back to the original plan which was to install a bridge across the small creek in this area. He noted that the bridge's retaining wall was installed in June, one footing for the abutment has been completed, and DLB is currently working on the next abutment.

Mr. Williams stated that the contractor has submitted a revised construction schedule which indicates that traffic will be transferred onto one-half of the new bridge in late fall and the final section of the bridge should be completed in April/May 2016.

Mr. Williams then thanked the Board and the citizens for their patience throughout the delays that occurred in this \$5 million project.

The Board thanked Mr. Williams for his updates.

Mr. Collins then reviewed VDoT's monthly report. He noted that the latex concrete deck overlay work on six I-81 bridges is continuing and will result in night-time lane closures next week for the bridge over Route 779 (Valley Road). Mr. Collins also noted that there is night-time paving work being conducted on I-81 in the Buchanan area.

Mr. Collins stated that there were two land development projects reviewed by VDoT in the past month on Arrington Lane and Route 460 and five land use permits were issued. He further stated that lane direction and traffic signal modifications have been completed at the Route 220/Commons Parkway intersection and paving work has been completed.

After questioning by Mr. Dodson, Mr. Collins stated that this will result in two designated left-turn lanes from the Kroger shopping center onto Route 220 northbound.

Mr. Collins stated that VDoT's traffic engineering staff have discussed the parking issues on Town Boulevard and Town Center Street in Daleville Town Center with the Sheriff's Department and the final report is being completed. He noted that, if the County chooses to pursue installation of "no parking" signs, they would be paid for from the Secondary System Six Year Plan's budget line item.

Mr. Collins then stated that a recent VDoT report shows that the installation of flashing chevron signs and pavement changes in the curve area on I-81 near the Arcadia exit have resulted in a 50% reduction in accidents. Mr. Collins stated that it is estimated that it would cost \$30 million to realign and super-elevate these curves and, if the Board would like to consider this as a future construction project, the County would have to request funding through the House Bill 2 process.

Mr. Collins then noted that VDoT is working with the Town of Buchanan on resolving an issue where an earthen wall adjacent to a sidewalk is beginning to collapse.

Mr. Martin thanked Mr. Collins and VDoT for their work on projects in Botetourt County.

Mr. Williamson stated that he appreciated the pothole repair work on Routes 606 (Blue Ridge Turnpike) and 640 (Brugh's Mill Road).

After questioning by Mr. Dodson, Mr. Collins stated that he will check on the schedule for the Deerfield Road paving project and forward this information to Mr. Dodson. After further questioning by Mr. Dodson regarding the Kingston Drive/Commons Parkway intersection, Mr. Collins stated that he will check on this issue and report back to Mr. Dodson.

After questioning by Dr. Scothorn regarding the Boitnott & Schaben, LLC, project on Arrington Lane, Mr. Collins stated that he is not familiar with this project but will check to see why the owners were not allowed access off of Read Mountain Road to their property. After discussion, Mr. Collins further stated that he believes that this same property access situation was reviewed by VDoT a few years ago and there was inadequate right-of-way width to allow the installation of turning lanes off of Read Mountain Road.

After questioning by Mrs. Guzi, Mr. Collins stated that he was told that mowing at the Craig Creek Road/Bessemer Lane intersection is being completed today.

Regarding the Troutville request for a traffic pattern and speed limit changes, Mr. Collins stated that VDoT representatives met with the Town to review this proposal. He noted that the Town would like to reduce Route 11 to two through lanes and allow on-street parking on both sides of Route 11 in the downtown area. Mr. Collins stated that this request will have to be reviewed by their traffic engineering staff and traffic counts and other studies completed before a decision can be made.

Mrs. Guzi stated that Mr. Collins previously referenced House Bill 2 and the new process of requesting funding for highway improvement projects. She noted that County staff has been reviewing these new regulations and the County is now required to partner with VDoT to have the scoping work completed, including the project's description and the preliminary cost estimates, on any road improvement project.

Mr. Collins stated that these new regulations are a different way of completing the Six Year Plans. He noted that the County will be responsible for applying for funding for the smaller projects and funding requests for larger projects will be submitted to the Roanoke Valley/ Alleghany Regional Commission's Metropolitan Planning Organization. He noted that this application process is done on-line.

Mr. Martin then stated that he has previously discussed a matter with Kevin Hamm regarding the Blue Ridge Rescue Squad having problems accessing Route 460 when responding to calls. He noted that the ambulances have difficulties turning onto Route 460 because of the oncoming traffic flow and the County has the flashing yellow lights available that were previously located on Alternate Route 220 near the Read Mountain Fire Station. Mr. Martin stated that it was suggested that these lights be installed on Route 460 to warn drivers when the ambulance is turning onto the roadway; however, the rescue squad was recently informed that these lights were not the correct equipment for this purpose. Mr. Martin stated that he would like VDoT to work with the rescue squad to resolve this issue.

Mr. Collins stated that he or Mr. Hamm would check into this matter.

Consideration was then held on a resolution requesting acceptance of Marion Oaks Drive into the Secondary System of Highways. Mr. Jeff Busby, County Planner, stated that Marion Oaks Drive is a private road located off of Old Hollow Road (Route 638) east of Fin-castle. He noted that last year the County accepted a deed of dedication for an additional 30' X 14' of right-of-way so that a "T-Turnaround" could be constructed at the end of this 0.17 mile roadway to allow the road to be completed to VDoT's standards.

