

The regular meeting of the Botetourt County Board of Supervisors was held on Thursday, December 19, 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
Mr. Terry L. Austin, Vice-Chairman
Mr. Billy W. Martin, Sr. (arrived at 2:15 P. M.)
Mr. L. W. Leffel, Jr.
Dr. Donald M. Scothorn (left at 5:16 P. M.)

ABSENT: Members: None

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 2:10 P. M. and welcomed those present.

He noted that, for reasons of practicality, the Board previously stopped conducting a moment of silence at the beginning of its regular meetings; however, due to the health issues that Dr. Scothorn and Mr. Martin are currently dealing with, and due to the time of the year, and the upcoming beginning of a new year, it is a good time to have a moment of silence to reflect on the past and the future.

After a moment of silence, Mr. Clinton then led the group in reciting the pledge of allegiance.

Mrs. Guzi then stated that she has several presentations for Mr. Terry Austin and Mr. Steve Clinton. She noted that both decided to not run for re-election to the Board this year—Mr. Austin due to his recent election as the 19th District representative in the Virginia General Assembly, and Mr. Clinton due to work commitments. Mrs. Guzi noted that both have served the County for a very long time, have worked hard for their constituents, and have put forth a lot of their personal time and talents toward improving the County. She stated that the County has grown and improved during their tenures and their efforts have positioned the County well for the future.

Mr. Martin then arrived at the meeting (2:15 P. M.)

Mrs. Guzi then read the following resolution which had been framed for presentation to Mr. Clinton:

WHEREAS, Mr. Stephen P. Clinton served as the Amsterdam District representative on the Botetourt County Board of Supervisors from August 6, 1999, until December 31, 2013, which included several terms as Chairman and Vice-Chairman of the Board of Supervisors; and,

WHEREAS, during Mr. Clinton's tenure, the County announced the location of several new businesses and industries including Koyo Steering Systems, Smorgon LiteSteel, Canatal Steel, Altec Industries, Daleville Town Center, as well as expansions of existing industries including Roanoke Cement, Arkay Packaging Corporation, Metalsa, Virginia Forge Company, Lawrence Transportation Systems, Dynax America Corporation, CAPCo Machinery Systems, etc., all of which have increased and diversified the County's tax base; and,

WHEREAS, Mr. Clinton also worked diligently to improve and expand the County's recreational opportunities, was involved in the approval of several school projects including the construction of Greenfield Elementary School, the expansions of James River and Lord Botetourt high schools, the purchase of property for a new elementary school to serve the Blue Ridge area, and the Greenfield Education and Training Center; and,

WHEREAS, Mr. Clinton's engineering background and knowledge benefitted the County in numerous construction and engineering projects including water and sewer extensions, the Botetourt-Craig Counties Regional Public Safety Building, the Eagle Rock Library, the Botetourt Sports Complex, etc.; and,

WHEREAS, as a member of the General Fund Budget Committee for many years, his financial stewardship of the County's revenues and expenditures has resulted in the County's receipt of a AA bond rating which is rare for a locality of Botetourt County's size; and,

WHEREAS, Botetourt County is a better place as a result of Mr. Clinton's service and sincere dedication;

NOW THEREFORE, BE IT RESOLVED, that the Botetourt County Board of Supervisors hereby recognize the contributions of Mr. Stephen P. Clinton to Botetourt County, extend to him the gratitude of the County's citizens for his 14½ years of service, and wish him good luck in his future endeavors.

Mrs. Guzi then read the following resolution which had been framed for presentation to Mr. Austin:

WHEREAS, Mr. Terry L. Austin served as the Buchanan District representative on the Botetourt County Board of Supervisors from January 1, 1998 until December 31, 2013, where his tenure included several terms as Chairman and Vice-Chairman of the Board of Supervisors; and,

WHEREAS, his prior local government experience included four years as the Buchanan District representative on the Botetourt County Planning Commission; and,

WHEREAS, during Mr. Austin's tenure, the County announced the location of numerous new businesses and industries including Koyo Steering Systems, Smorgon LiteSteel, Canatal Steel, Altec Industries, Daleville Town Center, as well as expansions of existing industries including Roanoke Cement, Arkay Packaging Corporation, Metalsa, Virginia Forge Company, Lawrence Transportation Systems, Dynax America Corporation, CAPCo Machinery Systems, etc., all of which have increased and diversified the County's tax base; and,

WHEREAS, Mr. Austin also worked diligently to improve and expand the County's recreational opportunities including the Botetourt Sports Complex, the Buchanan ball field complex, the Upper James River Water Trail; was involved in the development of the Greenfield Education and Training Center and several school projects including the construction of Greenfield Elementary School, the expansions of James River and Lord Botetourt high schools, and the purchase of property for a new elementary school to serve the Blue Ridge area; and,

WHEREAS, as a member of the General Fund Budget Committee for many years, his financial stewardship of the County's revenues and expenditures has resulted in the County's receipt of a AA bond rating which is rare for a locality of Botetourt County's size; and,

WHEREAS, in November 2013 Mr. Austin was elected to the Virginia House of Delegates by the voters of the 19th District; and,

WHEREAS, Mr. Austin has demonstrated uncommon devotion to Botetourt County and its people and his passion and sincere dedication to community service will take a new form in the Virginia General Assembly;

NOW THEREFORE, BE IT RESOLVED, that the Botetourt County Board of Supervisors hereby recognizes the innumerable contributions of Mr. Terry L. Austin to Botetourt County, extend the gratitude of the County's citizens for his 16 years of service in County government, and wish him success and fulfillment in his continued public service in the Virginia General Assembly.

Mrs. Guzi and Mr. David Moorman, Deputy County Administrator, then presented the framed proclamations to Mr. Clinton and Mr. Austin, along with their Supervisor name tags which had also been framed, and County watches which contained the County seal on the dial.

