

The regular meeting of the Botetourt County Board of Supervisors was held on Tuesday, August 27, 2013, in Rooms 226 – 228 of the Greenfield Education and Training Center in Daleville, Virginia, beginning at 2:00 P.M.

PRESENT: Members: Mr. Stephen P. Clinton, Chairman  
Dr. Donald M. Scothorn  
Mr. Billy W. Martin, Sr.  
Mr. L. W. Leffel, Jr.

ABSENT: Members: Mr. Terry L. Austin, Vice-Chairman

Others present at the meeting:

Mr. David Moorman, Deputy County Administrator  
Mrs. Elizabeth Dillon, County Attorney  
Mrs. Kathleen D. Guzi, County Administrator

Mr. Clinton called the meeting to order at 2:04 P. M. and welcomed those present. Mr. Clinton then led the group in reciting the pledge of allegiance.

Mr. Pete Peters, Director of Parks, Recreation and Tourism, then stated that several of his employees had recently completed testing for various State and national certifications. He noted that Lisa Moorman, Tourism Coordinator, had received the Virginia Destination Professional certification from the Virginia Association of Convention and Visitors Bureaus.

Mr. Clinton thanked Ms. Moorman for her efforts in achieving this certification. He noted that this designation will elevate Botetourt County's standard in the profession.

Mr. Peters then noted that Jay Ratcliffe, Assistant Parks and Recreation Director, is now a Certified Parks and Recreation Professional through the National Recreation and Parks Association.

Mr. Clinton congratulated Mr. Ratcliffe for his efforts in achieving this professional designation.

Mr. Peters then noted that Mr. Mike Spence and Mr. Jon Wilson had recently received their Certified Fertilizer Applicator designations from the Virginia Department of Agriculture and Consumer Services. He stated that in receiving these technical awards Mr. Spence and Mr. Wilson have increased their knowledge in correctly applying fertilizer to the County's ballfields and lawn areas.

Mr. Clinton thanked Mr. Spence and Mr. Wilson for their dedication and efforts in studying and obtaining these certifications.

After questioning by Mr. Clinton, Mrs. Guzi stated that Mr. Peters encouraged his employees to seek these certifications. She noted that the County is fortunate to have directors and department heads that encourage their staff to improve themselves. She stated that Mr. Peters has a well-motivated staff and their efforts in achieving these designations are appreciated.

Mr. Jason Ferguson, Division Chief-Emergency Services, then introduced Mr. Adam Smith to the Board. He noted that Mr. Smith has been employed with the County's career fire and rescue staff since March 2011. He noted that over 11 months Mr. Smith completed 400 hours of testing and the certification process to achieve the Emergency Medical Technician-Intermediate designation. Mr. Ferguson noted that Mr. Smith is now an advanced life support provider.

Mr. Clinton congratulated Mr. Smith for this dedication in obtaining this achievement.

Mr. Clinton and Mrs. Guzi then recognized those individuals who have been employed by the County for 5, 10, 15, and 25 years. Mrs. Guzi then asked that each employee come forward as their name is called for presentation of a certificate of recognition: Five years—Phillip Meador, Utility Maintenance Worker/Meter Reader; Jerry Salyer, EMT/Firefighter-ALS; Ten years—Clarence Burrell, Custodian; Leslieanne Smith, Circuit Court Deputy Clerk; and Fifteen years—John Crawford, Utility Maintenance Worker.

Mr. Rodney Spickard, Commissioner of Revenue, who was present at the meeting was then asked to present Ms. Susan Gibson, Deputy Commissioner of Revenue, with her 25 year certificate as she was unable to attend today's meeting.

It was noted that those employees who were unable to attend today's meeting would be presented with their certificates at a later date (Tonya Hippert, Custodian; and David Givens, Construction Compliance Manager).

There being no discussion, on motion by Mr. Martin, and carried by the following recorded vote, the minutes of the regular meeting held on July 23, 2013, were approved as submitted. (Resolution Number 13-08-01)

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

NAYS: None

ABSENT: Mr. Austin

ABSTAINING: None

Consideration was then held on approval of additional appropriations. Mr. Tony Zerrilla, Director of Finance, stated that there were 10 pass through appropriations for the Board's consideration this month. He noted that these were for insurance recovery funds, miscellaneous receipts, donations, reimbursements, and fines and fees collected by the Commonwealth's Attorney one-half of which is required to be forwarded to the State.

There being no discussion, on motion by Dr. Scothorn, and carried by the following recorded vote, the Board approved the following additional appropriations. (Resolution Number 13-08-02)

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

NAYS: None

ABSENT: Mr. Austin

ABSTAINING: None

Additional appropriation in the amount of \$949.48 to Volunteer Fire & Rescue – Fire Insurance, 100-4032200-5302. These are insurance recovery funds for Troutville apparatus. These funds will be passed through to Troutville Rescue Squad.

Additional appropriation in the amount of \$40 to Tourism – Marketing, 100-4081600-5840. These funds are from THX Photo Products, Inc., for participation in a product rebate program.

Additional appropriation in the amount of \$50 to Parks & Recreation – Special Events, 100-4071000-3180. This is a vendor fee received from a winery relating to the recent BikeVa event.

Additional appropriation in the amount of \$2,975 to Sports Complex – Purchase of Services from Other Government Entities, 100-4071300-3800. These are funds received from Piedmont Virginia Amateur Softball Association representing tournament fees collected for recent Sports Complex events.

Additional appropriation in the amount of \$1,835.19 to Library – Books & Subscriptions, 100-4073100-6012. These are donated funds from Friends of the Eagle Rock Library (\$1,735.19) and the Bonsack/Blue Ridge Ruritan Club (\$100).

Additional appropriation in the amount of \$1,707.16 to Emergency Services – Other Operating Supplies, 100-4035500-6014. These are funds received from Angels Way Transportation as a result of the County’s response to a hazardous material incident.

Additional appropriation in the amount of \$39,112 to Revenue Refunds – Refunds, 100-4092000-5999. This is the State’s share of FY13 fines collected by the Commonwealth’s Attorney’s office through General District Court. The County retains the same amount. The State’s share is included in this month’s accounts payable.

Additional appropriation in the amount of \$2,759.04 to the following Sheriff’s Department accounts: \$2,160 to Forest Patrol Salaries, 100-4031200-1900; \$165.24 to FICA, 100-4031200-2100; and \$433.80 to Vehicle & Power Equipment Supplies, 100-4031200-6009. These are reimbursed funds received for Forest Patrol overtime expenses.

Additional appropriation in the amount of \$600 to Sheriff’s Department – Other Operating Supplies, 100-4031200-6014. These are funds received for scrap metal permits.

Additional appropriation in the amount of \$2,220.49 to Sheriff’s Department – Overtime Wages, 100-4031200-1200. These are funds received from the Town of Buchanan for services provided for the Buchanan Carnival.

Consideration of approval of the Accounts Payable and ratification of the Short Accounts Payable List. Mr. Tony Zerrilla, Director of Finance, stated that he had a late invoice that he would like to request to be added to the accounts payable list. He noted that this invoice was in the amount of \$18,903 and was payable to Botetourt County Emergency Services from Volunteer Fire and Rescue Services-County Volunteer Fire Departments, account 100-4032200-5641, for expenses related to emergency services vehicles housed at the Fincastle Volunteer Fire Department.