Mr. Busby stated that VDoT has inspected the road, its drainage structures, and its construction and determined that the road is eligible for acceptance into the Secondary System of Highways. He noted that language was included in the resolution that the Board would guarantee the performance of the street for a one year period and would reimburse VDoT for any costs to repair problems with the street and drainage facilities during this period in lieu of a bond being required.

Mr. Williamson stated that he would like to see this roadway accepted into VDoT's maintenance system prior to winter weather.

Mr. Busby stated that VDoT has indicated that this roadway would probably be accepted into the Secondary System around September 30.

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 requesting acceptance of Marion Oaks Drive into the Secondary System of Highways.

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

NAYS: None

ABSENT: None

ABSTAINING: None

Resolution Number 15-07-07

**WHEREAS**, the street, a portion of Marion Oaks in Marion Oaks Subdivision, described on the attached Additions Form AM-4.3, fully incorporated herein by reference, is shown on a plat recorded in the Clerk's Office of the Circuit Court of Botetourt County; and

**WHEREAS**, the Resident Engineer for the Virginia Department of Transportation has advised this Board that the street meets the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation; and

**WHEREAS**, the County and the Virginia Department of Transportation have entered into an agreement on January 11, 1994, for comprehensive stormwater detention which applies to this request for addition.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Supervisors of Botetourt County that this Board requests the Virginia Department of Transportation to add the street described on the attached Additions AM-4.3 to the secondary system of state highways, pursuant to Section 33.2-705, Code of Virginia, and the Department's Street Subdivision Requirements; and

**BE IT FURTHER RESOLVED**, this Board hereby guarantees the performance of the street requested herein to become a part of the State maintained secondary system of state highways for a period of one year from the date of the acceptance of the referenced street by VDOT into the secondary system of state highways. This Board will reimburse all costs incurred by VDOT to repair faults in the referenced streets and related drainage facilities associated with workmanship or materials as determined exclusively by VDOT.

**BE IT FURTHER RESOLVED**, that this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage; and

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

It was noted that the next item scheduled was a public hearing on the disposition of a 10' public utility easement on Parcel 10A in EastPark Commerce Center to Level 3 Communications, LLC. Mr. Kevin Shearer, General Services Director, stated that the County was notified last week that Level 3 Communications no longer needs this public utility easement. He noted that this notification was received too late to remove the public hearing notice from The Fin-castle Herald.

Mr. Shearer stated that the County was also recently contacted by the Roanoke Valley Broadband Authority who are interested in obtaining a 50' X 68' easement on this same parcel. He asked, therefore, that the Board remove the Level 3 Communications easement public hearing from the agenda and direct staff to advertise for an August public hearing on the easement request from the Broadband Authority.

After questioning by Mr. Williamson, Mrs. Guzi stated that there is a new named grantee which would like an easement on this same parcel.

On motion by Mr. Williamson, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board removed from the agenda a public hearing on the disposition of a 10' public utility easement on Parcel 10A in EastPark Commerce Center to Level 3 Communications, LLC, and directed staff to advertise for an August public hearing to consider the disposition of a private utility easement on Parcel 10A in EastPark Commerce Center to the Roanoke Valley Broadband Authority. (Resolution Number 15-07-08)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on a request to advertise for a public hearing on a resolution of concurrence with the Western Virginia Water Authority's (WVWA) mandatory water/sewer connection policy. Mr. Michael Lockaby, County Attorney, stated that he and the County staff are moving forward in getting all of the different pieces together in order to complete the transfer of the County's water and sewer utilities to the Authority. He noted that work is also

progressing on development of the deed to transfer all of the properties, easements, etc., to the Authority's ownership.

Mr. Lockaby stated that the next step is to bring the County's Water, Sewers, and Sewage Disposal Ordinance into compliance with the Authority's regulations; however, this will involve a several months' long process. Mr. Lockaby stated that in the near term it is important for the mandatory water/sewer connection requirements of new homes and businesses to be consistent. He noted that the County's ordinance mandates that new development abutting or adjacent to the County's or Towns' water or sewer systems (located within 250') connect to these systems.

Mr. Lockaby stated that the Authority's policies define "adjacent" to mean within 300'; therefore, in order for a consistent policy to be in effect until the County's ordinance can be amended, he is recommending that the Board authorize the advertisement of a public hearing in August to consider an ordinance to concur with the WVWA's connection policies. Mr. Lockaby stated that adoption of this type of ordinance is set out in the Code of Virginia.

After questioning by Mr. Williamson, Mr. Lockaby stated that this mandatory connection policy would only impact new construction or in instances where an existing well or septic system that is located within 300' of a WVWA/County water or sewer line fails.

Mr. Leffel then requested that County staff check into problems with the new sewer bills received by some residents/businesses in his district. Mr. Leffel noted that he has received information from some Eagle Rock residents of "drastic" increases in this month's WVWA bills compared to the bills mailed by the County in the previous month.