Mr. Clinton stated that he will proudly wear the watch and noted that it will be more than a timepiece for him; it will be a reminder of the incredible honor he was given in serving the people of Botetourt County for almost 15 years as well as a reminder of his present and past colleagues on the Board and their dedication in serving the County. Mr. Clinton noted that, as he checks the time on this watch, he will think about the County employees and their dedication and the work that they do to make the County a better place.

Mr. Clinton stated that he hopes that he has made the County a better place for the citizens, the County employees, and his colleagues. Mr. Clinton noted that he is grateful to the County and its citizens and thanked them very much for electing him to the Board of Supervisors.

Mr. Austin stated that it is a privilege to be elected to serve the citizens of Botetourt County. He noted that there has been some criticism of the Board's actions over the years but, for the most part, it was constructive criticism. He noted that the County has prospered and is moving in a good direction. Mr. Austin stated that the County has good, dedicated employees whose hearts are in the right place and a good County administration and school administration and Board of Supervisors.

Mr. Austin stated that he has spoken to and called Mr. Clinton many times over the last 15 years and, when they disagree on an issue, they have been able to "meet in the middle and did what was in the best interest of Botetourt County," what produced the best service, and what served the constituents in the best manner.

Dr. Scothorn stated that in sports, on such an occasion, a player's number would be retired. He noted that Mr. Austin and Mr. Clinton have given friendship and leadership to him and to the County and he asked that they continue to do so when called upon in the future. Mr. Scothorn stated that he will continue to speak to both of them on various issues to ascertain their opinion and wishes them well in the future.

Mr. Clinton stated that he appreciated the opportunity to serve the citizens of his district and the County.

Mr. David Moorman, Deputy County Administrator, then introduced Mr. Rodney Gray to the Board. He noted that Mr. Gray was hired as the County's MIS Manager approximately one month ago and has made a positive difference in the department during that time. He noted that Mr. Gray previously worked for the City of Roanoke and has a lot of experience in technology and information management. He noted that, prior to working for Roanoke City, Mr. Gray worked for Cycle Systems.

Mr. Clinton welcomed Mr. Gray to employment with Botetourt County and noted that he "came to the right place."

Mr. Gray thanked Mr. Clinton for his comments.

Mrs. Guzi then noted that the County's Department of Parks, Recreation, and Tourism had recently received the 2013 Excellence in Youth Sports Award sponsored by the National Alliance for Youth Sports (NAYS) and *Athletic Business* magazine. She noted that only five of

3,000 members received this year's award and the Recreation Department is only one of three NAYS members that have received this award twice.

She then asked that Mr. Jay Ratcliffe, Assistant Director of Parks, Recreation and Tourism, and Mrs. Angie Crawford, Recreation Programs Coordinator, come forward for presentation of this award.

Mr. Clinton stated that this is a great achievement and congratulated the Parks and Recreation Department's staff for their receipt of this award.

Mr. Austin thanked Mr. Peters, Mr. Ratcliffe, Mrs. Crawford, and the Recreation Department staff for their work. He noted that this department has caring staff that put their heart in their work. He noted that the Sports Complex remains in great condition and looks as nice today as when it opened over 7 years ago.

Consideration was then held on approval of the minutes of the regular meeting held on November 26, 2013.

There being no discussion, on motion by Mr. Austin, and carried by the following recorded vote, the minutes of the regular meeting held on November 26, 2013, were approved as submitted. (Resolution Number 13-12-01)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on approval of transfers and additional appropriations. Mr. Tony Zerrilla, Director of Finance, then stated that he would like to express his appreciation to Mr. Clinton and Mr. Austin for their personal friendship, guidance, and County oversight during their tenure on the Board of Supervisors.

Mr. Zerrilla noted that there was one transfer, nine pass-through appropriations, and one regular appropriation for the Board's consideration this month. He noted that these were for receipt of library funds, grant monies, cost reimbursements, Fire Program Fund monies, an advance pass-through of funds for the Route 11/606 revenue sharing improvement project, and a local performance grant payment to Dynax America Corporation for their 2011 expansion project. Mr. Zerrilla stated that the \$31,004 regular appropriation was for funds to provide full coverage for the County's FY 14 obligation for operating the Regional Center for Animal Control and Protection as the original FY 14 budget figure was an estimate.

After questioning by Mr. Austin, Mrs. Guzi stated that the funds for the Route 11/606 project were leftover from previous revenue sharing projects that came in under budget or experienced a change in scope.

There being no further discussion, on motion by Mr. Clinton, and carried by the following recorded vote, the Board approved the following transfer and additional appropriations. (Resolution Number 13-12-02)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Transfer \$382.92 to Central Purchasing – Store Supplies, 100-4012530-6021, from various departments as follows for store supplies usage:

\$ 24.00 Board of Supervisors – Other Oper. Supplies, 100-4011010-6014
 \$ 75.00 County Administrator – Marketing, 100-4012110-5840
 \$ 12.00 County Administrator – Office Supplies, 100-4012110-6001
 \$177.00 Deputy Co. Admin. – Marketing, 100-4012121-5840
 \$ 11.02 Management Systems - Office Supplies, 100-4012510-6001
 \$ 37.90 Central Purchasing – Office Supplies, 100-4012530-6001
 \$ 28.00 Development Svces. – Office Supplies, 100-4034000-6001
 \$ 18.00 Tourism – Marketing, 100-4081600-5840

Additional appropriation in the amount of \$1,607.58 to Library – Books and Subscriptions, 100-4073100-6012. These are funds received from Lumos Networks as a result of the Library's participation in the E-Rate federal program, which provides assistance to schools and libraries.

Additional appropriation in the amount of \$500 to Parks & Recreation – Education & Recreation Supplies, 100-4071000-6013. These are funds received from Wal-Mart as part of a youth recreation grant.