Mr. Zerrilla stated that with the addition of this invoice, this month’s accounts payable totaled \$1,176,974.99; \$982,452.08 in General Fund expenditures; \$3,740.06 in Debt Service Fund invoices; and \$190,782.85 in Utility Fund expenditures. He further stated that this month’s Short Accounts Payable totaled \$122,436.02; \$103,366.44 in General Fund invoices; \$3,055 in Debt Service Fund expenditures; and \$16,014.58 in Utility Fund invoices.

Mr. Zerrilla noted that this month’s large expenditures included \$50,600 to Watchguard Video for cameras for Sheriff’s Department vehicles; \$179,231 to ProComm for an initial payment for upgrade work on the emergency communications system’s mountaintop antennas; and \$56,505 to English Construction for work on the Tinker Creek Interceptor project.

After questioning by Mr. Clinton, Mr. Zerrilla stated the invoice for \$18,903 was not available at the time the accounts payable lists were sent to the Board members. He noted that this invoice is for vehicle expenses such as maintenance and fuel costs for the paid staff located at the Fincastle Fire Department.

There being no further discussion, on motion by Mr. Martin, and carried by the following recorded vote, the Board approved the accounts payable list with the addition of an invoice in the amount of \$18,903 payable to Botetourt County Emergency Services from Volunteer Fire and Rescue Services-County Volunteer Fire Departments, account 100-4032200-5641, for expenses related to emergency services vehicles housed at the Fincastle Volunteer Fire Department, and ratified the Short Accounts Payable list as presented. (Resolution Number 13-08-03)

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

NAYS: None

ABSENT: Mr. Austin

ABSTAINING: None

Consideration was then held on approval of bids for the installation of water supply wells for the Greenfield water system. Mr. Paul Peery, Utilities Manager, noted that there are funds in the current Capital Improvements Plan to replace the wells on the Greenfield system. He noted that the existing wells on this property were developed in the late 1990s and there have been problems with water quality issues for at least the past 10 years. Mr. Peery stated that these issues include a “rotten egg” smell, discoloration from high calcium hardness, and high iron levels in the water.

Mr. Peery stated that Golder Associates was hired to evaluate these well replacements and is proposing that sites north and east of the existing Greenfield wells be drilled to ascertain their potential for improved water quality. He noted that the existing wells provide a sustainable yield of 775 gallons per minute (gpm) or 620,000 gallons per day (gpd). He further noted that Golder was asked to draft well drilling specifications for bidding purposes and this project was advertised for bids earlier this month. Mr. Peery noted that three bids were received with the low bidder being Richard Simmons Well Drilling Company of Buchanan in the amount of \$178,743.

Mr. Peery noted that the staff concurs with Golder Associates’ recommendation and requests that the Board award the bid to Richard Simmons Well Drilling Company.

After questioning by Mr. Martin, Mr. Peery stated that the County currently has an adequate water volume from the existing Greenfield wells to serve our needs; however, this project was advertised for bids due to the water quality of the existing wells. Mr. Peery noted that the County has approximately 100,000 gallons per day in excess of reserve being produced by the Greenfield wells. He stated that it is hoped that the new well will have an improved water quality and also allow the County to pick up an additional water supply.

Mr. Martin noted that Richard Simmons Well Drilling Company has a good reputation for this type of work.

Mr. Clinton then questioned what evidence the County has that these new wells will have improved water quality.

Mr. Peery noted that, when the existing wells were drilled in the late 1990s, the County and its engineers did not have the geological technology that is available today. He stated that it has been discovered that there is a fault line running through the Greenfield property and the northern and eastern portions of this site are in a different geological formation than the area where the existing wells are located. Mr. Peery stated that the bid approved today will allow up to 9 test wells to be drilled so that the water quality can be tested before proceeding with this project. Mr. Peery noted that there is language in the bid specifications that allows the County to evaluate the water quality in the test wells before the well drilling company would be authorized to proceed.

After questioning by Mr. Clinton, Mr. Peery stated that the bidders are aware of this stipulation.

After questioning by Mr. Martin, Mr. Peery stated that there are several different types of components in the Greenfield water supply for which the County has to implement treatment options. He noted that approximately \$4,000 per month is spent to treat the Greenfield water.

After questioning by Dr. Scothorn regarding the amount of water that this system may be required to provide in 10 – 20 years, Mr. Peery noted that the County has almost completed work on a countywide water source study which includes projected future needs, yields, and consideration of additional water sources.

After questioning by Mr. Leffel, Mr. Peery noted that the current Greenfield wells have a sustainable yield of 775 gpm. He noted that this system supplies customers from Greenfield to the Exit 150 area.

Mr. Clinton noted that the County considered water treatment options on this system several years ago.

Mr. Peery noted that in the past the County has had two water quality studies completed on this system and a study update was completed earlier this year which showed that the construction cost of a water treatment plant for this system would be approximately \$4.6 million.

There being no further discussion, on motion by Dr. Scothorn, and carried by the following recorded vote, the Board authorized the County Administrator to enter into a contract with Richard Simmons Well Drilling Company, Inc., in the amount of \$178,743 for the installation of water supply wells for the Greenfield water system, upon review and approval of the contract by the County Attorney. (Resolution Number 13-08-04)

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

NAYS: None

ABSENT: Mr. Austin

ABSTAINING: None

Mr. Kevin Hamm, VDoT's Maintenance Operations Manager, was then present to speak to the Board. Mr. Hamm reviewed VDoT's monthly report. He noted that the Route 11 bridge across Firestone Creek has been completed and accepted by VDoT; on the Route 779/672 intersection project, the contractor is paving for temporary widening of the roadway in order to shift traffic; and the two bridge replacement projects on Webster Road (Route 738) are proceeding. Mr. Hamm noted that, in response to a question at the last Board meeting, public notification about the closure of Webster Road to traffic was released on June 6 and July 17 and the project is listed on VDoT's weekly traffic report.

Mr. Hamm noted that there were four land development and 9 land use permit projects reviewed by VDoT in the past month as well as one road construction permit for the grading and storm drain work on the Route 606/11 intersection project. Mr. Hamm then stated that after further review VDoT's engineers have decided to install slightly larger culvert pipes on Route 43 near the Britt property instead of box culverts. He further noted that the shoulders will also be extended by 10' with this work to be completed in the next 2 – 3 weeks. Regarding Deerfield Road (Route 760), Mr. Hamm stated that he has met with one resident to discuss the status of this road's consideration as a Rural Rustic Road project as well as VDoT's plans in September to resolve some of the road's drainage issues. Regarding Dagger Spring Road (Route 622), Mr. Hamm noted that a resident had requested that this road be placed on the Rural Rustic Road listing. He stated that VDoT staff has informed this property owner that, due to the low traffic counts, this road would not qualify for the RRR program. Mr. Hamm further noted that VDoT is reviewing this roadway for a potential reduction in the speed limit and planning for placement of dust control measures.

Regarding Fringer Trail (Route 645), Mr. Hamm stated that VDoT is working to obtain the necessary right-of-way deeds to improve the sharp curve on the southern portion of this roadway. He noted that work should begin in late fall and be completed in the spring of 2014. Mr. Hamm further stated that a traffic engineering study is under review for a no through truck designation on Valley Road (Route 779) from Route 11 to Route 220.

Mr. Martin stated there was some confusion in his description last month regarding a citizen call he had received. Mr. Martin noted that runoff from David Palmer Lane (private road) adjacent to the entrance of Deer Haven Subdivision in the Bonsack area is washing out into Deer Haven Drive and Misty Mountain Road. Mr. Hamm noted that he would have their staff review this situation and report back to Mr. Martin.