Mrs. Guzi stated that the County has received some calls regarding this matter. She noted that the issue involves the County's minimum monthly usage versus the Authority's minimum usage figure for sewer. She stated that the Authority does not have any information on the customer's water meter size and this impacts the minimum monthly usage fee. She noted that the Authority is requesting that these customers provide their water meter readings and the size of their water meter so that these sewer bills can be adjusted accordingly.

Mr. Williamson, who represents the County on the Authority's Board of Directors, stated that the Authority is aware of this issue and they are checking into the matter in order to resolve these concerns.

On motion by Dr. Scothorn, seconded by Mr. Williamson, and carried by the following recorded vote, the Board authorized the advertisement of a public hearing at the August regular meeting for consideration of the adoption of an ordinance to concur with the mandatory water and sewer connection policies as adopted by the Western Virginia Water Authority on November 18, 2014, and as set forth in the Authority's Development Rules and Regulations and its Wastewater Collection System Rules and Regulations in order to implement a 300' distance for mandatory water/sewer connections in Botetourt County. (Resolution Number 15-07-09)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Mr. Harold Cook, owner of the former Zell's Market property in Eagle Rock, then stated that he received a bill last week from the Authority for his property in the amount of \$171.25. He noted that his previous month's sewer bill from the County was \$58.00. Mr. Cook stated that there is only a small beauty shop currently using this building and they could not have generated such a large increase in the bill in one month.

Mrs. Guzi stated that the County is working to resolve this issue.

At the request of Dr. Scothorn, Mr. Cook gave a copy of his WVWA invoice to the County Administrator to forward to the Water Authority for their information.

Consideration was then held on various appointments.

On motion by Mr. Martin, seconded by Mr. Williamson, and carried by the following recorded vote, the Board reappointed David Moorman (Tony Zerrilla, alternate) as the County's representative on the Community Policy and Management Team for a two year term to expire on September 1, 2017. (Resolution Number 15-07-10)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Regarding the appointment of a parent representative on the Community Policy and Management Team to replace Mrs. Sandra Johnson-Harris, Mrs. Guzi stated that the staff is working to find an appointee for the Board's consideration.

On motion by Mr. Martin, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board appointed Cathy Brown and Cheryl Wilkinson as alternate members from Blue Ridge Behavioral Healthcare on the Community Policy and Management Team for a term to expire on September 1, 2016. (Resolution Number 15-07-11)

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

NAYS: None

ABSENT: None

ABSTAINING: None

On motion by Mr. Martin, seconded by Mr. Dodson, and carried by the following recorded vote, the Board reappointed Mr. Dean Hackett, Blue Ridge District representative; Mr. Alan Bayse, Fincastle District representative; and Mr. Danny Agee, Valley District representative to the Parks and Recreation Commission for four year terms to expire on September 1, 2019. (Resolution Number 15-07-12)

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

NAYS: None

ABSENT: None

ABSTAINING: None

On motion by Mr. Dodson, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board appointed Mr. Mike Flint of 3781 Little Catawba Creek Road, Troutville, to the Industrial Development Authority for a term to expire on November 1, 2018. (Resolution Number 15-07-13)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Regarding committee reports, Mr. Williamson stated that he recently attended his first Western Virginia Water Authority Board of Directors meeting and was told that the transition of the County's utility systems and equipment to the Authority's ownership is going well. He noted

that the new pump station for the Daleville site has been ordered and they hope to have this construction project completed within 4 – 5 months.

After questioning by Mr. Williamson, Mrs. Guzi stated that the County has acquired the Daleville property on which the pump station will be placed and a public hearing will be scheduled at the August Supervisors meeting on the transfer of the property to the Authority's ownership.

After questioning by Dr. Scothorn, Mr. Pete Peters, Director of Parks, Recreation, and Tourism, updated the Board on the ASA/USA Girl's Class A 14 and Under Fast Pitch Softball National Championship tournament which the County is co-hosting this week. He noted that there are 127 teams consisting of 1,900 players from 31 states in the Roanoke Valley this week and three different facilities will be used for this tournament's games, including the Botetourt Sports Complex. Mr. Peters stated that play began yesterday and concludes on Saturday, August 1. Mr. Peters further stated that 7,000 hotel rooms from Daleville to Christiansburg are being used by this tournament's participants.

Mrs. Guzi stated that Mr. Peters and his staff would like to invite the Board members to the Sports Complex on Friday see the behind-the-scenes operations and activities required in hosting such a large tournament. She noted that a tournament of this size is a great example of collaboration and communications between the various localities to coordinate the smooth operation of such an event.

Mr. Peters stated that this is the third year that the County has co-hosted this tournament. He noted that the County will co-host this organization's 12 and under tournament next year and have jointly applied for next year's 16 and under tournament as well.

Mr. Moorman then updated the Board on the Exit 150 Study. He noted that since June, the staff has scheduled a make-up meeting with those committee members that could not attend the previous meeting to bring these members up-to-date on the consultant's progress. Mr. Moorman noted that the consultant is working on compiling a draft report for the staff's and committee's review. He noted that, once any suggested revisions have been made, the final version of the report will be presented to the Board later this summer/fall.

Mr. Zerrilla then updated the Board on the recent activities of the Regional Center for Animal Control and Protection. Mr. Zerrilla stated that he provided a similar report on the pound's activities in September 2014. He noted that the pound is operated by four localities—Botetourt County, Vinton, Roanoke City and Roanoke County. Mr. Zerrilla stated that strides continue to be made regarding the facility's work with area rescue agencies, volunteers, and efforts to secure grant funds.