Additional appropriation in the amount of 392.79 to Library – Books & Subscriptions, 100-4073100-6012. These funds are from three donations received for the Blue Ridge Library.

Additional appropriation in the amount of \$1,472.54 to the following Sheriff's Department accounts: \$1,372.54 to Ballgame Pay, 100-4031200-1500, and \$100 to Other Operating Supplies, 100-4031200-6014. The former is reimbursement of costs for security at ball games, and the latter is for receipt of scrap metal permits.

Additional appropriation in the amount of \$2,576.63 to Correction & Detention – Professional Services, 100-4033100-3100. These are funds received for inmate co-pays.

Additional appropriation in an amount up to \$91,000 to VDOT Revenue Sharing Project, 100-4094809. This is an advance pass-through of funds being provided for the Route 606/11 Intersection Improvement project. Due to a re-appropriation of existing VDOT Revenue Sharing Match funds, these, and any County monies expended on this project up to \$240,314, are 100% reimbursable to the County from VDOT.

Additional appropriation in the amount of \$75,000 to CIP – Industrial Site Development, 100-4094801. This appropriation represents the second of two local performance grants in support of Dynax America Corporation's 2011 expansion as provided for in the company's performance agreement with the County. The company has previously reached its employment and investment targets well ahead of schedule. The first local performance grant of \$125,000 was paid to Dynax in December 2012.

Additional appropriation in the amount of \$9,147.76 to Volunteer Fire & Rescue – Capital Outlay – Machinery & Equipment, 100-4032200-8001. This appropriation is for unspent Virginia Fire Program monies received from Glen Wilton Volunteer Fire Department.

Additional appropriation in the amount of \$4,503.78 to Emergency Services – Other Operating Supplies, 100-4035500-6014. These are reimbursed costs (\$4,403.78) received from the County's response to three hazardous material incidents and a contribution (\$100) from Mr. & Mrs. Regland.

Additional appropriation in the amount of \$31,004 to Animal Control – Professional Services, 100-4035100-3100. These are funds required to provide full coverage for the amount of the County's FY14 obligation for operating the Regional Center for Animal Control and Protection. Botetourt County, Roanoke City, Roanoke County, and the Town of Vinton each share in funding operational support, per agreement. The original FY14 budget figure was an estimate.

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 he would like to request the addition of two late invoices to this month's accounts payable list. He noted that the first invoice was in the amount of \$3,500 payable to ICMA for the County Administrator's retirement contribution as per her contract agreement, account number 100-4012110-2100, and

\$44,549.31 payable to Medcost for the remainder of the December administrative costs for the County's new health insurance plan. He noted that this amount will be paid from various departments' Hospitalization/Medical Plan line item, account number 2300.

Mr. Zerrilla stated that with these two additions, the accounts payable now totals \$937,791.82; \$791,104.31 in General Fund expenditures; and \$146,687.51 in Utility Fund expenditures. He noted that the Short Accounts Payable totaled \$81,433.96; \$70,165.87 in General Fund invoices; \$3,055.00 in Debt Service Fund expenditures; and \$8,213.09 in Utility Fund expenditures.

Mr. Zerrilla noted that this month's large expenditures included \$34,000 to Robinson, Farmer, Cox Associates for work on the County's FY 13 audit report; \$28,017 to Chesterfield Insurers for fire insurance premiums for the volunteer fire departments and rescue squads; \$48,723 to McNeil & Company for volunteer fire and rescue insurance premiums, and \$75,000 to Atlantic Emergency Solutions for a new Fincastle Rescue Squad vehicle. He noted that the old Fincastle Rescue unit was sold. Mr. Zerrilla noted that other large expenditures included \$30,000 to Earth Movers, Inc. for grading work on two new ball fields at the Sports Complex; \$34,900 to Kenco for a used Chevrolet dump truck for the Utilities Department; and \$37,241 to the Western Virginia Water Authority for the County's portion of upgrade costs at the Roanoke Regional Sewage Treatment Plant.

There being no discussion, on motion by Mr. Clinton, and carried by the following recorded vote, the Board approved the accounts payable list with the addition of an invoice in the amount of 3,500 payable to ICMA for the County Administrator's retirement contribution, account number 100-4012110-2100, and an invoice in the amount of \$44,549.31 payable to Medcost for the remainder of the December administrative costs for the County's new health insurance plan to be paid from various departments' Hospitalization/Medical Plan line item, account number 2300, and ratified the Short Accounts Payable List as submitted. (Resolution Number 13-12-03)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on approval of Recreation Incentive Fund projects. Mr. Pete Peters, Director of Parks, Recreation, and Tourism, then stated that the County established this program in 1998 which 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 stated that this program has resulted in over \$1.5 million in improvements to County and School-owned property since 1998 with less than half of the total comprised of budgeted County funds.

Mr. Peters then noted that the program's guidelines were changed this year to open up the application process to allow funding of repairs to existing recreational properties and improvements to property owned by the towns, the State, or federal government. Mr. Peters then stated that the Parks and Recreation Commission recommended approval of five projects this year. He noted that these requests total \$20,000 in County funds and will result in \$50,000 worth of improvements to various recreation sites. He further noted that the County's matching funds are included in the FY 13-14 Capital Improvements Plan.

Mr. Peters then reviewed the projects as follows: installation of playground equipment at the Buchanan Town Park; installation of an 18 hole disc golf course on the Greenfield Recreation Park property; construction of a picnic area beside the old Jail in the County government complex; replacement of a scoreboard on the softball field at Blue Ridge Park and repair of the park's baseball field scoreboard; and resealing the walking track at Troutville Elementary School.

Mr. Peters noted that Mr. Garland Humphries, Chairman of the Parks and Recreation Commission, was present at today's meeting as well as representatives of several of the applicant groups/organizations.