Mr. Leffel then noted that he is aware of the challenges that VDoT has faced in the Eagle Rock area this year from the extremely wet weather. He requested that traffic cones or barrels be placed at the culvert near the Britts' driveway to keep drivers from running into the ditch. He noted that the white painted edge line along Route 43 in this area has been undermined and eroded away and is no longer visible to warn drivers of the pavement's edge. Mr. Leffel also stated that he has been told for several months that the work on replacing this culvert would be done in a few weeks but so far no work has begun.

Mr. Leffel then discussed the new fill material placed along Shiloh Drive (Route 612) after a recent landslide. He noted that there is no guardrail along the edge of this road to keep drivers from driving off the edge of the roadway.

Mr. Hamm stated that there is an inadequate amount of shoulder area along this repaired section for guardrail to be placed. He noted that they have secured the dirt bank with rock; however, widening the road would be a major construction project due to the narrowness of the roadway in this area. Mr. Hamm noted that VDoT staff will be placing delineators along this section of roadway to warn drivers of the road's edge.

After questioning by Dr. Scothorn, Mr. Hamm stated that this section of Shiloh Drive is approximately 10' – 12' wide with a dirt bank on one side and a steep slope on the other. He noted that VDoT would need 3' – 4' of area behind the guardrail. Mr. Hamm noted that he will review this site again. After discussion, Mr. Hamm further stated that he has not said that guardrail is not needed along this section of Shiloh Drive only that "it will not fit" in this limited area. Mr. Hamm noted that additional work to widen the road would "depend on how much money the Board wants to put" into this project.

After questioning by Mr. Clinton, Mr. Hamm stated that he will have their engineering staff review this area to see if there are additional safety-related options.

Mr. Leffel stated that this is not a small safety problem and something needs to be done. He further noted that the property owner on the eastern side of Shiloh Drive has said that he would be willing to give some land to widen this roadway.

Mr. Leffel then stated that he understands that VDoT has conducted a review and traffic count along Dagger Spring Road and the roadway does not have a qualifying traffic count to be considered as a Rural Rustic Road project.

Mr. Hamm agreed with Mr. Leffel's statement and noted that he has talked to the resident who originally contacted them regarding having the road paved about VDoT's traffic study's results. Mr. Hamm noted that VDoT will do what they can to minimize the dust on this gravel road.

Mr. Jim Holaday of Shiloh Drive stated that the recent landslide along the edge of this roadway is a dangerous situation. He noted that there is now a straight drop-off along the edge of this narrow road and there are times that large trucks use Shiloh Drive to access his winery. Mr. Holaday noted that he has talked to the Johnsons, who own the property on the east side of the road, and they are willing to donate the land to widen this area.

Mr. Holaday noted that they had 160 cars visit the winery this past Saturday for an event. He noted that winter is coming and this road stays icy. Mr. Holaday stated that “we are not talking convenience, we are talking safety” regarding the need to repair/widen this section of Shiloh Drive. He noted that “this is a bad situation.”

Mr. Clinton asked VDoT to review this area again to “get a better picture of what the options might be.”

Mr. Hamm stated that he would submit this request to their traffic engineering department for study. Mr. Hamm further noted that a traffic study request was submitted in June for the Route 43/Shiloh Drive intersection and additional signage has been installed warning drivers of this intersection. Mr. Hamm stated that to improve the sight distance at this intersection will necessitate a major construction project and the Board can consider this as a Secondary System project in the future. He further noted that their research did not show any major wrecks occurring in this area in the last 3 – 4 years.

After questioning by Mr. Clinton, Mr. Hamm stated that VDoT would install delineators along the edge of the Shiloh Drive slide area to warn vehicles of the drop-off.

Dr. Scothorn noted that Mr. Austin had asked him to have VDoT contact Mr. Buddy Hayth of Springwood Road regarding the discussion last month of silt and debris washing onto Mr. Hayth’s property.

After discussion, Mr. Leffel noted that he believes that this is in the area of Cedar Lane and there were occurrences of gravel washing onto Mr. Hayth’s property during this year’s wet weather events.

Mr. Hamm noted that he will contact Mr. Hayth regarding these problems.

After questioning by Mr. Clinton, Mr. Hamm noted that the traffic study request regarding through-truck traffic on Valley Road has been submitted but the results are not yet available. Mr. Hamm noted that he would check on the status of this study.

After further questioning by Mr. Clinton regarding Deerfield Road, Mr. Hamm noted that he has contacted Mr. Tomblin, who lives on this road, and has informed him that, due to funding and other planned RRR projects, it will be a few years before any improvements can be done on this road.

Mr. Clinton then suggested that he meet with Mr. Hamm, Mr. Tomblin, and Mr. Todd Dodson, the Board of Supervisors candidate for the Valley District, on site to discuss this situation further.

Mr. Hamm noted that he would contact Mr. Clinton to schedule this meeting.

There being no further discussion, the Board thanked Mr. Hamm for attending today’s meeting.

Consideration was then held on advertisement for a public hearing on the proposed restriction of through-truck traffic on Webster Heights Road and Willowbrook Lane. Mrs. Guzi noted that this item was on the agenda at the request of Mr. Martin who has received several citizen complaints about tractor trailer trucks using these two narrow, curvy roads to access the Webster Brick facility.

Mr. Martin stated that he believes the Board should conduct a public hearing on restricting through-truck traffic on Webster Heights Road and Willowbrook Lane. Mr. Martin noted that there have been instances this year of trucks hitting low-hanging telephone lines which has resulted in tearing fascia from homes along these roads. Mr. Martin noted that someone has

installed a “no trucks” sign on Webster Heights Road and he has not received any calls about trucks using this roadway in the last few weeks.

Mrs. Guzi stated that implementing a through-truck restriction is a lengthy process and will take approximately two years to complete.

After questioning by Mr. Clinton, Mr. Martin noted that someone has installed a no trucks sign on Webster Heights Road; however, VDOT has said that their staff did not install this sign.

On motion by Mr. Martin, and carried by the following recorded vote, the Board authorized the County Administrator to advertise for a public hearing to consider restricting through-truck traffic on Webster Heights Road (Route 607) and Willowbrook Lane (Route 658). (Resolution Number 13-08-05)

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

NAYS: None

ABSENT: Mr. Austin

ABSTAINING: None

Consideration was then held on the proposed budget reappropriation resolution for FY 2014. Mr. Tony Zerrilla, Director of Finance, stated that this resolution is to reappropriate funds for continuing projects/programs that were begun in FY 13 into the FY 14 budget. He noted that charts entitled “Summary of Reappropriation Funds” and “Review of the Remaining Budget for FY 13” were also included in the Board’s information packet.

Mr. Zerrilla stated that of the \$3.1 million in FY 13 budget funds remaining on June 30, 2013, \$882,468 are being requested today for reappropriation into the FY 14 budget. He noted that these remaining funds were contained in the General Fund’s Operational and CIP budgets, the Debt Service Fund, the Department of Social Services, the Utility Fund’s Operational, CIP, and Debt Service Fund budgets, and the Schools budget. He noted that the Utility Fund had approximately \$900,000 remaining at the end of FY 13 and \$271,158 is being requested for reappropriation into the FY 14 budget to continue funding various water and sewer improvement projects and studies.