Mr. Zerrilla stated that in FY 15 the pound took in 4,426 animals which was a 5% decrease from the previous year. He noted that the live release rate for cats increased from 51% to 62% in FY 15; the dog live release rate increased from 88% to 90%; there have been 1,230 adoptions to date; and approximately 1,600 animals were rescued over the past two fiscal years.

Mr. Zerrilla stated that the facility also offers a fostering program for animals and has 34 new volunteers begin work at the pound during the past six months. He noted that the facility

also saw a 2% positive budget variance in FY 15. Mr. Zerrilla stated that they continue to expend their marketing efforts through television and other outreach efforts.

Dr. Scothorn stated that these figures are great and questioned if the relations between the pound and the Angels of Assisi organization have improved.

Mrs. Guzi stated that this relationship has shown much improvement over the past two years.

After questioning by Mr. Williamson, Mr. Zerrilla stated that the pound took in over 4,400 animals in FY 15 but he does not know how many of these were from Botetourt County. Mr. Zerrilla stated that the County provides 15% of the pound's annual budget, which is based on utilization.

After further questioning by Mr. Williamson, Sheriff Ronnie Sprinkle stated that as far as he knows the County's Animal Control Officers have no complaints about the pound's operations or staff. Sheriff Sprinkle stated that he can provide Mr. Williamson with some data on the number of animals from the County taken to this facility.

Mrs. Guzi stated that the County's Animal Control Officers serve on the RCACP Operations Committee and meet with the pound's executive director on a regular basis.

Mr. Zerrilla noted that the Executive Committee previously met on a monthly basis; however, these meetings are now held quarterly.

The Board thanked Mr. Zerrilla for this information.

Mrs. Guzi then stated that she has been attending Senior Executive Institute classes for the past week at the University of Virginia. She noted that Ms. Tyler St. Clair, the County's strategic planning facilitator, was also at this meeting and they have discussed the County's next steps in its strategic planning process.

Mrs. Guzi then provided an update on the progress of the Strategic Plan's focus areas. She noted that there were nine major goals identified under Thriving Business Environment and staff is working on 6 of those at this time; there are four goals for the Gateway Center project and staff is currently working on one goal; there are nine major goals under Botetourt Cool and five of these are being developed at this time; under Responsible Governance there were three goals identified and staff is currently working on one; under Ample and Reliable Infrastructure and Facilities there were five major goals identified and staff is currently working on two; under Responsive Government there were five goals and staff is working on two at this time; under Lifelong Learning Excellence there were three goals identified and staff is currently working on one; and under Strategic Land Use there were four goals identified and staff has been working on one goal. Mrs. Guzi stated that of the 42 total goals staff is currently working on 19 of them.

She further noted that during this same time the staff has also completed work on implementing a Utility-Scale Wind Ordinance as well as the transition of the County's water/sewer systems to the Western Virginia Water Authority and the Utility Department staff to their new office at Greenfield.

Mrs. Guzi stated that a scorecard, including what has been done and the progress dates, on the status of the strategic goals will be developed for the Board's information.

After questioning by Mr. Williamson, Mr. Moorman noted that staff will begin work on the process of updating the Comprehensive Land Use Plan this fall. He noted that this will be a targeted update of the Plan; "not a complete redo," and staff is waiting to see the recommendations included in the Exit 150 Study before they begin this work.

Mrs. Guzi stated that the Agriculture Study is back on schedule and noted that the Board will see a lot of activity on the various strategic goals this fall.

After questioning by Mr. Williamson, Mrs. Guzi stated that the staff is also working on updating the Greenfield protective covenants and restrictions and this item should be ready for presentation to the Board in the next couple of months. She noted that the staff has been in contact with various architectural and engineering companies to obtain information on the most up-to-date building material options to be considered for inclusion in the covenants.

After questioning by Mr. Dodson, Mrs. Guzi stated that the request for proposals to update the economic development component of the County's website has been advertised.

Mr. Jay Brenchick, Economic Development Manager, stated that 17 companies responded to the RFP and he will be reviewing these proposals over the next couple of weeks. He noted that the plan is to update the Economic Development website first and, if there is the capability of the same company to update the entire County website, then negotiations will proceed with this aspect of the work.

After questioning by Mr. Leffel regarding the work by the Weldon Cooper Center's staff on the Agricultural Study, Mrs. Guzi stated that she expects to receive a draft report in the next couple of weeks.

Mr. Williamson noted that there was some debate with the Weldon Cooper staff on the scope of work for this study.

Mrs. Guzi stated that she and Mr. Brenchick are monitoring this aspect of the study closely to ensure that it provides the information requested by the Board.

The Board then thanked Mrs. Guzi and the staff for their updates.