Mr. Clinton stated that the greatest confirmation of success of this award-winning program is that the requirements were revised to allow repairs to existing recreational properties. Mr. Clinton stated that the Board appreciates the work and diligence given in identifying good projects for the use of these funds.

Mr. Austin stated that this is a great program and thanked Mr. Garland Humphries and Mr. Jim Lane for their current and previous service on the Parks and Recreation Commission. Mr. Austin noted that at one time the County had \$50,000 in matching funds available for Recreation Incentive Fund projects. He stated that this program is a "good bang for the buck."

Mr. Leffel thanked Mr. Peters for his work on this program. Mr. Leffel stated that this has been, and he hopes it continues to be, a good program.

There being no further discussion, on motion by Dr. Scothorn, and carried by the following recorded vote, the Board approved the attached listing of Recreation Incentive Fund projects for FY 2013-14 and authorized the County Administrator to issue a Notice to Proceed to each applicant. (Resolution Number 13-12-04)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on a lease agreement with Roanoke Valley Youth Soccer Club to develop a four-field soccer complex at the Greenfield Recreation Park. Mr. Pete Peters, Director of Parks, Recreation, and Tourism, stated that, as part of the Greenfield Recreation Park Master Plan Update adopted in May 2011, approximately 10 acres of land in the northern section of the park was dedicated towards future development of a competitive soccer tournament venue. He stated that the County subsequently received an unsolicited proposal from the Roanoke Valley Youth Soccer Club (RVYSC) for a long-term lease of this property to develop a four field championship level soccer complex for the primary use of their travel league and player development soccer club. He noted that representatives of the RVYSC were present at today's meeting.

Mr. Peters stated that, upon receipt of the proposal, a committee consisting of two members of the Board of Supervisors, the County Administrator, and himself, began discussions with the club. Mr. Peters then reviewed a draft site plan. He noted that these fields will be located between the County's Recreation Maintenance building and the cul-de-sac at the end of Preston Parkway. Mr. Peters noted that the committee also requested that staff research other similar agreements with adjacent jurisdictions. He stated that, after a series of meetings and discussions were held with the soccer club, a draft lease agreement was developed. He noted that a

copy of this agreement, which has been reviewed and recommended for approval by the Parks and Recreation Commission, had been included in the Board's agenda packet.

Mr. Peters then reviewed the terms of the lease as follows: a 20 year lease with 2 five-year renewals for approximately 10 acres to develop four regulation competitive Bermuda-turf soccer fields and an improved parking area to serve the facility; soccer fields and the associated attached fixed assets will become property of the County upon completion of the lease; RVYSC will incur the entire expense of the development to include planning and design, grading, utilities, seeding, irrigation, parking, and playing field equipment; the preliminary estimate for construction is approximately \$350,000-\$450,000 for the initial soccer field development, although final site plan and approximate bidding of the project will determine final investment. Additional planning expenses and future parking improvements are anticipated to bring the project's total value to over a half million dollars; additional development may occur within leased property to potentially include athletic field lights, training/warm-up areas, an indoor facility and locker rooms and offices; RVYSC will be responsible for the organization of activities hosted within the soccer complex to include training sessions, player development clinics, league matches, tournaments, event staffing, and portable restroom facilities; RVYSC is responsible for securing a separate annual maintenance agreement with Botetourt County for turf fertilization, mowing, field marking, and trash pick-up; RVYSC is responsible for all utility costs, with the exception of irrigation water, which will be provided via a dedicated irrigation well; RVYSC is to maintain \$1,000,000 liability insurance coverage naming the County as additional insured; RVYSC will provide, at no cost to the County, two player clinics, two coaches clinics, and a minimum of 80 hours (maximum of 240 hours) of recreational and/or school use each year of the lease; RVYSC will host a minimum of two competitive tournaments and four dates of league play each year of the lease.

Mr. Peters noted that the County will review and approve each phase of the site's development and the high schools' junior varsity and varsity soccer teams could use these fields as well. Mr. Peters stated that previous estimates indicate that this complex could potentially generate \$750,000 in economic benefits to the County and the Roanoke Valley from hosting one tournament. Mr. Peters stated that the expenses for this development fall exclusively on the RVYSC.

After discussion, Mr. Peters stated that ample space remains on the site for future growth of County activities, this lease will add to the County's reputation as a sports destination, and provide an increased economic impact to the area. Mr. Peters stated that RVYSC is well-respected and has been in operation since 1986. He noted that the Club purchased the rights to the Botetourt United soccer team and their soccer fields located behind Lawrence Transportation Systems in 2009.

Mr. Peters then recommended that the Board approve this lease agreement upon review and approval by the County Attorney.

After questioning by Dr. Scothorn, Mr. Peters stated that there were many individuals involved in this project including those who participated in the Greenfield Recreation Park Master Plan Update which was approved by the Board in 2011. Dr. Scothorn commended all those involved for their participation in this project. He also thanked the two RVYSC representatives who were present at today's meeting for their hard work on this proposal. He noted that this is a fantastic plan and he looks forward to the development of these soccer fields.

Mr. Austin noted that the presentation given by the RVYSC on their plans for this property is impressive and this project will create opportunities for the soccer community to advance in Botetourt County.

Mr. Leffel noted that it is estimated that the RVYSC will spend approximately \$500,000 to develop this site which will eventually become the County's property upon completion of the lease. He questioned whether the County is protected if "something does not go right over the next 30 years."

Mr. Peters stated that there are provisions in the agreement to protect the County. He noted that either party can terminate the lease upon six months' written notice, within certain parameters. Mr. Peters noted that other jurisdictions have used this same type of agreement for similar public/private facilities. He noted that the County "feels protected" with the provisions contained in this agreement.

