

The regular meeting of the Botetourt County Board of Supervisors was held on Tuesday, December 18, 2014, in Rooms 226-228 of the Greenfield Education and Training Center in Daleville, Virginia, beginning at 2:00 P. M.

PRESENT: Members: Dr. Donald 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
Mrs. Elizabeth Dillon, County Attorney

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

He then asked for a moment of silence. Mr. Williamson then led the group in reciting the pledge of allegiance.

Dr. Scothorn then remarked on the recent strategic planning sessions held by the Board. He noted that they were a "culmination of leadership by the Board" and showed an excitement for the County's future. He noted that Supervisors members were separated into different groups and came up with the same issues and visions for the County's future.

Dr. Scothorn then stated that the Board has tremendous integrity, honor, and respect for someone who has been with the County for many years. Dr. Scothorn stated that he personally has had the honor of working with Mrs. Elizabeth Dillon for the past two years. He noted that Mrs. Dillon was recently confirmed by the U. S. Senate to fill a federal judgeship position and congratulated her on this appointment. He stated that the County looks forward to her continued leadership in Virginia.

Dr. Scothorn stated that Mrs. Dillon is the first woman to serve as a federal judge in the Western District of Virginia in 200 years. He then read a statement from Senators Tim Kaine and Mark Warner as follows, "Ms. Dillon has spent her entire career practicing before Virginia's state and federal courts in both public service and private practice. Throughout this career, she has exhibited the qualities we look for in good judges — exemplary character, dedication to public service, and strong command of the law. We are confident that all of these qualities will serve her well on the bench."

The Board then stood and applauded Mrs. Dillon.

Dr. Scothorn thanked Mrs. Dillon for her service and assistance and acknowledged the pain and agony she dealt with in working with the Board.

Mrs. Dillon stated that it has been a pleasure working with the Board.

Consideration was then held on approval of minutes from the November 12, 21, 22, and 25 Board meetings.

Dr. Scothorn then stated that he would like to amend a portion of the November 25 minutes regarding the Noise Ordinance discussion. He noted that near the bottom of page 14 of the minutes, in the paragraph where he thanked Mrs. Dillon for her background report on the Noise Ordinance, the third sentence should now read, "Dr. Scothorn then made a motion that the County Attorney draft a new Noise Ordinance exemption under Section 15-54. Exemptions

from article of the County Code stating that the lawful discharge of firearms is permitted and advertise the proposed amendment for a public hearing. It was noted that there was no second to Dr. Scothorn's motion."

There being no further discussion, on motion by Mr. Martin, seconded by Mr. Leffel, and carried by the following recorded vote, the Board approved the minutes of the special meeting held on November 12, 2014, as submitted. (Resolution Number 14-12-01)

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. Leffel, and carried by the following recorded vote, the minutes of the continued meetings held on November 21 and 22, 2014, were approved as submitted. (Resolution Number 14-12-02)

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 approved the minutes of the regular meeting held on November 24, 2014, with the following correction: (Resolution Number 14-12-03)

Page 14, near the bottom of the page, the paragraph should now read,

"Dr. Scothorn thanked Mrs. Dillon for her report. He then noted that Botetourt County had been rural for a very long time and people can still enjoy hunting and shooting in the County. Dr. Scothorn then made a motion that the County Attorney draft a new Noise Ordinance exemption under Section 15-54. Exemptions from article of the County Code stating that the lawful discharge of firearms is permitted and advertise the proposed amendment for a public hearing.

It was noted that there was no second to Dr. Scothorn's motion."

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

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on requests for transfers and additional appropriations. Mr. Tony Zerrilla, Director of Finance, stated that there was one transfer, two pass through appropriations, and one regular appropriation for the Board's consideration this month. He noted that these requests were for receipt of grant funds and reimbursement of traffic control costs. Mr. Zerrilla stated that the \$123,346 regular appropriation request is to return monies to the State as required for the 2015 Reduction-In-Aid to localities mandate. He noted that this payment is included on this month's accounts payable list. Mr. Zerrilla stated that the County has returned \$1.4 million to the State under this mandate since FY 09.

There being no discussion, on motion by Dr. Scothorn, seconded by Mr. Dodson, and carried by the following recorded vote, the Board approved the following transfers and additional appropriations: (Resolution Number 14-12-04)

Transfer \$377.97 to Central Purchasing – Store Supplies, 100-4012530- 6021, from various departments as follows for store supplies usage:

\$ 71.98 County Administrator – Marketing, 100-4012110-5840
 \$ 85.00 MIS - Office Supplies, 100-4012510-6011
 \$ 35.99 Purchasing – Office Supplies, 100-4012530-6001
 \$185.00 Development Services, 100-4034000-6001

Additional appropriation in the amount of \$3,883.33 to Sheriff's Department – DMV Salaries, 100-4031200-1800. These are two state grants for the reimbursement of overtime costs.

Additional appropriation in the amount of \$1,762.21 to the following Sheriff's Department accounts: \$1,636.98 to Wages – Overtime, 100-4031200-1200, and \$125.23 to FICA, 100- 4031200-2100. These are funds received from AEP for reimbursement of traffic control costs.

Additional appropriation in the amount of \$123,346 from General Fund – Undesignated Fund Balance to Revenue Refunds, 100-4092000-5999. This is an appropriation to provide for the payment to the Commonwealth of Virginia for the 2015 Reduction-In-Aid to Localities. The County is electing to make a full payment in December rather than have monthly Compensation Board and other reductions for the balance of the year.

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 \$952,210.08; \$716,354.02 in General Fund invoices; and \$235,856.06 in Utility Fund expenditures. He noted that this month's short accounts payable totaled \$321,756.50; \$311,082.28 in General Fund invoices; \$3,055 in Debt Service Fund expenditures; and \$7,619.22 in Utility Fund invoices.

Mr. Zerrilla stated that this month's large expenditures included \$34,000 to Robinson, Farmer, Cox Associates for the County's FY 14 audit report; \$31,881 to McNeil and Company for insurance coverage for the County's volunteer fire and rescue units; \$32,700 in incentive payments to the County's volunteer fire and rescue personnel; \$49,335 to English Construction Company as the retainage portion for their work on the Tinker Creek Interceptor project; and \$104,543 to the Western Virginia Water Authority for the County's portion of costs on the Roanoke Regional Sewage Treatment Plant's upgrade project.

After questioning by Mr. Williamson, Mr. Zerrilla stated that the \$49,335 payment to English Construction closes out the Tinker Creek Interceptor project.