On motion by Dr. Scothorn, seconded by Mr. Dodson, and carried by the following recorded vote, the Board went into Closed Session at 3:39 P. M. to discuss personnel matters pertaining to the County Administrator's quarterly performance review; the acquisition of real property for a public purpose where the discussion in an open meeting would affect the County's negotiating strategy; the expansion of an existing industry not previously announced; consultation with legal counsel pertaining to actual or probable litigation; and to discuss a public contract involving the expenditure of public funds where discussion in open session would adversely affect the County's negotiating strategy as per Section 2.2-3711A (1), (3), (5), (7) and (29) of the Code of Virginia of 1950, as amended. (Resolution Number 15-07-14)

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

NAYS: None

ABSENT: None

ABSTAINING: None

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

On motion by Mr. Williamson, seconded by Mr. Dodson, 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 15-07-15)

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

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.

A public hearing was then held on a request in the Amsterdam District from James and Wendy Grimshaw for a Special Exception Permit, with possible conditions, for a private school in the Agricultural (A-1) Use District located at 2854 Country Club Road (State Route 665), Troutville, approximately 0.13 miles west of its intersection with Brunswick Forge Road (State Route 823), identified on the Real Property Identification Maps of Botetourt County as Section 72B(1), Parcel 1.

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

Mrs. Nicole Pendleton, Planning Manager, stated that private schools are permissible by SEP in agriculturally-zoned districts. She noted that the Grimshaws purchased this property, which contains several buildings and barns, in September 2012 and currently raise sheep, goats, and other animals. She noted that the surrounding properties are zoned for agricultural and residential uses.

Mrs. Pendleton stated that the applicants would like to use the 30' X 48' (1,440 sf) metal barn on the property to operate a private, one-room school, or micro-school, providing agriculture-based education. She noted that, according to the Building Official, there would be a maximum occupancy limit of 50 people for this building.

She then reviewed the proposed floor plan which includes tables and chairs for the students, a reading area, lab area, office, kitchen, bathrooms and a utility/storage area. Mrs. Pendleton noted that there is proposed to be a 15:1 student/teacher ratio with two-hour classes offered three times each weekday. She noted that the applicants are also proposing to offer classes/tutoring to public school students in the evening and possibly classes for seniors on Saturday. She noted that these would be seasonal classes with a focus on agricultural activities.

Mrs. Pendleton stated that the applicants would have to obtain all appropriate County building, septic system, and VDoT entrance permits as required in the County Code. She noted that three citizens spoke at the Planning Commission regarding this request—one in opposition and two in favor. She further noted that questions were raised about State licensing of this facility and the applicants' receipt of certification in first aid.

Mrs. Pendleton stated that Mrs. Grimshaw stated that she would prefer a maximum of 30 students in the facility at any one time.

After questioning by Mr. Dodson, Mrs. Pendleton stated that the applicant is awaiting the Board's decision on this request before applying for a VDoT entrance permit and she believes that the applicant intends to install a new septic system on this property.

After questioning by Dr. Scothorn, Mrs. Pendleton stated that notification letters regarding this proposal were mailed to the applicants' adjacent property owners approximately a week prior to the Planning Commission's hearing on this proposal. After further questioning, Mrs. Pendleton stated that no other opposition has been received by her office regarding this request.

After questioning by Mr. Williamson, Mrs. Pendleton stated that the applicant would answer questions regarding the distance between the proposed school facility and the closest residence; however, the proposed school is located at the rear of the Grimshaws approximately 9 acre parcel.

Mrs. Wendy Grimshaw, applicant, stated that she is proposing to operate a one-room school house in a renovated barn on her property and offer agriculturally-oriented classes. Mrs. Grimshaw stated that she is a career teacher and taught in the Botetourt County's school sys-

tem from 2008 to 2014. Mrs. Grimshaw stated that she believes that education should be changed from a manufacturing model to one that is based more on the principles of agriculture in order to “promote human flourishing within their community.”

Mrs. Grimshaw stated that she has been a public school teacher for over 30 years and became involved in providing home education last year. She stated in 2012 that the percentage of home-schooled students in the United States was 3.4% and 5.3% in Botetourt County. She noted that the County’s home-school percentage increased to 6.7% (350 students) in 2015.

Mrs. Grimshaw stated that she sent out a request to her friends this spring regarding her proposal to open this type of private school and received responses indicating that classes in science, math, and farm life were the top three educational requests. Mrs. Grimshaw stated that she is proposing to offer SEED (Stream, Exploratory, Efficacy and Discovery) classes for specific age groups during the week which will “encourage a sense of place” for these students and give them a sense of appreciation for the rural character of this area. She noted that a proposed schedule would include math classes in the morning and science classes in the afternoon. She noted that STREAM refers to science, technology, reading and writing, engineering, arts, and mathematics.

After questioning by Dr. Scothorn, Mrs. Grimshaw stated that these classes would be “site based,” not field trips.

She noted that students would apply skills and concepts in real world activities and gave an example of measuring to determine the difference in bushels and pecks (math) and determining the classification and amount of phosphorus in the soil (science).

After discussion, Mrs. Grimshaw stated that the County’s Comprehensive Plan indicates that there will be an increase in the future in the median age of the County’s residents who are 45 – 60. Mrs. Grimshaw stated that she would like to also offer fun, learning activities for seniors and retired individuals on Saturdays at this facility on innovative and ecological compatibility topics.

She stated that the facility will be renovated to comply with the County’s building codes and would be ADA compliant and an on-site parking area will be developed in compliance with the County’s regulations. Mrs. Grimshaw stated that after the Planning Commission meeting she talked to Brian Blevins from VDoT regarding the property’s entrance permit. She noted that Mr. Blevins did not think that there would be any need to change the existing driveway entrance; however, it would be subject to VDoT’s review of her application.