After questioning by Mr. Austin, Mr. Peters stated that the development timeline for this project provides that construction of the soccer fields must begin within two years of the lease agreement being signed. He noted that the RVYSC has up to five years after the date of the lease agreement to construct the site's parking area. Mr. Peters stated that there is adequate space for field parking in this area at the present time.

Mr. Austin stated that, in his opinion, the construction of a parking lot should be expedited to maintain appearances and reduce the potential of vehicles destroying the existing turf in this area during wet weather.

After questioning by Mr. Clinton, the representatives from the RVYSC had no additional comments on their proposal.

Mr. Clinton stated that this appears to be a "win/win" situation for all and he thanked all of those involved for their work on this project.

Dr. Scothorn also thanked everyone involved for their hard work on this proposal.

There being no further discussion, on motion by Dr. Scothorn, and carried by the following recorded vote, the Board approved a lease agreement with the Roanoke Valley Youth Soccer Club to develop a four-field competitive soccer complex at the Greenfield Recreation Park and authorized the County Administrator to execute the agreement on the County's behalf, subject to review and approval by the County Attorney. (Resolution Number 13-12-05)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Mr. Kevin Hamm, Maintenance Operations Manager with the Virginia Department of Transportation, was then present to speak to the Board.

Mr. Hamm then reviewed VDoT's monthly report. He noted that the Exit 150 project is on schedule for advertisement of bids on December 9, 2014. Mr. Hamm noted that the Route 779/672 intersection project is proceeding and is estimated to be completed in October 2014.

He noted that the AEP Cloverdale 500 kV entrance/turn lane project has been reviewed and comments issued last week by VDoT staff, the Hill Storage Center project on Route 11 is under review, and there were two private entrance permits issued in the past month. Mr. Hamm further noted that VDoT staff is still working on resolving the drainage complaint on Hillview Drive. Mr. Hamm noted that drainage is coming through a resident's yard and damaging their property.

After questioning by Mr. Austin, Mr. Hamm stated that drainage is coming from the up-hill side of the road and then runs through the property owner's front yard. He noted that the old ditch is filling up with sediment which causes runoff to cross Hillview Drive and into the property owner's front yard. After further questioning by Mr. Austin, Mr. Hamm noted that the runoff goes through a creek that flows under the road. He noted that the culverts are not impacted.

Mr. Hamm stated that the Commonwealth Transportation Board approved the County's resolution to restrict through tractor trailer traffic on Route 43 between Buchanan and the Blue Ridge Parkway. He noted that the appropriate signage along the roadway should be installed in January 2014. Regarding the request for a traffic speed study on Routes 779 and 600 west of the Roanoke Cement Plant, Mr. Hamm stated that they are still waiting on the results. Regarding the requested study of allowing "U" turns at the Daleville Town Center intersection, Mr. Hamm stated that VDoT will have a more thorough report ready for consideration next month and noted that the Valley Road (Route 779) traffic study is still underway.

Mr. Martin noted that he has talked to Mr. Dan Collins, Residency Administrator, about a couple of traffic issues on Route 738 (Webster Road). Mr. Hamm noted that the contractor was having issues on the bridge replacement project on Webster Road but everything is going well now. He noted that traffic was being detoured onto Willowbrook Road and they are working to get the road stabilized.

Mr. Leffel noted that there are frequent occurrences of tractor trailers being "in the wrong place," e.g., Wheatland Road, Oriskany, etc., due to following directions from their GPS devices. He noted that these narrow roadways are not suited to large truck traffic and these vehicles are wearing out the pavement and damaging the roadways. Mr. Leffel questioned if there was a way for VDoT to shorten their through-truck traffic restriction process to resolve these problems sooner.

Mr. Hamm noted that VDoT does have maintenance and safety issues when big vehicles use smaller roads. Mr. Hamm stated that he will discuss this problem with their traffic engineering staff. He further noted that there is a lot of logging being conducted in the County and these trucks are damaging the roads as well.

Mr. Leffel noted that the logging trucks are part of the industry conducted in the County.

Mr. Hamm noted that he would discuss this issue with their traffic engineering staff to see if something can be done and report back to the Board.

After questioning by Mr. Austin on the status of the revenue sharing project to improve the Route 606/11 intersection, Mrs. Guzi noted that County staff held an initial meeting with VDoT representatives and the project's paperwork was signed and submitted to VDoT last week. She further noted that the project is on track and work is estimated to begin in the spring of 2014.

There being no further discussion, the Board thanked Mr. Hamm for his report. He then left the meeting at this time.

The Chairman then called for a 10 minute break.

The Chairman called the meeting back to order at 3:25 P. M.

A public hearing was then held on proposed water and sewer rate increases. Mr. David Moorman, Deputy County Administrator, stated that these proposed rate increases pertain to the Utility Fund only. He noted that the Utility Fund is a self-supporting, enterprise fund and its

revenues are only used to support utility operations and capital expenses. Mr. Moorman stated that no monies from the General Fund are used to support the Utility Fund.

Mr. Moorman noted that the staff background/financial report from the Board's November regular meeting on these proposed rate increases was included in the Board's information packets. He noted that this report includes a five year forecast of the Utility Fund's revenues and expenditures. Mr. Moorman stated that, according to this report, additional revenues are needed to support utility operations and utility development going forward. He further stated that the forecast anticipates that operating expenses will increase an average of 3% per year but will decrease at the end of the period by ending the County's purchase of water from the Western Virginia Water Authority.

Mr. Moorman noted that the forecast also indicates that debt service is projected to increase as much as 21% before falling 2% below current levels due to the retirement of older debt and capital improvements are projected to fall from a current year level of \$1,422,500 to \$454,500 in FY 2019. He stated that operating cost increases are expected to be driven primarily by inflation with the exception of employee health insurance costs which staff conservatively estimate will increase 12% annually.