There being no further discussion, on motion by Dr. Scothorn, seconded by Mr. Martin, and carried by the following recorded vote, the Board approved the accounts payable list and ratified the Short Accounts Payable List as submitted. (Resolution Number 14-12-05)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on proposals for financial software and associated services. Mr. David Moorman, Deputy County Administrator, stated that the County has used the same financial software since 1999. He noted that in October the Board authorized the staff to issue a request for proposals (RFP) for financial software and associated services using competitive negotiations. He noted that the RFP was issued and proposals were received from four firms in November.

He noted that these proposals were evaluated on the basis of various parameters including quality of products/services offered and their suitability to meet the County's needs, qualification of the offeror including experience and references, cost, etc. He noted that the proposals were reviewed by the Technology Services staff to determine the proposed system's compliance with the County's computer system's technical requirements. Mr. Moorman noted that this review resulted in two responses being deemed responsive and two deemed nonresponsive.

Mr. Moorman stated that a staff team consisting of the County Treasurer, Director of Finance, County Administrator, Development Services Manager, Human Resources Manager, and the Technology Services Manager, among others, evaluated the two responsive proposals (Harris Enterprise Resource Planning, and Tyler Technologies) and ranked Harris' proposal as number one and Tyler's proposal as number 2.

He noted that this software will include the accounts payable, payroll, general ledger, human resources, community development, and fleet management operations. Mr. Moorman noted that the contract would also provide all necessary services to install, configure, and interface the software with other systems such as the County's tax software, to train staff, and to maintain and support the software for four years with optional renewals for four additional one year periods. Mr. Moorman stated that tax software is not included in this proposal.

He noted that, if the Board approves this recommendation, the staff will conduct a separate procurement process for tax software and present a recommended proposal to the Board at a future date for consideration.

Mr. Moorman noted that the estimated cost of licenses, services, and expenses through initial implementation of this contract is \$397,831, including the first year of support services. He further noted that the annual cost of maintenance and support services beginning in the second year of the contract would be \$51,450 and would be subject to negotiation each year thereafter. He stated that Harris was the least expensive of the proposals received for this software.

After questioning by Dr. Scothorn, Mr. Rodney Gray, Technology Services Manager, stated that the County pays Harris approximately \$46,000 per year at the present time for software maintenance and support and approximately \$36,000 per year for utility billing software. Mr. Gray noted that, if the County joins the Western Virginia Water Authority, then there will be no need for utility billing software under the new contract which will result in budget savings.

After further questioning by Dr. Scothorn, Mr. Gray stated that the County's current tax software is provided by EGTS.

After questioning by Mr. Williamson, Mr. Moorman stated that the contract price is guaranteed for one year. After further questioning by Mr. Williamson, Mr. Moorman noted that the \$51,000 maintenance/support services cost beginning in the second year of the contract is subject to negotiation.

There being no further discussion, on motion by Mr. Martin, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board authorized staff to negotiate and execute an agreement with Harris Enterprise Resource Planning, a division of Harris Computer Systems, for financials software and associated services at an estimated cost of \$397,831, and a four-year maintenance and support agreement with four (4) one-year options for renewal at the County's discretion for an initial annual cost of \$51,450, subject to the review and approval of the County Attorney. (Resolution Number 14-12-06)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on staff rankings of consultant proposals for the Exit 150 marketing feasibility study. Mr. David Moorman, Deputy County Administrator, stated that in September the Board authorized the issuance of a request for proposals (RFP) to complete a

market-based economic development analysis of the Exit 150 area and, at the County's discretion, lead a community-based planning process, develop a land use plan, and strategies based on findings from the economic development analysis. He noted that five proposals were received and a staff team consisting of himself, the Building Official, the Economic Development Manager, the Planning Manager/Zoning Administrator, and the County Planner; reviewed the proposals and interviewed the three top-ranked firms. Mr. Moorman stated that this group's ranking was submitted to the County Administrator who, along with Supervisor Todd Dodson conducted second-round interviews with the top two firms—RKG Associates of Alexandria, and Urban Partners of Philadelphia.

Mr. Moorman noted that following these interviews, staff is recommending that the Board award a contract to RKG Associates for this project subject to review and approval by the County Attorney. He noted that the contract in the amount of \$79,550 is for a term of six months and could be extended, if necessary. Mr. Moorman stated that funding to pay for a portion of this study will need to be appropriated from the Undesignated Fund Balance.

Mr. Dodson stated that both firms did a great job in the interview process. He noted that the study will provide the County with a market analysis of the best uses for the property within and around Exit 150 and provide an action plan on recommended County strategies and measures to achieve the desired uses by working with property owners and developers.

After questioning by Dr. Scothorn, Mrs. Guzi stated that RKG has expertise with VDoT projects and has previously conducted work in this area.

Dr. Scothorn noted that this firm's proposal indicates that they will cover quite a bit of information in their study.

Mr. Dodson stated that the firm will meet with property owners, citizens, and focus groups during the study process.

After questioning by Mr. Williamson, Mrs. Guzi stated that RKG's scope of work includes a "Conceptual Land Use Plan" and this can be used as an overlay for the County's upcoming Comprehensive Plan update.

There being no further discussion, on motion by Mr. Dodson, seconded by Mr. Leffel, and carried by the following recorded vote, the Board authorized staff to negotiate and execute an agreement with RKG Associates for consulting services to conduct an Exit 150 area marketing and planning study pursuant to RFP #14-21501 and RKG's proposal dated September 23, 2014, for an estimated cost of \$79,550, subject to the review and approval of the County Attorney. (Resolution Number 14-12-07)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Mr. Pete Peters, Director of Parks, Recreation, and Tourism, then reviewed the 2014-15 Recreation Incentive Fund requests. Mr. Peters stated that the County has had this program since the 1990s and it offers matching funds to non-profit community service groups, individuals, and businesses wishing to make recreation-related capital improvements to County-owned or leased property. He noted that this program has contributed more than \$1.5 million in improvements to County and School-owned property since its inception.

Mr. Peters noted that in 2013 changes were made to the program's parameters to allow proposals for maintenance work on existing recreation facilities and to allow applications to be submitted for projects located within the towns' corporate limits.

Mr. Peters stated that six proposals with total project costs of \$63,574 in funding requests were submitted this year for \$20,000 in County matching funds. He noted that the proposals were reviewed by the Recreation Department staff and the Parks and Recreation Commission members and the recommended projects were included on a chart in the Board's agenda packets. Mr. Peters noted that County funds are only paid out upon completion of the project.