After questioning by Mr. Williamson, Mrs. Grimshaw stated that the existing driveway includes a loop around her residence which will be used by the students’ parents to access the school building. After further questioning, she noted that the former riding rink on this property will be used as the school’s parking area.

After questioning by Dr. Scothorn, Mrs. Grimshaw stated that she had 10 students per class last year when the school was located in her home.

After further questioning by Dr. Scothorn, Mrs. Grimshaw stated that the students will be divided into three or four age groups and specific classes held for each age group. Mrs. Grimshaw noted that she will not place a 5 year old and a teenager in the same room at the same time.

After questioning by Mr. Williamson on the transition of home-schooled students into the public schools, Mrs. Grimshaw stated that her educational standards will be parallel to the State’s Standards of Learning (SoL) requirements; however, her classes will be more concept-

oriented, which research shows is a highly productive learning environment for the students. She noted that this type of educational process allows the students to “think a little deeper and appreciate things.”

After discussion, Mrs. Grimshaw stated that the students are required to take assessments at the end of each school year to determine their level of learning and knowledge.

There being no further questions, the Board thanked Mrs. Grimshaw for her presentation.

Mr. Robert Frydrych of Country Club Road then stated that his property is located next door to the Grimshaw property. Mr. Frydrych stated that he has no objections to Mrs. Grimshaw’s proposal but he is concerned about traffic safety issues on Country Club Road with vehicles turning into and out of this property and the safety of the students while they are on the property. He noted that Country Club Road declines in elevation from the Botetourt Country Club to the Grimshaws property and it is difficult to see their driveway until you get close to the entrance. Mr. Frydrych stated that a road impact study on this proposed use should be implemented.

Mr. Frydrych stated that he also believes that this is an issue of spot zoning of a school in an agricultural district and is concerned about lighting impacts and the effects of this proposed use on the neighbors.

Mr. Frydrych stated that a STREAM school is understandable and appropriate with what Mrs. Grimshaw is proposing. He noted that he is also concerned about school security and would like to know if a “no gun rule” similar to what is in effect on the County’s public school properties would be in place. Mr. Frydrych stated that there is a hunt club located on an adjacent 330 acres at the rear of this property and many area property owners shoot guns.

After discussion, Mr. Frydrych further stated that no mowing or other motorized activities should be allowed on this property and he is also concerned about fire and rescue response to this facility. Mr. Frydrych stated that he does not like “zoning jumping” and believes that, if the school succeeds, the traffic on Country Club Road will become busier.

After questioning by Mr. Williamson, Mrs. Pendleton stated that the most recent VDOT traffic count indicated that there were 650 vehicles per day using this section of Country Club Road. She further noted that this proposed SEP is expected to add an additional 50 vehicles per day to this count.

After questioning by Mr. Williamson, Mrs. Grimshaw stated that some of the parents stay at the school during the school day and some carpool their kids to her classes so it is difficult to estimate the potential traffic increase on Country Club Road.

Mr. Frydrych stated that expansion of this school is “ok if you have the room to expand” but noted that other sites, such as the VFW Lodge on Route 220, are available for rent for this purpose.

After questioning by Dr. Scothorn, Mrs. Pendleton stated that, if approved, this SEP would remain with the property in the event that the Grimshaws sold the property. She noted that, if the Grimshaws sold their land and wanted to use their new acreage for this school, they would have to apply for another SEP. She further stated that, if the SEP use is discontinued for five years, the SEP for this private school use would expire.

After questioning by Mr. Williamson, Mrs. Pendleton stated that a condition has been recommended by the staff that the SEP be permitted only as long as the land remains with the current/existing owners.

Mr. Dodson noted that the maximum building occupancy as set by the Building Official is 50 individuals and suggested that the Board consider a condition to limit the class sizes.

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

Dr. Scothorn stated that the Board could limit the number of students permitted in the building at one time but he is interesting in hearing the County Attorney's proposed condition language.

After questioning by Mr. Williamson on possibly tabling this request until the August regular meeting, Mrs. Grimshaw stated that she is proposing to open the school for classes this fall.

Mr. Lockaby stated that, based on the Board's comments, he is drafting language to limit the SEP to the specific operator of the school instead of the property owner. He noted that there would be no restraint on selling this property but there is a restriction on who would be the operator of the establishment on this parcel.

After questioning by Mr. Leffel, Mrs. Grimshaw stated that she is proposing to begin classes in late September.

Mr. Leffel stated that it is hard to find anything wrong with the program as proposed. He noted that Mrs. Grimshaw "is the program."

Mr. Dodson stated that the approval of this SEP should also be based on receipt of a VDoT entrance permit.

After questioning by Mr. Dodson, Mrs. Grimshaw stated that she does not want more than 30 students at one time in this building which would give her a student/teacher ratio of 15:1.

After discussion, Mr. Leffel stated that a maximum occupancy of 50 is what was stated by the Building Official and this is the figure that the Board should follow.

Mr. Lockaby then read the following two proposed conditions to be considered by the Board: "The school use will be operated by the applicant in a manner that substantially conforms to the educational program set forth in the application; the owner shall obtain a Virginia Department of Transportation entrance permit prior to establishing the approved use."