Mr. Moorman stated that the Utility Fund's Debt Service increases are due to the recently completed Tinker Creek Interceptor upgrade project which will handle continued growth in the Daleville and Exit 150 area; upgrades to the Roanoke Regional Wastewater Treatment Plant (\$70,000); and financing for well development and water storage near Bonsack (\$100,000). He further stated that proposed capital improvement projects over the next five years include new wells on the Greenfield property (\$900,000); water well source development to support growth (\$1.2 million); a utility equipment storage/maintenance building (\$300,000); and general water/sewer system improvements (\$600,000).

Mr. Moorman noted that, if the proposed rates are adopted, the average residential County water customer could see between a \$2.00 and \$5.44 monthly water bill increase. He noted that over 8% of residential water customers could expect to see their monthly bills decrease by as much as \$14.50 per month. Mr. Moorman stated that residential sewer bills would increase an average of \$3.00 per month for customers who are also County water customers and customers of private water systems could expect their County sewer bills to increase an average of \$5.00 per month.

Mr. Moorman stated that commercial water customers could expect their monthly bills to increase an average of \$7.00/month for 4,000 gallons or less of usage. He noted that, to encourage conservation, the County is also proposing a new 10% consumption fee for residential water customers using more than 5,000 gallons of water per month. Mr. Moorman noted that the average residential customer uses 4,252 gallons of water per month.

After discussion, Mr. Moorman noted that the staff is also proposing a new, unmetered fire service fee for commercial customers whose building fire protection service is provided separately from the building's domestic water supply. He noted that this fee is common among the region's public water utility companies and it closes a loophole whereby some businesses currently receive water for fire protection at no cost.

Mr. Moorman noted that the staff is recommending that the Board open the public hearing and, following citizen discussion, approve the rates as proposed or amended effective January 1, 2014.

Mr. Clinton then reviewed the rules for the conduct of public hearings. He noted that this is a far-reaching issue and it would not be difficult for speakers to “get off of topic.” Mr. Clinton asked that those who wish to speak on these proposed rate increases “keep their comments in focus.”

Mr. Lewis Hopkins of Oriskany Square then stated that he is a small business owner. He asked that the Board deny this proposed rate increase. He stated that “either the County never had a \$5 million surplus nor was there the reality of a \$4 million shortfall in the 2012 budget.” Mr. Hopkins stated that “the numbers were manipulated to pass a massive tax increase” in order to increase employees’/teachers’ pay. Mr. Hopkins noted that he does not believe that they deserved a raise when the County and the country were experiencing a recession.

Mr. Clinton then asked that Mr. Hopkins keep his comments on point.

Mr. Hopkins stated that he would like to receive some information on the financial-related issues he mentioned. Mr. Hopkins again stated that he opposes the rate increase.

Mr. James Ludington of Haymakertown Road stated that he opposes the proposed rate increase. Mr. Ludington stated that he also noticed the \$5 million discrepancy and believes that this should be explained to the County’s citizens before this increase is approved.

Mr. Ludington then presented the Board with a Freedom of Information Act request and stated that he would like an explanation for this discrepancy. Mr. Ludington stated that he opposes the rate increase.

Mr. Lew Wertz of Murray Court stated that he is a native of Botetourt County and a taxpayer. Mr. Wertz stated that he is against the proposed water/sewer rate increases. Mr. Wertz stated that it was reported that the County ended FY 2011 with a \$4.5 million surplus above the reserve amount and that the County also sold a cell tower for \$1.8 million. He questioned what happened to this money and “how did the County go through \$7 million” and projected a new deficit of \$4 million without a tax increase or school programs would have to be cut.

Mr. Wertz stated that the County is now asking for a water and sewer rate increase and staff projects that another increase will be necessary in the next few years. He asked for financial responsibility from the County. Mr. Wertz stated that it was said that the rate increase was partially due to the increasing costs of employee health care. Mr. Wertz stated that the County employees have 1% of their health insurance and 75% of their dependent health care costs paid by the County and the County’s health insurance rates have not increased for 20 years.

Mr. Wertz questioned why should the private sector be expected to pay for more core services and fund these types of extravagant benefits and paid retirement plans. Mr. Wertz stated that the Board should deny this rate increase and let the employees pay for their health care.

Mr. Don Assaid of McIntosh Road stated that he opposes this rate increase request as these rates were recently increased in 2012. Mr. Assaid stated that his water bill has increased nearly 100% in the last 6 – 8 years. He noted that there is a lack of transparency regarding tax numbers. He noted that in 2011, Tony Zerrilla, the County’s Director of Finance, said that the County had a surplus which was justification for a 2% pay raise for employees.

After discussion, Mr. Assaid noted that the Board has not provided a response regarding this surplus which totaled over \$10 million. He questioned “how does the Board have the audacity to raise the water and sewer rates” and questioned “where will this end.” Mr. Assaid

stated that he is filing a formal Freedom of Information Act request with the County Attorney to ask for this information.

Mr. Austin stated that the County is required to conduct an annual audit each year and Mr. Assaid should ask for copies of that document as they define the County's various fund balances.

Mr. Thomas Watts of Orchard Drive in Daleville stated that Daleville Town Center "looks like a monstrosity" but because it has been built he thinks we need more water and sewer. He noted that funds have been taken from the industrial center and put into residential sewer to improve the line. Mr. Watts then stated that the previous County Administrator said that the sewer line upgrade would not affect him but now the County is proposing to increase his water/sewer rates. Mr. Watts stated that he has also been told that water and sewer is a separate fund item.

Mr. Clinton stated that the County's Utility Fund is a separate account from the General Fund.

Mr. Watts stated that his main complaint is the large rate increase that he as a retired individual will have to pay. Mr. Watts noted that his current water/sewer bill is \$70.90 per month. Mr. Watts stated that he was encouraged to connect to the County's water/sewer system when the private sewer system that he was previously connected to was sold to the County for \$125,000. Mr. Watts stated that he could have remained on his private septic system and paid \$235 - \$245 every year or so to pump his septic tank.