Mr. Peters then reviewed the six projects as follows: Town of Buchanan—construct a community pavilion; Blue Ridge Booster Club--install cabinets in the baseball field press box at Blue Ridge Park; Boy Scout Troop 333—install fencing and base material surrounding the bee habitat at Greenfield; Breckinridge PTA—install fencing along Springwood Road at Breckinridge Elementary School; James River High School—replace the football stadium public address system; Roanoke Disc Golf Club—install concrete tee pads on the Greenfield disc golf course.

He requested that the Board approve a total of \$20,000 in funding for all six projects. Mr. Peters then noted that Mr. Garland Humphries, Chairman of the Parks and Recreation Commission, was present at the meeting, as were representatives of several of the groups requesting funding.

After questioning by Dr. Scothorn, Mr. Humphries stated that he has been involved with the County's Parks and Recreation Commission for 17–18 years. Dr. Scothorn stated that this has been a well done program over the years and it allows citizens to “take ownership” of these projects.

There being no further discussion, on motion by Dr. Scothorn, seconded by Mr. Dodson, and carried by the following recorded vote, the Board approved the attached listing of Recreation Incentive Fund projects for 2014-15 and authorized the County Administrator to issue a notice to proceed to each applicant. (Resolution Number 14-12-08)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on a resolution in support for the Transportation Alternatives Program grant for the Daleville Greenway. Mr. Pete Peters, Director of Parks, Recreation, and Tourism, stated that, at the October meeting, the Board held a public hearing on a proposed VDoT/MAP-21 Transportation Alternative Program for the design and construction of a 3.1 mile greenway within the Daleville and Amsterdam communities. He noted that the public hearing was to broaden the community's awareness of the proposed greenway and solicit public comment regarding interest in pursuing the project.

Mr. Peters stated that only one citizen spoke at the hearing and no additional comments were subsequently received by staff. He noted that, as required by the grant application guidelines, a resolution of support from the Board is required to accompany this grant application. He noted that a similar resolution of support has been received from the Roanoke Valley-Alleghany Regional Commission's Metropolitan Planning Organization.

There being no discussion, on motion by Mr. Dodson, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board approved the following resolution in support of a MAP-21 Transportation Alternative Program grant application for funds to design and construct a greenway within the Daleville and Amsterdam communities of Botetourt County.

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

NAYS: None

ABSENT: None

ABSTAINING: None

Resolution Number 14-12-09

WHEREAS, in 2012, the Botetourt County Department of Parks, Recreation, and Tourism initiated the organization of a Planning Committee comprised of residents and other stakeholders from the Daleville and Amsterdam communities to begin discussions regarding the development of a potential improved surface trail to serve both pedestrian and bicycle traffic within their community; and,

WHEREAS, through a strategic analysis process, the Planning Committee reviewed multiple trail alignments and narrowed the focus to one primary preferred route, which efficiently utilizes existing easements to the extent possible and effectively limits the number of directly-impacted property owners; and,

WHEREAS, the proposed route is currently designed as primarily off-road to connect existing recreational, school, and manufacturing resources located within Botetourt Center at Greenfield with residential and commercial clusters along the U. S. Route 220 corridor south to the Daleville Town Center mixed-use development; and,

WHEREAS, The Roanoke Valley-Alleghany Regional Commission has endorsed a resolution supporting Botetourt County's efforts to construct the Daleville Greenway; and,

WHEREAS, future proposed phases of greenway planning and construction are also underway to link the Daleville Greenway section with the extensive Roanoke Valley Greenway system; and,

NOW, THEREFORE, BE IT RESOLVED, that the Botetourt County Board of Supervisors expresses its support in the ongoing planning, design, and future construction of the Daleville Greenway.

BE IT FURTHER RESOLVED, that the Botetourt County Board of Supervisors also fully supports the efforts of the County's Department of Parks, Recreation, and Tourism and the Daleville Greenway Planning Committee to leverage assigned and available resources to seek other appropriate grant sources and private donations to assist with funding the greenway's development.

Consideration was then held on authorizing competitive negotiations to procure a reverse emergency notification system. Mr. David Firestone, Division Chief with the Department of Fire and EMS, stated that a reverse emergency notification system (Reverse 911) is used by emergency management/communications personnel to send messages about pending or actual emergency situations to the County's citizens and visitors. He noted that these notifications are made either automatically or manually by voice and/or text messaging to landline and mobile phones, pagers, e-mail, and social media.

Mr. Firestone stated that the County's current system has been in place and working well since 2009; however, the contract is due to expire in June 2015 and the current vendor has indicated that they will no longer provide this service.

Mr. Firestone stated that various services are offered by each vendor and the County's standard bid process will not produce the desired capabilities without the County being charged for unused or unneeded services. He also noted that a system that works with the County's current mapping software is required. Mr. Firestone noted that after review it has been determined

that the best manner in obtaining proposals for a new reverse 911 system is through competitive negotiations instead of competitive sealed bidding as there are many variables to be considered in procuring this new software.

After questioning by Mr. Williamson, Mr. Firestone stated that the existing system is still on-line and working adequately; however, the current vendor has said that they would not offer a new contract proposal as they no longer bid on contracts for localities with less than 50,000 citizens.

Mr. Firestone stated that the new software includes the capability of using social media to notify the public of emergency events and situations.

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 authorizing competitive negotiations for the procurement of a reverse emergency notification system and associated services.

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

NAYS: None

ABSENT: None

ABSTAINING: None

Resolution Number 14-12-10

WHEREAS, Botetourt County is interested in procuring a reverse emergency notification system and associated services; and,

WHEREAS, these services are non-professional services; and,

WHEREAS, Section 2.2-4303 of the Code of Virginia provides that competitive negotiation may be used in procurement of non-professional services; and,

WHEREAS, the Botetourt County Board of Supervisors finds that selection factors other than price are critical to the work, such selection factors including, but are not limited to, the capabilities of the system offered, the services offered by the vendor, the functionality and effectiveness of the user interface, the amount and type of support services offered to set-up the system, the ability to convert historic data into the new system and to train County staff in the operation of the new system, the history, strength, stability and projected longevity and reliability of the vendor to continue to develop, improve and support the system in future years, and the experience of other localities with the system and the vendor; and,

WHEREAS, in consideration of the above circumstances, the Botetourt County Board of Supervisors finds that competitive sealed bidding is not practicable or fiscally advantageous to the public;

NOW, THEREFORE, BE IT RESOLVED, that the Botetourt County Board of Supervisors authorizes advertisement of a Request for Proposals for procurement of a reverse emergency notification system and associated services following the competitive negotiation process.

Mr. Dan Collins, Residency Administrator with the Virginia Department of Transportation was then present to speak to the Board.

Mr. Collins stated that the Webster Road bridge replacement project is behind schedule due to delays in utility relocations. He noted that this project should be completed by the middle of January 2015. Mr. Collins further noted that the Exit 150 project has been advertised for bids which are due in late February 2015.