Mr. Zerrilla noted that there were major savings (approximately \$903,000) in the Public Safety, Volunteer Fire and Emergency Services, and Utility Fund budgets in FY 13 and the Department of Social Services underspent their budget by approximately \$88,000. He further noted that the reappropriation resolution includes a request for \$205,066 to be used to purchase a new ambulance and \$38,000 to fund the replacement of an existing heart monitor in FY 14.

Mr. Zerrilla then noted that the Board is also being asked, at the direction of the County’s auditor, to reappropriate funds to the School Nutrition Fund and the School Textbook Fund.

After discussion, on motion by Dr. Scothorn, and carried by the following recorded vote, the Board approved the following FY 14 budget reappropriation resolution including the reappropriation of monies to the School Nutrition Fund and the School Textbook Fund.

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

NAYS: None

ABSENT: Mr. Austin

ABSTAINING: None

Resolution Number 13-08-06

**WHEREAS**, appropriations for several County projects terminated on June 30, 2013, but completion of these projects will carryover into Fiscal Year 2013-14; and,

**WHEREAS**, appropriations for several grant programs terminated on June 30, 2013, but these programs will continue into Fiscal Year 2013-14;

**NOW, THEREFORE, BE IT RESOLVED**, that the following appropriations for Fiscal Year 2013-2014 are made to allow carryover of approved funding begun in Fiscal year 2012-2013:

GENERAL FUND OPERATIONS:

<u>Destination Acct. #</u>	<u>Account Description</u>	<u>Amount</u>	<u>Explanation</u>
100-4012410-1100	Treasurer-Sal./Wages-Reg.	\$ 11,569	For training period for new hire; Chief Deputy is retiring.
100-4012121-8012	Dep. Co. Admin.-Cap. Outlay-Other Capital	\$ 20,000	For delayed website development.
100-4031200-5830	Sheriff-RAID Patrol	\$ 71,028	RAID Funds.
100-4031200-6015	Sheriff-Firing Range Expenses	\$ 3,684	Firing range funds.
100-4032200-3180	Vol. Fire & Rescue-Operations	\$ 10,000	Additional vol. training.
100-4032200-8005	Vol. Fire & Rescue-Cap. Outlay-Motor Vehicles/Equipment	\$ 205,066	For ambulanced budgeted in FY 13.
100-4033100-5820	Corr./Det.-Inmate Phone Comm.	\$ 4,280	For subsidizing inmate expenditure use.
100-4035100-8005	Animal Cont.-Cap. Outlay-Motor Vehicles/Equipment	\$ 17,263	To assist in funding one vehicle.
100-4035500-8005	Emer. Serv.-Cap. Outlay-Motor Vehicles/Equipment	\$ 38,000	Replace existing heart monitor.
100-4071000-5410	Parks & Rec.-Lease/Rent Equip.	\$ 10,500	Lease/purchase mowers.
100-4071300-8001	Sports Complex-Cap. Outlay-Machinery/Equipment	\$ 6,000	Lease/purchase mowers.
100-4081600-5840	Tourism-Marketing	\$ 11,250	Grant matches-VA Tourism Corp./Buchanan/Finc.
100-4091503-2300	Wellness Prog.-Hospital/Medical Costs	\$ 24,800	For planned portion of FY 14 budget funding.
100-4093000	Contingency	\$ 11,452	HVAC replacement (work began in June).
TOTAL	General Fund Operations	\$ 444,892	

GENERAL FUND CAPITAL PROJECTS:

100-4094201	Circuit Cths. Elevator Replacm.	\$ 51,300	To complete elevator repl.
100-4094723	Community Rec. Incentive Program	\$ 7,587	To complete reimbursement of previously obligated projects.
100-4094728	Buchanan Park	\$ 103,791	Co. match for VDoT Recreation access road.
TOTAL	General Fund Capital Projects	\$ 162,678	

DEBT SERVICE FUND:

400-4095124	Debt Serv.-Reg. Animal Pound	\$ 3,740	FY 13 invoice received too late for June 13 A/P.
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UTILITY FUND CAPITAL PROJECTS:

502-4094407	Cloverdale Water Extension	\$ 12,582	Mattern & Craig invoice received too late for June A/P.
502-4094408	Water/Sewer Feas. Study	\$ 25,000	For ongoing project.
502-4094414	Water Source Development	\$ 7,943	For ongoing project.
502-4094419	Inflow & Infiltration Program	\$ 20,000	For ongoing project.
502-4094426	Utility Equipment Bldg.	\$ 25,000	For ongoing project.
502-4094433	Water & Sewer Improvements	\$ 35,633	For ongoing project.
502-4094437	Glebe Rd. Water Line Ext.	\$ 145,000	For ongoing project.
TOTAL	Utility Fund Capital Projects	\$ 271,158	

GRAND TOTAL \$ 882,468

Fund	School Nutrition Fund	\$2,200,595	For FY 14 activity.
Fund	School Textbook fund	\$ 825,000	For FY 14 activity.

Consideration was then held on approval of the Personal Property Tax Relief Act (PPTRA) rate for the 2013 tax year. Mr. Tony Zerrilla, Director of Finance, stated that in 1998 the Virginia General Assembly adopted the PPTRA which would give tax relief for the first

\$20,000 of a vehicle's value. He noted that in 2005 the General Assembly implemented a fixed cap of the total amount of State reimbursement to localities for this tax relief. He noted that Botetourt County's portion of this amount is \$3,418,137.01 which the County has received since 2006. Mr. Zerrilla further noted that this amount will remain unchanged unless the General Assembly takes action.

Mr. Zerrilla noted that this fixed amount has reduced the State's subsidy from a target 70% (prior to 2006 under the Car Tax Program) to a smaller percentage. He stated that the County adopted the Specific Relief Method of distributing these funds to taxpayers in 2005 which gives the County the option to apply these funds on a per vehicle basis and show the specific amount of relief on each tax bill.

Mr. Zerrilla stated that a committee consisting of the County Administrator, the Commissioner of Revenue, the Treasurer, and himself reviewed this year's projected vehicle values and the funds to be received from the State and recommend that the reimbursement rate for 2013 be 60% compared to 58% in 2012. He noted that this results in a 2013 tax burden on the citizens of 40% compared to 42% in 2012. Mr. Zerrilla stated that this decrease takes into consideration changes in used car values and the qualifying vehicle values base.

Mr. Zerrilla stated that the Board is required to adopt a resolution setting the percentage reduction in personal property for the tax year and a copy of this resolution was included in the Board's information packets.

After questioning by Mr. Clinton, Mr. Zerrilla stated that this rate is determined as a function of the County citizens' vehicle inventory and the vehicle value base.

There being no further discussion, on motion by Dr. Scothorn, and carried by the following recorded vote, the Board adopted the following resolution establishing the percentage reduction for personal property tax relief at 60% for Botetourt County for the 2013 tax year.

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

NAYS: None

ABSENT: Mr. Austin

ABSTAINING: None

Resolution Number 13-08-07

**WHEREAS**, in accordance with the requirements set forth in Section 58.1-3524 (C) (2) and Section 58.1-3912 (E) of the Code of Virginia, as amended by Chapter 1 of the Acts of Assembly and as set forth in item 503.E (Personal Property Tax Relief Program or "PPTRA") of Chapter 951 of the 2005 Acts of Assembly any qualifying vehicle with a taxable situs within the County commencing January 1, 2006, shall receive personal property tax relief; and,

**WHEREAS**, this Resolution is adopted pursuant to amendments to Chapter 23 Taxation of the Botetourt County Code adopted December 20, 2005,

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

1. That tax relief shall be allocated so as to eliminate personal property taxation for qualifying personal use vehicles valued at \$1,000 or less.
2. That qualifying personal use vehicles valued at \$1,001 - \$20,000 will be eligible for 60% tax relief for the 2013 tax year.
3. That qualifying personal use vehicles valued at \$20,001 or more shall only receive 60% tax relief for the 2013 tax year on the first \$20,000 of value; and
4. That all other vehicles which do not meet the definition of "qualifying" (for example, including but not limited to, business use vehicles, farm use vehicles, motor homes, etc.), will not be eligible for any form of tax relief under this program.