Mr. Watts stated that he does not think he can afford any additional increases and does not believe that the County should penalize citizens who use over 5,000 gallons of water per month. Mr. Watts noted that he used 5,500 gallons of water in the previous month. Mr. Watts noted that he has a water softener and it uses approximately 600 gallons each month to flush the system. He asked that this amount be removed from his bill. Mr. Watts further noted that he has two water filters in his home.

After questioning by Mr. Clinton, it was noted that there was no one else present to speak regarding the proposed water and sewer rate increases. The public hearing was then closed.

Mr. Clinton noted that the Board was given a detailed presentation by County staff on the reasons behind these proposed rate increases at their November regular meeting. He noted that there are many aspects involved in these proposed rate increases, not including the Greenfield well replacement issue. Mr. Clinton stated that he does not want to marginalize the complexity of this matter and the Board needs to understand the reasoning, analyses, and consequences of these proposed rate increases.

Mr. Martin stated that the Board was informed of the reasoning for these increases. Mr. Martin noted that he has always asked that the Board be considerate of those residents on low incomes and senior citizens when contemplating rate increases of any kind. Mr. Martin stated that he would like to see if the Board could be more considerate to the residential water/sewer customers and lower the impact of the proposed rates for those individuals. He noted that there are some residents such as Mr. Watts who are having a difficult time paying their bills. Mr. Martin noted that "everything keeps going up."

After discussion, Mr. Martin stated that the Board members are the representatives of the County and its citizens and he thinks we should take a look at this to see if anything further can be done to help the citizens.

After questioning by Mr. Leffel regarding the proposed commercial water/sewer rates, Mr. Moorman stated that the County received one comment about the commercial rates. He noted that staff reviewed those commercial customers who use less than 4,000 gallons per month and the Board could leave these rates at their current amount of \$52.50 per month. He noted that this will result in a revenue loss of \$15,000 per year but the staff thinks that this would be manageable.

Mr. Martin stated that he thinks the County could “find some money somewhere and be more considerate of the residential customers as well.”

Mr. Austin stated that he believes that the commercial water/sewer rates for those businesses using less than 4,000 gallons per month should not be increased. Mr. Austin stated that the County has several capital expenditures that need to be funded from the Utility Fund. He noted that there are issues with the water quality of the Greenfield wells and new test wells drilled earlier this fall did not result in improved water quality. He noted that “these are true costs” and the options chosen will have a cost as well.

Mr. Austin suggested that the Board table this issue in order for the staff and engineer to come up with a solution. He stated that, if residents use the County’s water and sewer services, they should pay for them. He noted that the County has to fund several water/sewer projects and rectify the problem with the Greenfield wells. He noted that the County has been proactive in providing a service (water and sewer) that is needed by its citizens.

Mr. Austin then stated that he believes that this issue should be acted on by the Board’s two new members as they will be in office when these rates go into effect. He noted that the County needs to find a solution and determine a cost for this solution.

Mr. Clinton stated that this is a complex issue. He noted that the Board has a lot of items, a lot of history, and many infrastructure components, to consider in this decision. Mr. Clinton stated that he has no doubt that the staff’s rate study is accurate but believes that the Board should make sure that they have the “big picture” before making a final decision. He noted that there will need to be a rate increase but the question is whether the proposed rates should be implemented at this time.

Mr. Austin stated that the staff has to make a decision as to where the County is going from here but acknowledged that there is a shortage of revenues in the Utility Fund.

Mrs. Guzi noted that all of the staff’s forecasts are based on the Updated Water/Sewer Master Plan which was adopted by the Board. She noted that the Master Plan is different than the Capital Improvements Plan. She stated that the revenues received from water and sewer customers are currently insufficient to cover the County’s Utility Fund expenses and there will need to be capital expenditures made by the County to these systems going forward.

After discussion, Mrs. Guzi stated that the County will need this rate increase to fund the water/sewer projects previously approved by the Board. She stated that there are inadequate revenues at this time to do so.

After questioning by Mr. Austin, Mrs. Guzi stated that the Tinker Creek Interceptor improvement project is only one of the capital projects that are underway which necessitates a rate increase in order to be completed and fully funded. She noted that, in order to ensure that the water/sewer systems the County has now stay viable, additional revenues are needed. She also noted that a new Greenfield water source is a capital project that the County staff knows is needed sooner rather than later.

After further questioning by Mr. Austin, Mrs. Guzi stated that, if the Board has questions, then this rate increase request should be tabled. She noted that if there are changes to the Water/Sewer Plan then it would change the staff's financial forecast and the need for additional revenues.

After discussion, Mr. Moorman stated that staff could obtain direction from the new Board on their water/sewer plans and suggested that a minimum of three months be planned to allow for necessary staff work and consultation. He noted that each month of delay on these rate adjustments will result in an approximate \$35,000 increase in the Utility Fund's financial operating deficit.

After questioning by Mr. Austin, Mr. Moorman stated that the County would have to draw monies from the Utility Fund Balance reserve account to fund this deficit in the short term.

Mr. Clinton questioned if the Board needs to rethink the Water/Sewer Master Plan. He suggested that the staff and the new Board membership be diligent in this matter.

After questioning, Mrs. Guzi stated that these utility forecasts were based on the projects included in Water/Sewer Master Plan adopted by the Board of Supervisors in September. She noted that, if the proposed rates are reduced, then the projects contained in the Water/Sewer Plan will have to be reduced as well.

After discussion by Mr. Austin on the Greenfield water quality issues, Mr. Moorman noted that the County continues to have issues with the quality of the water produced by the Greenfield wells. He noted that the staff will continue to do whatever it can to mitigate these water quality issues but it is becoming increasingly more difficult because the water quality continues to deteriorate.