Mr. Collins then stated that Mr. Dodson had some questions at the Board's November meeting regarding delays in completion of the Catawba/Etzler Road intersection project. Mr.

Collins stated that Mr. Robbie Williams, the project's construction engineer, is present to explain the project and the fill-related issues.

Mr. Williams stated that the contractor (DLB, Inc.) is approximately 50% complete with the overall construction project. He noted that the original contract called for a shoring system which includes taking an auger on a track hoe and shoring up the two-laned roadway while the construction work is being done. Mr. Williams stated that the auger hit large boulders that were used as fill when the roadway was originally built and was unable to bore through the material. He also noted that the auger hit an area of dirt and rock which resulted in an unstable, slurry-type material being created which could have undermined the roadway. Mr. Williams stated that the contractor also lost a drill bit from the auger during the boring activities.

Mr. Williams stated that the contractor and VDoT reviewed various options to complete this project and the contractor suggested a bottomless arch culvert structure. He further stated that a standard box culvert was considered but it would cause project delays as necessary permits would have to be applied for and approved by the Virginia Department of Environmental Quality and other regulatory agencies for work in the streambed. Mr. Williams noted that DLB then pursued the engineering work necessary for the bottomless arch culvert. He noted that, after a number of partial submissions, it was determined by VDoT and DLB that the arch culvert may not be the most feasible option.

He noted that DLB is now moving forward with a drilled shaft, caisson-type of machine to build the original shoring system. Mr. Williams stated that this is an expensive operation but the contractor has found a subcontractor who is willing to do this work. He noted that because of the potential for winter weather, VDoT now anticipates a summer 2015 completion date for this project. Mr. Williams stated that the project remains on budget.

After discussion, he thanked the Board for their patience on this project and noted that VDoT did not anticipate these difficulties in the wall portion of this project.

Dr. Scothorn thanked Mr. Williams for his update and noted that he has received a few calls from citizens regarding this unfinished project.

Mr. Williams noted that he hopes to see some work begin again on this project after the first of the year.

Mr. Collins stated that this project is one of a very few in this area that have had these types of construction problems.

Mr. Kevin Hamm, VDoT's Maintenance Operations Manager, then noted that their personnel continue to repair potholes. He noted that they have a contractor who is performing asphalt patching and have just finished working on Alternate Route 220 this week and will continue along Route 220 toward Eagle Rock in the next week or so. He further noted that their snow removal equipment, staff, and subcontractors are ready for winter weather.

Mr. Hamm then stated that VDoT has several projects slated for this winter including a pipe replacement project near Camp Bethel and a box culvert project on Mountain Valley Road. He also noted that VDoT plans to extend the culvert pipe and shoulder area by 10' on each side of the Simmons Road/Route 11 intersection to widen the shoulders to allow better access by tractor trailers.

Mr. Hamm stated that the traffic engineering study on the through truck restriction on Route 606 is still under review and the tractor trailer restriction signs have been put in place on Route 607 and the same signs for Route 658 are on order. He noted that signs were posted along Valley Road (Route 779) on December 10 requesting public comment on restricting this

roadway to through trucks. He noted that these signs give citizens a 30 day comment period to respond to the proposed truck restriction. Mr. Hamm stated that after that time a report will be submitted to VDoT's Richmond Office for review and consideration of approval.

After questioning by Mr. Martin regarding the deceleration lane on Route 460 at the Mountain Pass Road intersection, Mr. Hamm stated that the road's shoulders beyond the current decel lane were not built with a solid base layer. He noted that to extend the decel lane, VDoT would have to dig up the existing shoulder material and construct the extended lane area to VDoT's standards. Mr. Hamm noted that VDoT is still reviewing this matter.

Mr. Martin thanked Mr. Hamm for installing the through truck restriction signs on Route 607.

Dr. Scothorn then thanked Mr. Hamm for his prompt response to a citizen's call and letter regarding an issue on Valley Road.

Mr. Hamm stated that VDoT is conducting a study on this request for traffic calming measures on Valley Road.

There being no further discussion, Dr. Scothorn thanked Mr. Collins, Mr. Williams, and Mr. Hamm for their update reports.

Ms. Phyllis Booze, Voter Registrar, and members of the Botetourt County Electoral Board were then present to give a presentation on a proposed precinct consolidation plan. Ms. Booze stated that the County is facing an unfunded legislative mandate to replace its current Touch Screen voting machines in all 16 voting precincts and in the Central Absentee Precinct with Optical Character Recognition equipment. She noted that these Touch Screen machines are reaching the end of their useful lives and there were 49 localities in Virginia that experienced voting equipment issues during the November 2014 elections.

Ms. Booze stated that the County currently has 5 magisterial/election districts and 17 voting precincts. She noted that to purchase new voting machines for all of the County's precincts would cost \$223,435. Ms. Booze stated that the Electoral Board analyzed the County's current precincts, the history of these precincts, and the evolving culture of elections and are proposing the consolidation of some precincts to save money and increase efficiency.

Mrs. Booze stated that the Electoral Board is recommending as follows: Amsterdam District—change the name of the Amsterdam precinct to Daleville precinct and change the name of the Asbury precinct to the Greenfield precinct; Blue Ridge District—no changes; Buchanan District—reduce four precincts to two precincts by placing some of the Buchanan and Springwood precinct voters in the Mill Creek precinct with the remaining Springwood and Roaring Run precinct voters to be placed in the Buchanan precinct; Fincastle District—reduce five precincts to two by combining the Courthouse, Town Hall, and Oriskany precincts into the Fincastle precinct; and the Glen Wilton precinct will be merged into the Eagle Rock precinct; Valley District—reduce three precincts to two by combining the Coyner Springs precinct with the Troutville precinct.

Ms. Booze stated that this proposal would reduce the County's precincts to 10 plus a Central Absentee Precinct which would reduce the County's capital outlay costs for the new machines to \$150,250; a savings of approximately \$70,000. She noted that, in addition, there will be annual operational savings; however, the amount will vary depending on the election.

Ms. Booze then noted that Governor Terry McAuliffe recently announced a proposal to request funds in the next State budget to help localities purchase new voting machines. Ms.

Booze noted that, if this allocation is approved, the Electoral Board would still prefer to proceed with consolidating precincts. She noted that fewer precincts would necessitate fewer poll workers, less warranty charges on the machines, and less maintenance costs.

Mr. Williamson noted that the Board had earlier today approved the payment of \$123,000 in funding to be returned to the State so he questions whether additional State funding would be available to purchase voting machines in the next State budget.