5. That the percentage applied to the categories of qualifying personal use vehicles are estimated fully to use all available PPTRA funds allocated to Botetourt County by the Commonwealth of Virginia.
6. That this Resolution shall be effective from and after the date of its adoption.

The Chairman then called for a 10 minute break.

The Chairman called the meeting back to order at 3:20 P. M.

A public hearing was then held on the creation of the Roanoke Valley Broadband Authority. Mrs. Guzi noted that over the past two years the area's local governments and business leaders have worked to identify options related to the development of a regionally beneficial and affordable open-access broadband service. She noted that a task force has been formed and its activities have been coordinated by the Roanoke Valley-Alleghany Regional Commission. She stated that two conclusions of the task force's report are that a fiber optic ring is needed outside of the metro area that allows open-access broadband service to any provider and that a regional broadband authority should be created to facilitate this endeavor.

After discussion, Mrs. Guzi stated that the localities "can work better together than separately" in this project and having a broadband system will be a tool for the Valley's economic development efforts. She stated that this is a long term investment for the participating governments; it is "not a quick fix." Mrs. Guzi noted that this process will enable the County to work with the Roanoke Valley governments to increase capacity and to make broadband more affordable.

Mrs. Guzi noted that two years ago Mid-Atlantic Broadband Cooperative installed a fiber optic line from U. S. Route 460, along Alternate 220, up Route 220 to Fincastle, across Route 606 into Craig County, and eventually extended the line to Virginia Tech. Mrs. Guzi noted that a plan is needed to capitalize on this line's availability and having a regional authority to oversee and manage the project will be beneficial to all of the local governments.

She stated that to proceed with the creation of an authority, the State Code requires that a public hearing be held. She noted that a joint public hearing notice with the County, Roanoke City, Roanoke County, and Salem was advertised in The Roanoke Times in mid-July to comply with the State Code's 30 day advertisement requirement for the creation of an authority. Mrs. Guzi further stated that the Roanoke City Attorney has also interpreted the State Code as requiring all four localities to conduct their public hearings prior to considering the approval resolution; therefore, only the public hearing will be held at today's Board meeting—the resolution will be brought back to the Board in September for consideration.

After questioning by Mr. Clinton, Mrs. Guzi stated that the Board will only need to hold the public hearing on creating the authority today. She noted that, due to a technicality in the State's authorizing legislation, all four participating governments must first hold their public hearings before considering the approval resolution at later meetings. Mrs. Guzi noted that Roanoke City has held their hearing, Salem held their public hearing on Monday, and Roanoke County's hearing is scheduled for later today.

Mr. Clinton then questioned if the authority could be created without Botetourt County's participation.

Mrs. Guzi noted that the authority's members will include a representative from each of the four participating governments and Mike McEvoy, with the Western Virginia Water Authority,

as a citizen representative. She noted that the governments would be able to use the WVWA's easements, conduit, etc., for the placement of fiber optic cable. She noted that Botetourt is an essential member of the proposed authority; however, not every member would need to participate in every project to extend broadband service. Mrs. Guzi further noted that the City of Salem has its own power line easements that could be used for placement of cable.

After questioning by Mr. Clinton, Mrs. Guzi stated that the Board should open the public hearing, allow any citizens present to speak, and then close the hearing. She noted that the Board can then ask any questions of staff or the County Attorney; however, no formal action would be necessary at today's meeting on this issue.

After questioning by Mr. Clinton, Mrs. Dillon stated that the State Code has been interpreted that each participating jurisdiction has to hold its public hearing and then the resolutions should be considered for adoption at the entity's next meeting.

Mr. David Price of Cobblestone Subdivision in Blue Ridge then stated that he retired from a natural gas company in Washington, DC, and has worked at a Miss Utility 811 information center. Mr. Price stated that he is hopeful that this authority can be created to proceed with the installation of broadband in the Roanoke Valley. He noted that high-speed internet access/broadband "is the way of the future" and multiple suppliers of communications are needed in order to keep the costs down.

He noted that these improvements will pay for themselves and will allow improved internet availability for all County citizens. Mr. Price noted that there is only one high-speed internet provider in his area (Verizon) which offers FiOS (Fiber Optic Service) through a line along Route 460 to the Richmond area. Mr. Price stated that nTelos has installed fiber optic lines in many locations but they have not extended the line across the Blue Ridge Parkway into the Blue Ridge area. Mr. Price again stated that multiple providers will help reduce costs.

After discussion, Mr. Price noted that all County citizens should support this proposal.

Mr. Clinton thanked Mr. Price for his comments. He noted that the Board of Supervisors is in support of the creation of this authority.

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

After discussion, on motion by Mr. Martin, and carried by the following recorded vote, the Board delayed consideration of a resolution authorizing the creation of, and the County's participation in, the Roanoke Valley Broadband Authority until the September regular meeting. (Resolution Number 13-08-08)

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

NAYS: None

ABSENT: Mr. Austin

ABSTAINING: None

A financial update presentation was then given by the County Treasurer. Mr. Bill Arney, County Treasurer, noted that the Code of Virginia requires the Treasurer to report to the Board of Supervisors on his accounts at the August Board meeting or 30 days thereafter. Mr. Arney noted that he previously provided the Board with copies of these reports and the County's investment policy which list the vehicles and strategies that he uses to oversee public funds.

Mr. Arney noted that investment yields are at or near historic lows and his current strategy is to retain the County's funds in bank deposits and money market accounts as the County is getting competitive yields while maintaining SPDA (Security for Public Deposits Act) protec-

tion and needed liquidity. Mr. Arney stated that his office had an overall 98.25% collection rate on the County's 2012 tax bills; 99.21% collection on personal property taxes, and 97.93% for real estate taxes.

Mr. Arney then presented the Board with a copy of his office's workload statistics for calendar year 2012 which is submitted to the State Compensation Board each year. He noted that in 2012 his office processed 19,846 real estate tax bills, 31,232 personal property tax bills, 11,019 debt set-off claims, issued 77 liens, issued 2,203 Department of Motor Vehicle stops, and created 117 monthly pay plans for tax/delinquent collections, etc.

Mr. Arney noted that in 2012 there was an increase in advance payments for real estate which was at a total of 210 parcels. Mr. Arney further noted that he implemented a bank lock box system for collection of tax payments in 2012. He noted that 18,000 tax bills were processed through this system last year. Mr. Arney then stated that the 2013 tax bills should be mailed out during the first week of October.

After discussion, Mr. Arney then thanked his staff for their work since he became the County's Treasurer in January 2012. Mr. Arney noted that he has four seasoned, certified, full-time staff in his office; however, a 35 year employee is retiring next year. He then invited the Board members to visit his office.

Dr. Scothorn noted that the Treasurer's high tax collection percentage is phenomenal.

Mr. Arney noted that most of the County's residents "take care of their obligations" and pay their taxes on time.