There being no further discussion, on a motion by Mr. Dodson, seconded by Mr. Leffel, and carried by the following recorded vote, the Board approved a request in the Amsterdam District from James and Wendy Grimshaw for a Special Exception Permit for a private school in the Agricultural (A-1) Use District located at 2854 Country Club Road (State Route 665), Troutville, approximately 0.13 miles west of its intersection with Brunswick Forge Road (State Route 823), identified on the Real Property Identification Maps of Botetourt County as Section 72B(1), Parcel 1, with the following conditions: (Resolution Number 15-07-16)

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

NAYS: None

ABSENT: None

ABSTAINING: None

1. The school use will be operated by the applicant in a manner that substantially conforms to the educational program set forth in the application.
2. The owner shall obtain a Virginia Department of Transportation commercial entrance permit prior to establishing the approved use.

A public hearing was then held on a request in the Amsterdam District from Gregory and Pamela Southerland for a Special Exception Permit, with possible conditions, in order to construct a second accessory building in the Residential (R-1) Use District located at 71 Holly-

meade Lane (State Route 1043), Daleville, approximately 0.07 miles northwest from its intersection with Glebe Road (State Route 675), identified on the Real Property Identification Maps of Botetourt County as 87F(1), Parcel 10.

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

Mr. Jeff Busby, County Planner, stated that the applicants would like to construct a second accessory building (carport) on this property to house their vehicles and to provide some storage. He noted that the Planning Commission's recommended condition was that the proposed carport be no larger than 32' X 32' in size. He further noted that the staff recommended that the structure be constructed as close as possible to the existing dwelling; however, the Planning Commission only recommended the one condition to the Supervisors for consideration.

Mr. Busby stated that the Southerlands own a 2.5 acre lot which currently contains a house and an attached garage. He noted that there is one detached storage building on the property which is zoned as a Residential R-1 use. He stated that the Planning Commission was concerned about setting a precedent by allowing a second accessory building on this residential property.

Mr. Busby noted that the proposed site plan indicates that the carport will be 15' from the side property line. He noted that the applicants have outgrown their garage and are requesting to construct this carport to keep their vehicles out of the elements.

After questioning by Mr. Williamson, Mr. Busby stated that the second accessory building restriction in R-1 districts is not based on the acreage of the parcel. After further questioning by Mr. Williamson, Mr. Busby stated that he believes that this accessory building restriction was included in the Zoning Ordinance during the 2002 update due to issues with citizens putting several of these buildings on their properties.

Mr. Gregory Southerland, applicant, stated that this carport will be a stand-alone structure and will be large enough to house two vehicles out of the weather. He noted that the structure will be no larger than 32' X 32' in size but the actual size will be based on cost and the carport's location on the property. Mr. Southerland noted that the structure will have "brick to grade" and the bricks will be close to the same color as the house. He stated that the building will be "robust and substantial," have a hip roof, and the shingles will be similar in color and style to those on the house.

Mr. Southerland stated that the structure will have a concrete floor, walk-up attic, storage areas, and there will be access beneath the structure for storage of yard equipment, e.g., snow blower and lawn tools. He further stated that there will be a courtyard area from the driveway and two sidewalks to the proposed structure.

Mr. Dodson noted that this property was formerly owned by his parents. After questioning by Mr. Dodson, Mr. Southerland stated that, in order for the building to be constructed 15' from the adjacent property line, the cherry tree on the property may have to be removed.

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

There being no further discussion, on motion by Mr. Dodson, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board approved a request in the Amsterdam District from Gregory and Pamela Southerland for a Special Exception Permit in order to construct a second accessory building in the Residential (R-1) Use District located at 71 Hollymeade Lane

(State Route 1043), Daleville, approximately 0.07 miles northwest from its intersection with Glebe Road (State Route 675), identified on the Real Property Identification Maps of Botetourt County as 87F(1), Parcel 10, with the following condition: (Resolution Number 15-07-17)

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

NAYS: None

ABSENT: None

ABSTAINING: None

1. The proposed carport shall not exceed 32' X 32' in size.

Mr. Williamson then asked the Development Services staff to include consideration on allowing additional accessory buildings based on the lot's size in the next Zoning Ordinance update discussions.

A public hearing was then held on a request in the Valley District from Shamus Equity Corporation, LLC, to rezone, with possible proffered conditions, four lots totaling 5.79 acres from a Business (B-2) Use District to an Industrial (M-2) Use District for heavy equipment sales, rental, and repair located on the east side of Lee Highway (U. S. Route 11) approximately 0.10 mile northeast of its intersection with 2nd Avenue (State Route 1003), identified on the Real Property Identification Maps of Botetourt County as Section 107, Parcels 126, 128, 129, & 130.

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

Mr. Jeff Busby, County Planner, stated that the applicant (Ronald Scott, Jr., agent for Shamus Equity Corporation) submitted a revised signed listing of proffered conditions earlier today including a new condition ("The property will be used for heavy equipment sales, rental and repair to the exclusion of all other Industrial (M-2) uses."). He then read the remaining proffered conditions as follows: "The parcels which create this area for the project shall be combined into one parcel, vacating the interior lot lines; the project will be constructed in substantial conformance with the concept plan prepared by Engineering Concepts, Inc., dated April 30, 2015, to the exclusion of the final sign location, to be determined; any freestanding sign will be of brick construction, excluding the sign facing; the building will have a brick façade along the office building frontage facing Lee Highway (U. S. Route 11)."