Ms. Booze then noted that 88.67% of eligible County citizens are registered to vote and the County had a 77.5% voter turnout in the last presidential election.

After questioning by Mr. Martin, Ms. Booze stated that there are very few uses for the old voting equipment but the County may be able to receive a few dollars for the old machines.

Mr. Martin noted that this is the third change to the County's voting equipment that he has seen since he became a member of the Board.

Ms. Booze stated that there are some voting machines in the State that are 20 years old and they do not have the capability of a "paper trail" if there are equipment problems. She noted that if an Optical Character Recognition machine fails then there is a ballot available for a recount.

Mr. Martin then questioned if there are any issues regarding fraud/tampering with these machines such as reported instances of where a citizen votes for one name on the touch screen machine and the vote is cast for another person.

Ms. Booze stated that these types of situations are referred to as a calibration issue. Ms. Booze noted that she and her staff test the voting machines before they are sent to the precincts to ensure that they are working correctly.

After questioning by Mr. Williamson, Ms. Booze stated that the Electoral Board voted unanimously to recommend consolidating voting precincts. She noted that Mr. William Heartwell, Chairman of the Electoral Board, was present to answer any questions.

After further questioning by Mr. Williamson, Mr. Heartwell stated that this proposal, if approved by the Supervisors, will necessitate redrawing the precinct lines and maps in the affected districts and revising the Elections Ordinance. He noted that this could take some time and he does not believe this could be completed in time for a January 2015 public hearing.

After discussion by Mr. Williamson, Mrs. Guzi stated that, if the Board is in concurrence with the Electoral Board's recommendation, then she suggests that the Board refer this matter to the staff to work on drawing up the proposed maps and precinct descriptions. She suggested that the hearing be scheduled no sooner than the Board's February regular meeting and no later than their April regular meeting.

After questioning by Mr. Williamson regarding absentee voting, Ms. Booze stated that there are currently 19 exemptions allowed for citizens to vote absentee, e.g., work, illness, out-of-town, etc. After further questioning by Mr. Williamson, Ms. Booze stated that she and her staff "take the citizen's word" on why they want to vote absentee—they do not ask for doctor's excuses, for example.

After questioning by Mr. Dodson, Ms. Booze stated that the next election to be held in the County is the June primary. After further questioning, Ms. Booze stated that, if the public hearing on the revised maps and ordinance language is held in February, then the new polling places would be used for the June primary and, if the public hearing is held later than February, then the new precincts would be used in the November election.

After questioning by Mr. Williamson, Ms. Booze stated that it would save \$1,400 in precinct officer costs if the ordinance amendments and new precincts were approved in February.

Mr. Dodson stated that it will take a lot of work to get the precincts redrawn.

There being no further discussion, on motion by Dr. Scothorn, seconded by Mr. Martin, and carried by the following recorded vote, the Board authorized a public hearing on proposed amendments to Chapter 9 Elections of the Botetourt County Code regarding a proposed precinct consolidation plan with the hearing to be scheduled no sooner than February 2015 and no later than April 2015 to allow staff to complete work on proposed precinct description amendments. (Resolution Number 14-12-11)

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

NAYS: None

ABSENT: None

ABSTAINING: None

A public hearing was then held on proposed amendments to Chapter 1 General Provisions of the County Code to implement an electronic summons fee. Mrs. Guzi stated that the Code of Virginia allows localities to assess a \$5.00 fee as part of the costs in each criminal or traffic case in the General District and Circuit Courts to be used for the implementation and maintenance of an electronic summons system. She noted that these fees can only be used to fund software, hardware, and associated equipment costs for this system which includes the installation of computers in deputies' vehicles.

Mrs. Guzi stated that by adopting this ordinance, the County will be able to collect these fees from every person who is convicted of a violation of any criminal or traffic statute or ordinance and use these funds to purchase this equipment and software.

She noted that Sheriff Sprinkle was present to answer any questions on this matter. Mrs. Guzi further noted that the Circuit and District Court Clerks are in favor of this ordinance.

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

On motion by Mr. Martin, seconded by Mr. Dodson, and carried by the following recorded vote, the Board adopted the following resolution amending Chapter 1 General Provisions of the Botetourt County Code to implement an electronic summons fee, effective February 1, 2015.

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

NAYS: None

ABSENT: None

ABSTAINING: None

Resolution Number 14-12-12

WHEREAS, the Botetourt County Sheriff is authorized to enforce local ordinances and state code involving both criminal and traffic offenses within Botetourt County, Virginia; and

WHEREAS, criminal and traffic arrests and citations are made by members of the Sheriff's Office and are submitted by summons to the District and Circuit Courts in the County for subsequent adjudication; and

WHEREAS, the Sheriff's Office intends to implement an electronic summoning system for criminal and traffic enforcement; and

WHEREAS, Virginia Code §17.1-279.1 entitled "Additional assessment for electronic summons system" allows localities to assess a fee as part of the costs in each criminal or traffic case in district or circuit court to be used for the implementation and maintenance of an electronic summons system.

NOW THEREFORE, BE IT ORDAINED BY THE BOTETOURT COUNTY BOARD OF SUPERVISORS THAT Chapter 1, General Provisions, of the Botetourt County Code of Ordinances is hereby amended to add a new section 1-17 as follows:

BOTETOURT COUNTY CODE

* * *

Chapter 1

GENERAL PROVISIONS

* * *

Sec. 1-17. Electronic summons system fee for criminal and traffic cases.

(a) Pursuant to the provisions of section 17.1-279.1 of the Code of Virginia, as part of the costs in each criminal or traffic case in the district or circuit courts of Botetourt County, every person who is convicted of a violation of any statute or ordinance shall pay a fee of five dollars (\$5.00).

(b) The fee shall be ordered as a part of court costs, collected by the clerk of the court in which the action is filed, remitted to the treasurer of Botetourt County, and held by the treasurer subject to disbursement by the board of supervisors to the Botetourt County Sheriff's Office solely to fund software, hardware, and associated equipment costs for the implementation and maintenance of an electronic summons system.

Consideration was then held on approval of the Vision Statement. Mrs. Guzi then commended the Board for the time, effort, and dedication that they have put into creating a new Vision Statement for the County. She noted that the Board is "in sync" on their vision for the County's future.

Mrs. Guzi then read the Vision Statement's opening paragraph as follows, "Botetourt is a dynamic and vibrant county of rich, carefully protected and preserved historical and natural resources that make it a place like no other." She noted that the Board identified eight key focus areas as follows: Thriving Business Environment, The Gateway Center, Botetourt Cool, Responsible Governance, Ample and Reliable Infrastructure and Facilities, Responsive Government, Lifelong Learning Excellence, and Strategic Land Use. She then asked that the Board adopt the Vision Statement as presented to them today.