Dr. Scothorn thanked Mr. Arney for all of his hard work. Mr. Leffel and Mr. Martin echoed Dr. Scothorn's comment.

Mr. Clinton noted that this yearly review/update is good information for the Board to receive. After questioning by Mr. Clinton, Mr. Arney noted that the listing for "Personal Property Items" on the chart presented to the Board today is the number of billing items processed last year. He noted that, if a person owns four vehicles, then their tracking program records this as four separate items.

After questioning by Mr. Martin on how the lock box program works, Mr. Arney stated that the County previously had a lock box system for its utility system payments. Mr. Arney stated that he opens the tax payments after they are received through the U. S. Mail and then sends the paperwork to the bank. He noted that the bank scans in the tax ticket and check, and then updates the taxpayer's record to show that the bill has been paid. Mr. Arney noted that there are very few errors with this system.

After questioning by Mr. Clinton on the investment of County funds, Mr. Arney stated that he is doing everything he can to receive the highest rate of return on the County's funds within the restraints put upon him by the State and federal banking systems. Mr. Arney noted that he has discussed this issue with Treasurers from across the State and the County is doing as well as we can. Mr. Arney encouraged the County to "pay debt where you can and restructure debt where you can."

There being no further discussion, Mr. Clinton then thanked Mr. Arney for his report.

Consideration was then held on advertisement for bids for servicing the County's recycling centers. Ms. Carol Linkenhoker, Project Specialist, stated that she is present today to give the Board an overview of the County's current system and discuss proposed changes in the Invitation for Bids (IFB) for serving the recycling centers.

Ms. Linkenhoker stated that the County currently operates 9 recycling centers including the citizens convenience center located at the County landfill. She noted that these centers have separate bins for disposal of various recyclable items, e.g., mixed paper, glass, and comingled plastic and metal. Ms. Linkenhoker noted that these bins are owned, maintained, and serviced by a private party which removes the full or nearly full containers from the recycling sites after a replacement container is put into place. She stated that the pulled container is taken to Recycling Disposal Service (RDS) located on Enon Drive in the Hollins area of Roanoke County. She noted that the private party bills the County on a per pull basis; however, this fee does not include the tipping fee which is billed directly to the County by RDS based on tonnage received.

Ms. Linkenhoker stated that the staff is proposing to streamline this process by advertising this service for bids with two options--Schedule A & B. She noted that bidders can submit bids on one or both options. Ms. Linkenhoker stated that Schedule A retains the current model of separate containers for each type of recyclable material and Schedule B will allow for single stream, or no sorting, type of disposal. She noted that, with Schedule B, all accepted recyclable materials would be placed in one container which would be sorted at RDS or another accredited recycling provider. Ms. Linkenhoker noted that another proposal in the bid specifications is for the responsible bidder to pay all tipping fees charged by the recycling provider instead of the provider billing the County directly.

Ms. Linkenhoker noted that the advantage of the current recycling program is that the citizens do not have to learn a new system while the disadvantage is that some recycling containers fill up faster than others and overflow. She stated that the advantage of the new proposed single stream system is that citizens would no longer have to sort their recyclables and the material can be distributed evenly to any of the bins/containers at the recycling center sites, while a disadvantage is that this type of system may be more expensive.

Ms. Linkenhoker then requested that the Board authorize the staff to advertise for bids, negotiate with the lowest responsive and responsible bidder, and authorize the County Administrator to enter into a contract for recycling services upon successful completion of the negotiations.

After questioning by Dr. Scothorn, Ms. Linkenhoker stated that bidders may submit bids on either Schedule A or B services or both and the most advantageous model after staff review of the proposals will be awarded the contract.

Mrs. Guzi noted that the staff will review the service levels and the price component of the bids received, among other parameters, and report back to the Board in October on the bid award.

After discussion by Dr. Scothorn, Ms. Linkenhoker stated that there are significant occurrences of the Cloverdale recycling center's bins having overflow issues.

Mr. Leffel then stated that he understands that the staff will not make their decision solely on the lowest bid received but include consideration on what the end result of the proposed service will be.

Mrs. Guzi stated that the staff will consider the service component and then "the cost factor comes into play," among other issues.

After questioning by Mr. Clinton, Ms. Linkenhoker stated that the contract for these services will be for a three year term with the option for three additional one-year renewals.

Mrs. Guzi noted that the bid specifications also include a requirement that the vendor provide the recycling containers which adds a cost factor to the bid as the company will need to recoup their investment.

Mr. Clinton then stated that, as the County's curbside recycling service increases, it could reduce the amount of recyclables dropped off at the recycling centers.

Ms. Linkenhoker noted that their data shows that there was a 23 ton reduction in the recycling center usage in 2012. It was noted that the County implemented a pilot curbside recycling program in 2012.

Mr. Clinton then noted that the proposed motion before the Board on this matter is "all encompassing" and questioned if the lowest negotiated bid should be brought back before the Board for consideration at a future meeting.

Mrs. Guzi stated that the bid results could be brought back before the Board for approval and award of the contract in October.

After discussion on revisions to the proposed motion, Mr. Clinton then made a motion to authorize staff to use competitive sealed bidding to solicit bids to provide recycling center containers and servicing of those containers, with the bid results to be brought back before the Board at their October regular meeting for consideration. (Resolution Number 13-08-09)

After questioning by Mr. Clinton, Greg Hannah, Manager of the County's Division of Waste Management, stated that he and his staff try to inspect the recycling centers twice a week and, if necessary, clean up the sites. He further noted that when citizen calls are received about the condition of a particular site, they try to visit the site the same day.

After further questioning by Mr. Clinton, Mr. Hannah stated that Craig County currently has a single stream recycling program.

Dr. Scothorn noted that it would be advantageous for the County's recycling sites if a single stream system were implemented. After questioning by Dr. Scothorn, Mr. Hannah noted that, if a contaminated recycling bin is received at RDS, it is up to the company to determine if the bin is rejected due to excess contamination of the container.

After discussion by Mr. Leffel regarding the recycling bins at Eagle Rock Elementary School, Mr. Hannah noted that the bins at Eagle Rock, Buchanan, and Troutville experience less contamination than the other sites.

After further discussion by Mr. Leffel, Dr. Scothorn noted that there is no room to place additional recycling bins at the Cloverdale Elementary School site.

After questioning by Mr. Clinton, Mr. Hannah noted that the vendors are aware of and prepared for this bid.

Mr. Clinton's motion was then voted on as follows:

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

NAYS: None

ABSENT: Mr. Austin

ABSTAINING: None

Consideration was then held on a request to advertise for a public hearing on the creation of the Western Virginia Regional Industrial Facility Authority. Mrs. Guzi noted that last spring a regional economic development summit was hosted by the Roanoke County Board of Supervisors. She noted that the representatives from the counties of Botetourt, Franklin, Montgomery, and Roanoke, the cities of Roanoke and Salem, and the Town of Vinton attended. Mrs. Guzi noted that the area's economic development challenges were discussed and the

group agreed that they wanted to take action to ensure that the area is in the best position possible to attract new businesses.

Mrs. Guzi stated that Mr. John Rhodes of Moran, Stahl, & Boyer presented an overview of the challenges facing the Valley in the recruitment of economic development prospects; in particular, the lack of available industrial sites or “product.” She further stated that Mrs. Beth Doughty, Executive Director of the Roanoke Regional Partnership, concurred with Mr. Rhodes’ assessment. She noted that all localities present at the summit agreed that a joint partnership to address these challenges should be explored further and directed their managers/administrators to meet and collaborate on possible opportunities.