Mr. Busby stated that no objections to this rezoning request were received by the Planning Commission. He noted that this is the site of the former Traveltown Motel on Route 11 in Cloverdale and this property is located in the 100 year flood plain of Tinker Creek. Mr. Busby stated that the applicants have received a permit to place fill dirt on the property to raise the elevation of the building's first floor above the flood plain level.

He stated that the Comprehensive Plan designates this area as commercial and there are several industrial uses in this immediate vicinity. Mr. Busby stated that Mr. Ronald Scott and his family have operated a heavy equipment business in the County for many years. He noted that Lanford Brothers Company purchased the former Scott-Gallaher property located across Route 11 from the Traveltown property several years ago and Mr. Scott would like to relocate his heavy equipment sales, rental and repair business onto this new property.

Mr. Busby stated that Mr. Scott's company has joined with Highway Equipment Company of Pittsburgh, Pennsylvania, to operate this new business to be called Highway Equipment Mid-Atlantic Company.

After discussion, Mr. Busby noted that approximately 11,000 vehicles per day travel this section of Route 11. He further noted that, according to the applicant's engineer, no traffic impact analysis is required for this proposed use as there is a southbound center turning lane on Route 11 in front of this property which would be adequate to access this property. Mr. Busby stated that the applicant's engineer also determined that no northbound decel/turning lane into this property would be required.

After discussion, Mr. Busby stated that the front office section of the approximate 9,000 square foot building which faces Route 11 will have a brick façade, while the remainder of the building will be of metal construction.

He noted that both Mr. Ron Scott, Sr., and Mr. Ron Scott, Jr., were present at the meeting to answer any questions on this proposal.

Mr. Scott, Sr., stated that they appreciate the Board's consideration of this request and believe that this proposed structure will be a big improvement to the site and the area. Mr. Scott stated that his family's company has offered the same equipment line for over 20 years.

Mr. Williamson stated that he is glad to see this vacant parcel put to use.

Dr. Scothorn stated that this proposal will allow this area to be productive.

After questioning by Mr. Williamson, Mr. Scott, Jr., stated that the fill material placed on this property was hauled from the Federal Express expansion site on Route 460 in Roanoke City. Mr. Scott, Jr., further stated that his family has had this business relocation planned for quite a while and the timing finally worked to allow them to proceed with this proposal.

After questioning by Dr. Scothorn, Mr. Scott, Jr., stated that the remainder of this property is limited in the types of uses that would be feasible. He further stated that they want to make this business a "showpiece" for their equipment sales operation.

After questioning by Dr. Scothorn, Mr. Scott, Jr., stated that there would be few instances where equipment would be stored outside of the building for long period of time. He further stated that, at times, they will take in equipment as a trade but their goal is "to have the trades taken care of before the transaction is complete." He stated that the turnover ratio on this type of equipment is fast and the rental equipment located on the site will be of a newer condition and have a nice appearance. Mr. Scott stated that they do not want the equipment to remain on the property for long.

Mr. Busby noted that the office portion of the building that fronts on Route 11 will be brick and the rendering also indicates a few courses of brick located on the sides of the building.

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

There being no further discussion, on motion by Dr. Scothorn, seconded by Mr. Dodson, and carried by the following recorded vote, the Botetourt County Board of Supervisors found that the public health, safety, general welfare, and good zoning practice would be furthered by this rezoning and approved this rezoning request with the following proffered conditions. Therefore, be it ordained by the Botetourt County Board of Supervisors that the Botetourt County Zoning Ordinance and the Botetourt County Real Property Identification Maps be amended in the following respect and no other. (Resolution Number 15-07-18)

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

NAYS: None

ABSENT: None

ABSTAINING: None

**SHAMUS EQUITY CORPORATION, LLC**

In the Valley District to rezone four lots totaling 5.79 acres from a Business (B-2) Use District to an Industrial (M-2) Use District for heavy equipment sales, rental, and repair located on the east side of Lee Highway (U. S. Route 11), approximately 0.10 mile northeast of its intersection with 2nd Avenue (State Route 1003), identified on the Real Property Identification Maps of Botetourt County as Section 107, Parcels 126, 128, 129, & 130.

1. The parcels which create this area for the project shall be combined into one parcel, vacating the interior lot lines.
2. The project will be constructed in substantial conformance with the concept plan prepared by Engineering Concepts, Inc., dated April 30, 2015, to the exclusion of the final sign location, to be determined.
3. Any freestanding sign will be of brick construction, excluding the sign facing.
4. The building will have a brick façade along the office building frontage facing Lee Highway (U. S. Route 11).
5. The property will be used for heavy equipment sales, rental, and repair to the exclusion of all other Industrial (M-2) uses.

There being no further discussion, on motion by Mr. Martin, seconded by Mr. Williamson, and carried by the following recorded vote, the meeting was adjourned at 7:15 P. M. (Resolution Number 15-07-19)

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

NAYS: None

ABSENT: None

ABSTAINING: None