She stated that there is still work to be done including a two-day strategic planning session by the staff to be held in January. She noted that these sessions will develop work plans for each of the 40 priorities identified by the Board and these work plans will be reviewed with the Board at a later date. Mrs. Guzi noted that the Board may have to schedule another one-half day session to complete their strategic planning work.

After discussion, Mrs. Guzi stated that the staff is also making preparations to communicate the Vision Statement to the citizens including developing a press release, listing the plan on the County's website, etc. She noted that the three page Vision Statement will be condensed into one page. Mrs. Guzi stated that the staff will work toward educating the citizens on the Board's newly adopted vision.

Dr. Scothorn stated that the County staff's participation in these strategic planning sessions was greatly appreciated and this statement would not have happened without their efforts.

Mr. Dodson noted that the Board's strategic planning sessions have gotten more public support than anything that he has seen since he became a Board member. He noted that the Board has an "opportunity" and "we need to stay on top of it."

Mrs. Guzi noted that staff has already begun preparing for their strategic planning sessions in January.

After further discussion, on motion by Mr. Martin, seconded by Mr. Dodson, and carried by the following recorded vote, the Board approved the Botetourt 2040 Vision Statement as presented. (Resolution Number 14-12-13)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on approval of a proposal to conduct a County Agriculture Study. Mr. Jay Brenchick, Economic Development Manager, stated that the County hired the firm of Moran, Stahl, and Boyer in 2010 to conduct an economic development study. He noted that this study's recommendations included the need to support and promote local agriculture and agri-tourism efforts. He noted that recently there have been several agricultural-related initiatives in the County including the Fields of Gold program, the Botetourt County Fair, and the Botetourt County Farmer's Market and, this year, the County joined the Virginia Agricultural Development Officers (VADO) group, which was created by the State Department of Agriculture and Consumer Services.

Mr. Brenchick stated that a study and strategic plan are needed to examine the current economic characteristics of the County's and region's agricultural industry, identify industry trends, and utilize these findings to develop a strategic plan. He noted that, in conjunction with VADO, the County reviewed various study and proposal options and is recommending approval of a proposal by the UVA Weldon Cooper Center for Public Service's Center for Economic and Policy Studies. He noted that the Weldon Cooper Center has conducted similar studies for Augusta County, Hanover County, Fauquier County, and Pittsylvania Counties, among others.

Mr. Brenchick stated that the study will gather information from focus groups, which are drawn from the local agricultural community, businesses, and the general public. He stated that the Weldon Cooper study team will use their expertise to identify industry trends to develop strategic priorities and policy recommendations. Mr. Brenchick stated that this study will provide a foundation and base which will allow the Board and staff to use this information to decide the areas to concentrate on.

After discussion, Mr. Brenchick stated that the overall cost for the study is \$20,024 and noted that the County has applied for a grant through the Governor's Agriculture and Forestry Industries Development Fund's (AFID) planning grants program. He noted that this grant will pay \$10,000 toward the study with the County required to match the grant amount with both in-kind services and County funds.

Mr. Brenchick stated that Ms. Katherine Carter, 4-H Extension Agent, and Ms. Kate Lawrence, Agriculture Extension Agent, have reviewed and given overall support to the Weldon Cooper proposal. He noted that they also discussed Weldon Cooper's work with their Extension Service contemporaries in other jurisdictions that used this group to perform an agricultural study.

Mrs. Guzi stated that the County has received good references about Weldon Cooper's work on these type of studies and she believes that this will be a "good and valid process" for the County to pursue. She suggested that a pre-planning committee consisting of two Board members be appointed to meet with representatives from the Weldon Cooper group who are

proposing this study before a final decision is made on whether to proceed. She noted that this committee can ensure that the Board's priorities are understood and identified in the study's parameters.

Mr. Leffel stated that this is a huge concern to him as he wants this study done right the first time. He noted that "vision" is a big word today and the County has changed and adapted to changes in the past. Mr. Leffel stated that agriculture today is science-oriented. Mr. Leffel noted that he would like to review the proposal further.

After questioning by Dr. Scothorn, Mr. Leffel stated that he would like to table consideration of this proposal in order to obtain additional information.

Mr. Williamson stated that he thought that this study proposal would be similar to the Exit 150 proposals. Mr. Williamson noted that his review of the Weldon Cooper proposal showed a lot of data gathering but not much in the manner of marketing opportunities. Mr. Williamson stated that he would also like to see a soil scientist or an agriculturist included in the list of Weldon Cooper personnel involved in this study.

Mr. Williamson then suggested that he and Mr. Leffel serve on the pre-planning committee recommended by Mrs. Guzi to further review this proposal with County staff and conduct discussion with Weldon Cooper representatives.

Mr. Dodson stated that, when he reviewed the information on this study included in the Board's agenda packets, the study did not appear to be targeted. He questioned if this study is meant to be a first step for the Board to use in further targeting its agricultural industries and identify trends.

Mr. Brenchick stated that Mr. Dodson's last statement is correct in that this proposed study is a first step or foundation for the Board and staff.

Mr. Leffel noted that he understands that the proposal is a start; however, he wants to make sure that the focus is on agriculture. Mr. Leffel stated that the County's agricultural-related businesses should be able to pay for themselves, be sustainable, and allow the farm families to keep their land in the future.

Ms. Carter stated that she grew up in the County and agriculture is very important to her. Ms. Carter noted that she and Kate Lawrence read through the Weldon Cooper proposal and checked with their colleagues in other localities that had a similar study done by this group. She noted that all of their references indicated that Weldon Cooper did excellent work. Ms. Carter stated that Weldon Cooper offered a "third-party view" and the research team "asked questions that agriculture people did not ask."

Ms. Carter noted that she participated in a conference call with County staff and Weldon Cooper representatives earlier this week. Ms. Carter stated that she and Ms. Lawrence are willing to direct the focus groups and make sure that all of the emphasis areas are tagged. She noted that they have already begun drawing up lists of potential farmers and citizens to serve on the focus group.

Ms. Carter stated that this study is a foundation, a building block, and a place for the County to start in studying its existing and future agricultural potential. She further stated that the County needs "to find out where we are and what is working" for our agricultural community and what is not and she "believes that this study is where we need to start."

After discussion, Mr. Brenchick then suggested that as part of the pre-planning committee's tasks, they could participate in a conference call with representatives from Weldon Cooper to discuss the proposal and ask questions about the study's parameters. He noted that, if the

committee, staff, and the Weldon Cooper Center agree with the project parameters and the committee determines that the parameters meet our needs, then the committee can authorize that the study proceed.