Mrs. Guzi stated that this group has met and discussions were held on forming a collective industrial facility authority. She noted that the State’s Regional Industrial Facilities Act allows multiple localities to form an industrial authority for the purpose of enhancing the economic base of member localities. Mrs. Guzi further noted that this authority would allow any two member jurisdictions to jointly fund and develop economic development facilities such as industrial pads, shell buildings, business parks, etc., and jointly share in the resulting tax revenues.

After discussion, she stated that all of the members can work together or form partnerships within the group. She noted that, for example, the County may want to work with Roanoke County on developing a site. Mrs. Guzi stated that this gives the County “another tool” to use in bringing economic development prospects to the County.

Mrs. Guzi noted that there is no risk to the County in terms of joining this authority and creation of this authority does not bind the County in any way as we would not be obligated to participate in the funding, construction, operation, etc., of a project unless we choose to do so. She further noted that the County has not identified any key, joint projects at this time.

After questioning by Mr. Leffel regarding the “risk factor” of joining this authority, Mrs. Guzi stated that the County will continue to market the Greenfield property independently of our participation in this authority. She noted that the Virginia Economic Development Partnership staff have told the County that businesses want sites that are ready to be marketed. Mrs. Guzi stated that joining the authority does not bind the County and does not take away from the County’s current economic development strategy for the development of Greenfield and other sites.

Mrs. Guzi further noted that, if the Board agrees with this concept, then staff should be directed to advertise for a public hearing.

Mr. Martin noted that he believes having the County work on economic development projects on a regional basis would be an advantage and good for the County.

There being no further discussion, on motion by Mr. Clinton, and carried by the following recorded vote, the Board directed the County Administrator to schedule a public hearing on the creation of the Western Virginia Regional Industrial Facility Authority at the September regular meeting. (Resolution Number 13-08-10)

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

NAYS: None

ABSENT: Mr. Austin

ABSTAINING: None

Consideration was then held on a resolution of support of various Farm Bureau proposals. Mrs. Guzi noted that two key items were brought up at a recent Farm Bureau meeting and the organization is requesting that the Board of Supervisors endorse these proposals. She

noted that one of the proposals is for support of the completion of four laning U. S. Route 220, which the Supervisors have gone on record in favor of many times over the years. She noted that in May 2013 the Board included this project on its listing of primary system funding requests which was presented to the Commonwealth Transportation Board.

She noted that the Bureau's second request is recognition from the Board of the substantial economic and aesthetic benefits of agriculture in the County. Mrs. Guzi noted that the County has a long history of supporting agriculture development, farmland preservation, and maintaining a strong agricultural presence in the County. She noted that the 2010 Comprehensive Plan update states that the largest land use category in the County is agricultural/forest land comprising approximately 69.1% of the County's land area. She further noted that the Comp Plan supports cluster development as a way of retaining farm/forest land.

Dr. Scothorn noted that he discussed this matter with Mr. Austin and Mr. Austin strongly supports both of these issues.

Mr. Leffel noted that both of these topics are "dear" to him as well. Mr. Leffel stated that it is a challenge to keep the County attractive and open and "do the things that we need to do." Mr. Leffel stated that it is vital that the County maintains its openness, agricultural activities, and continues to enhance those assets.

Dr. Scothorn stated that traffic on Route 220 has increased 20% due to Westvaco's installation of a new boiler. He noted that this creates bottlenecks on this two lane road when there are accidents impeding traffic flow.

Mr. Clinton noted that he believes that the concept of supporting agriculture is more important today than it was 10 years ago and adoption of the proposed resolution is appropriate and timely for the Board to do.

Mr. Leffel noted that with all of the interest in locally-grown foods, agriculture is making a comeback in a different way. He noted that today's farms are smaller and offer specialized products compared to the large dairies that were located in the County in the past.

Mrs. Guzi noted that, according to the most recent data available, the County experienced an increase in the number of farms from 586 in 1982 to 638 in 2007 and she agreed with Mr. Leffel that small, niche farming is currently popular.

After questioning by Mr. Clinton, Mrs. Guzi noted that the 69.1% figure quoted earlier includes agricultural and national forest lands.

There being no further discussion, on motion by Dr. Scothorn, and carried by the following recorded vote, the Board expressed their support of the Farm Bureau's efforts in four laning U. S. Route 220 in northern Botetourt County and recognized the substantial economic and aesthetic benefits of agriculture within the County by adopting the following resolution:

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

NAYS: None

ABSENT: Mr. Austin

ABSTAINING: None

Resolution Number 13-08-11

**WHEREAS**, agriculture has been a staple of Botetourt County's progress since before the County was formed in 1770; and,

**WHEREAS**, agricultural/forest land comprises approximately 69.1% of the County's land area; and,

**WHEREAS**, agriculture and forest-related businesses provide significant economic income to the County and its citizens,

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Supervisors of Botetourt County reaffirms their commitment to recognizing and supporting the economic and aesthetic benefits of agriculture within the County.

Mr. Alvin Thacker of Ashley Plantation then spoke to the Board. Mr. Thacker stated that he talks to many residents of Ashley Plantation while walking his dog each day. Mr. Thacker stated that recently the Sheriff's Department sent out an automated message regarding a missing girl and, when she was found, another automated message was sent notifying the public.

Mr. Thacker stated that the County's Sheriff's Department does a great job in notifying the public of these types of occurrences and he would like to commend them for this and the many other things that they do to keep the County's citizens safe. He noted that there are a lot of good people working for the Sheriff's Department and he would like to give them a "pat on the back" for their efforts.

Mr. Clinton thanked Mr. Thacker for his comments. He noted that the Sheriff had been in attendance earlier in the meeting but had left a short while ago.

Mr. Leffel noted that acknowledgement of the actions of the Sheriff and his staff is long overdue.

Mr. Clinton noted that the Sheriff's Department has a dedicated, courageous staff and the Board appreciates their efforts.

Mrs. Guzi then spoke to the Board regarding the Rainbow Forest Lake and dam. She noted that this regulatory issue regarding stricter dam safety/construction standards from the Department of Conservation and Recreation has been discussed with the Virginia Association of Counties. Mrs. Guzi noted that the same compliance issue was recently in the news regarding Ivy Lake and dam in Bedford County which is owned by Liberty University. She noted that DCR determined that this dam would have a high potential for failure during a significant rain event.

She noted that VACo was contacted to determine if they would consider adding this issue to their 2014 Legislative Agenda. Mrs. Guzi noted that VACo is willing to pursue this issue through a request to the General Assembly to study these regulations which have put a significant financial burden on many privately-owned dams in the State.

Mr. Martin noted that two State agencies involved in the Rainbow Forest dam issue (DCR and VDoT) have different requirements for these facilities. He noted that VDoT requires impoundments of this type to be able to handle a 6 year flood event; while DCR requires dams to be able to handle a 1,000 year flood event. Mr. Martin noted that this is "ridiculous" and "there is something wrong with the system."

Mr. Martin stated that he also serves on the Roanoke River Basin Advisory Committee and he discussed this item at their recent meeting. Mr. Martin noted that there are a couple of General Assembly representatives on this Committee who said that they would support a study of these DCR regulations.

Mr. Martin stated that he does not understand the Rainbow Forest dam being required to prepare for a 1,000 year flood event—it is unreasonable and expensive. Mr. Martin asked that the Board agree to send a letter to the Governor and the County's General Assembly representatives requesting their support in conducting a study on the feasibility and monetary impact of DCR's regulations.