After questioning by Mr. Martin, Mr. Brenchick stated that the focus groups would include citizens representing all aspects of the County's agricultural community. He noted that there are 25 different categories of potential focus group members.

Mr. Leffel stated that he knows of several individuals who would be an important part of this study and have significant input for the Weldon Cooper team to consider. Mr. Leffel then asked that a conference call be scheduled to allow him and Mr. Williamson to discuss this study with representatives from Weldon Cooper.

There being no further discussion, on motion by Mr. Williamson, seconded by Mr. Leffel, and carried by the following recorded vote, the Board appointed Mr. Williamson and Mr. Leffel to serve on a committee to work with County staff to schedule a conference call with representatives from the Weldon Cooper Center's Center for Economic and Policy Studies on their proposal to conduct a study and develop a strategic plan on the County's agriculture and agri-tourism efforts and, if the committee is satisfied with the information obtained during the conference call, they are authorized to allow the proposal to proceed, and approved an appropriation of up to \$7,500 from the Undesignated Fund Balance to fund the study. (Resolution Number 14-12-14)

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

NAYS: None

ABSENT: None

ABSTAINING: None

The Board then held their 2015 reorganizational meeting.

After questioning by Mr. Williamson, Mrs. Dillon stated that the Board can adopt the bylaws as submitted or, if there are no changes, the bylaws can remain as is.

Mrs. Guzi then opened the floor for nominations for Chairman of the Board of Supervisors for 2015.

Mr. Leffel then nominated Dr. Scothorn for Chairman in 2015.

There being no further nominations, on motion by Mr. Leffel, seconded by Mr. Williamson, and carried unanimously by those members present, nominations were closed and the Board appointed Dr. Donald M. Scothorn as Chairman of the Board of Supervisors for 2015. (Resolution Number 14-12-15)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Mrs. Guzi congratulated Dr. Scothorn on his election as Chairman and then opened the floor for nominations for Vice-Chairman of the Board for 2015.

Dr. Scothorn then nominated Mr. Leffel as Vice-Chairman for 2015. There being no further nominations, on motion by Dr. Scothorn, seconded by Mr. Dodson, and carried by the following recorded vote, nominations were closed and Mr. L. W. Leffel, Jr., was elected Vice-Chairman of the Board of Supervisors for 2015. (Resolution Number 14-12-16)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Dr. Scothorn then assumed Chairmanship of the meeting.

Consideration was then held on various committee/commission/board appointments for 2015. Discussion was held on appointing Mr. Leffel to the School Budget Committee along with Mr. Dodson and appointing Mr. Martin and Mr. Dodson to serve on the Fire and EMS Committee and retain the remaining 2014 appointments for 2015.

After further discussion, on motion by Mr. Williamson, seconded by Mr. Martin, and carried by the following recorded vote, the Board approved the various committee/commission/board appointments for 2015 as shown below: (Resolution Number 14-12-17)

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

NAYS: None

ABSENT: None

ABSTAINING: None

**2015 Member
Assignment**

Position or Board

Dr. Scothorn	Board Chairman
Mr. Leffel	Board Vice-Chairman
Dr. Scothorn	Roanoke Reg. Partnership (Chmn.)
Mr. Martin	Social Services Board
Mr. Dodson	Parks and Recreation Commission
Dr. Scothorn	Planning Commission
Mr. Leffel	Library Board of Trustees
Mr. Leffel	Transportation Safety Commission
Mr. Martin	TAP Board of Directors
Mr. Martin/Mr. Dodson	Fire and EMS Committee
Mr. Dodson	RVARC CEDS
All Board Members	General Fund Budget Committee
Dr. Scothorn/Mr. Williamson	General Fund Budget Subcommittee
Mr. Leffel/Mr. Dodson	School Budget Committee
Mrs. Guzi/Mrs. Dillon	Parliamentarians
Mrs. Guzi	Clerk to the Board
Mrs. Fain	Deputy Clerk to the Board

It was noted that the Board had no changes to the bylaws.

On motion by Mr. Williamson, seconded by Mr. Dodson, and carried by the following recorded vote, the Board scheduled their regular monthly meetings for the fourth Tuesday of each month, except for the December 2015 meeting, which will be held on Thursday, December 17, 2015. (Resolution Number 14-12-18)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on various appointments.

It was noted that the appointment to replace Mr. Edgar Baker on the Industrial Development Authority would be delayed and staff was directed to send a letter to Mr. Baker thanking him for his many years of service on the IDA.

After discussion, on motion by Dr. Scothorn, seconded by Mr. Dodson, and carried by the following recorded vote, the Board reappointed Ms. Barbara Hawkins as the Valley District

representative on the Library Board of Trustees for a four year term to expire on December 31, 2018. (Resolution Number 14-12-19)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Regarding committee reports, Mr. Williamson then questioned if the County Attorney had had an opportunity since the November meeting to research whether the Board could enact different Noise Ordinance provisions in different zoning districts.

Mrs. Dillon stated that she has begun research on this issue but has not completed her work.

Dr. Scothorn stated that each of the Board members have received telephone calls about the Noise Ordinance and he has even received comments from his patients. He noted that "people want to talk" about their concerns on this issue.

Dr. Scothorn then made a motion to authorize the advertisement of a public comment period on the Noise Ordinance after the Board is presented with the staff report in January. Mr. Martin seconded this motion.

Dr. Scothorn stated that this would be another opportunity to discuss the public's concerns about the Noise Ordinance's provisions.

Mrs. Guzi stated that the staff will present the Board with a report on the Noise Ordinance and the issues regarding whether different Noise Ordinance provisions would be permitted in different zoning districts in January. She noted that the Board could then identify what action they would like the staff to take on this issue.

After further discussion, it was agreed that the Board would receive the staff's report prior to authorizing any further action on this matter.

Mr. Mike Smith of Cloverdale then stated that he was "disappointed" to not see a staff report on the Noise Ordinance at today's meeting. Mr. Smith then asked for clarification of what he has heard as he wanted to make sure that the public would be given an opportunity to address the Board at the January meeting.

Dr. Scothorn stated that yes this would be the case after the Board has heard the staff's report.

On motion by Dr. Scothorn, seconded by Mr. Dodson, and carried by the following recorded vote, the Board went into closed session at 3:55 P. M. to discuss personnel matters pertaining to the review of the County Administrator's contract as per Section 2.2-3711A (1) of the Code of Virginia of 1950, as amended. (Resolution Number 14-12-20)

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

NAYS: None

ABSENT: None

ABSTAINING: None

The Chairman then called the meeting back to order at 6:01 P. M.

On motion by Mr. Dodson, seconded by Mr. Leffel, and carried by the following recorded vote, the Board returned to regular session from Closed Session and adopted the following resolution by roll-call vote. (Resolution Number 14-12-21)

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 Blue Ridge Magisterial District from Mark E. Lynch to vacate and relocate a 15' drainage easement in accordance with Section 15.2-2272 of the Code of Virginia of 1950, as amended, to construct a single-family dwelling on a 0.773 acre lot in the Residential R-2 District on Poplar Drive, approximately 0.06 miles southeast of the 1st Street (Route 1503)/Poplar Drive (Route 1502) intersection in Blue Ridge Heights Subdivision, originally shown on Plat Book 4, Page 136, identified on the Real Property Identification Maps of Botetourt County as Section 103C(2), Block 4, Parcel 6.

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

Mr. Jeff Busby, County Planner, stated that Mr. Lynch is requesting the vacation of an existing easement and the relocation of a 15' drainage easement in order to construct a single family dwelling on his Residential R-2 lot in Blue Ridge Heights Subdivision.

He noted that one neighbor called requesting details regarding this request and, once the Planning staff explained the proposal, the neighbor had no problems with this proposed easement vacation and relocation.

Mr. Busby noted that the subdivision plat shows this easement which was intended to allow for positive drainage from the Poplar Drive right-of-way; however, there is no defined channel/ditch on the lot within the designated drainage easement. Mr. Busby stated that VDoT and County engineering staff reviewed this request and have agreed to Mr. Lynch's proposal to relocate this easement.

Mr. Williamson stated that it appears that the new easement follows the lay of the land.

Mr. Busby noted that the new easement location and associated earthwork on the lot during the home's construction will allow for proper drainage on the lot which will bypass the dwelling. Mr. Busby noted that the completed, stabilized drainage swale will be a requirement to the owner receiving a Certificate of Occupancy for the home.

Mr. Busby stated that Mr. Lynch was present to answer any questions regarding this request.

Mr. Lynch stated that he does not understand why the easement was designed in this location as there are no drainage issues on the property at this time. He noted, however, that if a drainage easement is necessary he would like it relocated toward the southeast portion of the lot.

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.

On motion by Mr. Martin, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board approved a request in the Blue Ridge Magisterial District from Mark E. Lynch to vacate and relocate a 15' drainage easement in accordance with Section 15.2-2272 of the Code of Virginia of 1950, as amended, to construct a single-family dwelling on a 0.773 acre lot in the Residential R-2 District on Poplar Drive, approximately 0.06 miles southeast of the 1st Street (Route 1503)/Poplar Drive (Route 1502) intersection in Blue Ridge Heights Subdivision,

originally shown on Plat Book 4, Page 136, identified on the Real Property Identification Maps of Botetourt County as Section 103C(2), Block 4, Parcel 6. (Resolution Number 14-12-22)

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

NAYS: None

ABSENT: None

ABSTAINING: None

A public hearing was then held on a request in the Buchanan Magisterial District from Gregory Dunn Pillis to rezone a 3.0 acre portion of a 31.55 acre parcel from an Agricultural (A-1) District to a Rural Residential (RR) District, with possible proffered conditions, to create a new lot for an existing single-family dwelling, served by well and septic. Another single-family dwelling, also served by well and septic to remain with the parent parcel. The property is located at 40 Loope Lane (State Route 732), Buchanan, 0.03 miles north of its intersection with Wheatland Road (State Route 639), identified on the Real Property Identification Maps of Botetourt County as Section 62, Parcel 149.

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

Mr. Busby noted that there was a considerable amount of discussion regarding this request at the Planning Commission meeting regarding setback requirements, refinancing, and variances. He noted that Commission member Steve Kidd stated that he did not feel that this situation constituted a hardship; therefore, a variance request should not be considered by the Board of Zoning Appeals.

Mr. Busby stated that this original 31.5 acre parcel was platted many years prior to the current Zoning Ordinance. He noted that Mr. Pillis constructed a new residence in 2011/2012 in accordance with the Agricultural A-1 setback requirements that were in effect in 2002. Mr. Busby stated that, even though the new home was constructed in 2012, the lot was created prior to 2002 which requires that the residence be constructed 60' from the center of Loope Lane. He noted that Mr. Pillis' house is located 78.1' from the center of the Loope Lane right-of-way.

Mr. Busby stated when the owner refinanced the property's loan, the lender required that the home be located on a separate lot. He noted that the creation of this new, proposed lot requires a setback of 100' from the center of Loope Lane if the property is zoned Agricultural.

After discussion, Mr. Busby stated that the Commission members questioned whether it was good zoning practice to rezone a lot because of refinancing requirements and they determined that there was no other alternate for the applicant than to rezone the 3 acre property to RR given the County's current setback requirements. He stated that most of this area is zoned either Agricultural A-1, Agricultural-Rural Residential AR, or Rural Residential RR use districts.

Mr. Busby noted that Mr. Chris McMurry, Certified Land Surveyor, was present to speak regarding this request.

After questioning by Mr. Williamson regarding this request creating a spot zoning issue, Mr. McMurry stated that there are geographic constraints on Mr. Pillis' property as there is a steep drop-off at the rear of the parcel. Mr. McMurry noted that banks and financial institutions "do not like two houses on the same lot;" therefore, their only option was to ask for a rezoning of this 3 acre parcel.

Mr. McMurry stated that he believes that a 100' setback in a rural area and on a rural road is too great a distance.

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. Williamson, seconded by Mr. Dodson, and carried by the following recorded vote, the Botetourt County Board of Supervisors approved this request as submitted. Therefore, be it ordained by the Botetourt County Board of Supervisors that the Botetourt County Zoning Ordinance and the Botetourt County Real Property Identification Maps be amended in the following respect and no other: (Resolution Number 14-12-23)

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

NAYS: None

ABSENT: None

ABSTAINING: Mr. Dodson

GREGORY DUNN PILLIS

In the Buchanan Magisterial District to rezone a 3.0 acre portion of a 31.55 acre parcel from an Agricultural A-1 District to a Rural Residential RR District to create a new lot for an existing single-family dwelling, served by well and septic. Another single-family dwelling, also served by well and septic to remain with the parent parcel. The property is located at 40 Loope Lane (State Route 732), Buchanan, 0.03 miles north of its intersection with Wheatland Road (State Route 639), identified on the Real Property Identification Maps of Botetourt County as Section 62, Parcel 149.

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 6:17 P. M. (Resolution Number 14-12-24)

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

NAYS: None

ABSENT: None

ABSTAINING: None