Mrs. Guzi noted that, when representatives of the Rainbow Forest Homeowners Association came before the Board in June, the Board requested that the County Attorney research

this issue to determine what the Board could and could not do in this matter. She noted that the Board did receive a report from the County Attorney on the County's options. After discussion, Mrs. Guzi then questioned if the Board wanted to take any additional action at this time.

Mr. Martin asked that the Board do what it can to try to get this matter resolved through a letter to the Governor and the County's General Assembly members and adoption of a resolution on this issue. He also requested that a copy of the letter/resolution be sent to Mr. Larry Land at VACo and Ms. Tammy Stephenson with the Roanoke River Basin Advisory Committee.

After discussion, Mr. Clinton asked the County Administrator to draft a letter and resolution for consideration by the Board at their September regular meeting to request that the General Assembly study the DCR's construction regulations regarding water impoundment structures in their 2014 session.

Consideration was then held on various appointments.

On motion by Mr. Clinton, and carried by the following recorded vote, the Board appointed Mr. Tim Snyder, P. O. Box 192, Daleville, as the Amsterdam District representative on the Parks and Recreation Commission for a four year term to expire on September 1, 2017, and directed staff to send a letter to Mrs. Sharon Holland thanking her for her previous service on the Commission. (Resolution Number 13-08-12)

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

NAYS: None

ABSENT: Mr. Austin

ABSTAINING: None

On motion by Mr. Leffel, and carried by the following recorded vote, the Board reappointed Sheriff Ronnie Sprinkle as the County's representative on the Roanoke Valley Alcohol Safety Action Program Policy Board and the Regional Community Criminal Justice Board for a three year term to expire on July 1, 2016. (Resolution Number 13-08-13)

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

NAYS: None

ABSENT: Mr. Austin

ABSTAINING: None

Mr. Martin then noted that he had recently received an invitation from the Jeter family inviting him to the farm's 160<sup>th</sup> anniversary celebration. Mr. Martin noted that he is sure that the Jeters would appreciate the attendance of any Board members possible during this event.

On motion by Mr. Clinton, and carried by the following recorded vote, the Board went into closed session at 4:28 P. M. for discussion pertaining to security of government buildings as per Section 2.2-3711A (19) of the Code of Virginia of 1950, as amended. (Resolution Number 13-08-14)

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

NAYS: None

ABSENT: Mr. Austin

ABSTAINING: None

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

On motion by Dr. Scothorn, and carried by the following recorded vote, the Board returned to regular session from closed session and adopted the following resolution via roll call vote. (Resolution Number 13-08-15)

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

NAYS: None

ABSENT: Mr. Austin

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 Magisterial District from Kevin and Mary Beth Glass for a Special Exception Permit, with possible conditions, in an Agricultural A-1 Use District for a commercial stable on a 6.282 acre parcel located at 4570 Country Club Road (State Route 665), approximately 0.44 miles east of its intersection with Haymaker-town Road (State Route 666) and is identified on the Real Property Identification Maps of Bouteourt County as Section 71 (1), Parcel A.

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 operate a commercial stable on their property for the conduct of individual riding lessons. He noted that there will be no more than five lessons per day and only the Glasses four horses may be used for these riding lessons—no other horses will be permitted on this property. Mr. Busby noted that the applicants' son would conduct one hour riding lessons between 8AM and 8PM in the summer and 8AM and 6PM at other times.

Mr. Busby then read the five conditions recommended by the Planning Commission for inclusion with this request: The commercial stable shall be in substantial conformance to the concept plan received and stamped May 31, 2013; The commercial stable shall be for riding lessons only; no horses will be boarded on site other than the property owners' horses, and only the property owners' horses will be used to conduct riding lessons; No more than five (5) lessons per day (to be consistent with the County's Home Occupation Permit requirements.); Hours of operations shall be between 8:00 AM and 8:00 PM during the summer season; hours of operation shall be between 8:00 AM and 6:00 PM during other times; No new outdoor lighting shall be installed other than the planned outdoor light over the barn door entrance.

Mr. Busby noted that there was one person who spoke in favor of this request at the Planning Commission meeting and this person mentioned that he thought that the Glasses would be very responsible owners of this business. Mr. Busby further noted that two electronic mail messages in opposition to this request had been received in his office last week and were included in the Board's information packets.

Mr. Busby then reviewed several maps of this site and noted that the permitted SEP area will be limited to the riding ring area. He then noted that there are A-1 and R-1 zoned properties in this area.

Mr. Kevin Glass, applicant, then stated that he does not think that the neighbors will notice anything different on property if this request is approved than what is there now. Mr. Glass stated that this business is a hobby for his son.

After discussion, Mr. Glass noted that upon legal advice, he applied for and received a Limited Liability Company designation to protect the family's assets in the event anyone is hurt during one of the riding lessons. He noted that one of the requirements of a LLC is to obtain a business license from the Commissioner of Revenue's Office. Mr. Glass stated that when he applied for his business license he was told to check with the Development Services Office to determine whether this use was allowed in his zoning district and that resulted in his application for a Special Exceptions Permit.

After questioning by Mr. Martin, Mr. Glass stated that there is an extra barn on the property now that is used to store hay and sawdust but he has no plans for any other structures to be built on this property.

Dr. Scothorn noted that Mr. Glass' son is currently holding riding lessons on this property. Dr. Scothorn then stated that this is a great family and he would vouch for them in complying with this request's conditions.

After questioning by Mr. Clinton, Mr. Glass noted that the riding lessons would only take place in the ring. He noted that only a minimal number of people have asked his son to give them riding lessons.

Mr. Mark Damiano of Country Club Road stated that he lives across the road from the Glasses. He noted that his house is at a higher elevation than the Glass residence. Mr. Damiano noted that he likes horses and was only present to speak at the meeting if there was opposition to this proposal. Mr. Damiano asked that the Board approve this request.

After questioning by Mr. Clinton, 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. Clinton, and carried by the following recorded vote, the Board approved the request in the Amsterdam Magisterial District from Kevin and Mary Beth Glass for a Special Exception Permit in an Agricultural A-1 Use District for a commercial stable on a 6.282 acre parcel located at 4570 Country Club Road (State Route 665), approximately 0.44 miles east of its intersection with Haymakertown Road (State Route 666) and is identified on the Real Property Identification Maps of Botetourt County as Section 71 (1), Parcel A, with the following conditions: (Resolution Number 13-08-16)

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

NAYS: None

ABSENT: Mr. Austin

ABSTAINING: None

1. The commercial stable shall be in substantial conformance to the concept plan received and stamped May 31, 2013.
2. The commercial stable shall be for riding lessons only; no horses will be boarded on site other than the property owners' horses, and only the property owners' horses will be used to conduct riding lessons.
3. No more than five (5) lessons per day (to be consistent with the County's Home Occupation Permit requirements.)
4. Hours of operations shall be between 8:00 AM and 8:00 PM during the summer season; hours of operation shall be between 8:00 AM and 6:00 PM during other times.
5. No new outdoor lighting shall be installed other than the planned outdoor light over the barn door entrance.

There being no further discussion, on motion by Mr. Martin and Mr. Leffel, and carried by the following recorded vote, the meeting was adjourned at 6:15 P. M. (Resolution Number 13-08-17)

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

NAYS: None

ABSENT: Mr. Austin

ABSTAINING: None