After questioning by Mr. Martin, Mr. Paul Peery, Utilities Manager, stated that the County spends \$5,000 per month in chemicals to treat the Greenfield water system and frequently flushes the water line to keep the water clear.

After further questioning by Mr. Martin, Mr. Peery stated that the Utilities staff flushes 100,000 gallons per day through the line. He noted that the mineral levels in the Greenfield water will not stabilize; the levels keep getting higher and higher which result in the County purchasing more chemicals to treat the water.

After questioning by Mr. Wertz, Mr. Austin stated that the rates paid by the customers on the Greenfield water system fund these improvements.

Mr. Leffel stated that the County has a problem with the Greenfield water source and he appreciates Mr. Watts' pragmatism. Mr. Leffel stated that Mr. Watts' problem represents a large amount of residential customers' issues with the proposed rate increases. Mr. Leffel further stated that deciding to increase rates is not easy but some of the proposed rates need to be reconsidered. Mr. Leffel stated that the County will need additional revenues for the Utility Fund but a determination needs to be made on how the burden can be made equitable for all customers.

After questioning by Mr. Austin, Mr. Watts stated that he did have a water hardness problem when he was on Mr. Hopkins' private water system.

Mr. Clinton noted that the sentiment of the members appears to be to table consideration of these rates.

After further discussion, on motion by Mr. Austin, and carried by the following recorded vote, the Board tabled the proposed water and sewer rate increases for up to 90 days to allow for further study by staff. (Resolution Number 13-12-06)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on a request in the Amsterdam Magisterial District from 838 Properties, LLC (Frank L. Moeller, Flying Mouse Brewery) to rezone a 6.417 acre parcel from an Agricultural A-1 Use District to an Industrial M-2 Use District, with possible proffered conditions, for beverage processors, bottlers, and distributors activities on property located at 221 Precast Way, Daleville, 0.22 miles north of its intersection with Valley Road (Route 779), identified on the Real Property Identification Maps of Botetourt County as Section 101, Parcel 111A.

It was noted that this request was continued at the October meeting to allow additional information to be obtained.

Mrs. Guzi stated that the County had received a letter from the applicant stating that he is withdrawing this rezoning application at this time; therefore, there is no need for the Board to take any action on this matter.

Mr. Clinton then questioned if there was any "rationale" stated by the applicant for his withdrawal and when could Mr. Moeller reapply for rezoning of this property.

Mrs. Guzi then read Mr. Moeller's December 19, 2013, withdrawal letter in its entirety as follows, "I hereby withdraw my application at this time. Thank you. Frank L. Moeller, Owner." She noted that no additional explanation for this request for withdrawal was provided by the applicant.

In response to Mr. Clinton's question regarding when Mr. Moeller could reapply to rezone the property, Mrs. Dillon, County Attorney, stated that the applicant cannot reapply for a rezoning request for three months and he would have to follow the County's standard rezoning application process.

After questioning by Mr. Austin, Mrs. Dillon stated that when or if Mr. Moeller reapplies for a rezoning request it would be considered a new application. She stated that he would submit the application to the Planning Department, the matter would be advertised for a public hearing, and the request would then be heard by the Planning Commission and Board of Supervisors.

After questioning by Mr. Leffel, Mrs. Dillon stated that after withdrawing this application, the applicant could reapply after three months and it would be considered a new rezoning application.

After discussion, Dr. Scothorn requested that the Board consider the applicant's request to withdraw his rezoning proposal for this property.

On motion by Dr. Scothorn, and carried by the following recorded vote, the Board accepted the withdrawal of a rezoning application in the Amsterdam District from 838 Properties, LLC (Frank L. Moeller, Flying Mouse Brewery) to rezone a 6.417 acre parcel from an Agricultural A-1 Use District to an Industrial M-2 Use District, with possible proffered conditions, for beverage processors, bottlers, and distributors activities on property located at 221 Precast Way, Daleville, 0.22 miles north of its intersection with Valley Road (Route 779), identified on the Real Property Identification Maps of Botetourt County as Section 101, Parcel 111A. (Resolution Number 13-12-07)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Mr. Austin noted that the “onus” is on the applicant if he would like to bring this request back before the Planning Commission and Board of Supervisors for consideration. Mr. Austin noted that the property as it is being currently used is in compliance with the provisions of the County’s Zoning Ordinance.

Consideration was then held on amendments to the County’s Purchasing Policy and Procedures Manual. Mr. David Moorman, Deputy County Administrator, stated that from time to time County staff conducts reviews the County’s Purchasing Manual for compliance with State law and regulations to determine whether revisions are necessary and whether to codify certain administrative policies.

He noted that, after a recent review, the staff is proposing three amendments for the Board’s consideration: policies guiding the procurement of information-technology related equipment and supplies in Section 2.7, the designation and disposal of surplus property in Chapter 9, and correction of a typographical error in Section 6.1(D) regarding exemptions for small purchases under \$2,501.

Mr. Moorman noted that the County Attorney has reviewed these proposed amendments.

There being no further discussion, on motion by Mr. Clinton, and carried by the following recorded vote, the Board approved the amendments to the County’s Purchasing Policy and Procedures Manual as attached. (Resolution Number 13-12-08)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on the appointment of the Valley District representative on the Planning Commission whose four-year term expires on January 1, 2014.

On motion by Dr. Scothorn, and carried by the following recorded vote, the Board reappointed Mr. William Hughes as the Valley District representative on the Planning Commission for a four-year term that expires on January 1, 2018. (Resolution Number 13-12-09)

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

NAYS: None

ABSENT: None

ABSTAINING: None

On motion by Mr. Austin, and carried by the following recorded vote, the Board went into closed session at 4:30 P. M. to review the County Attorney’s and County Administrator’s performance evaluations as per Section 2.2-3711A (1) of the Code of Virginia of 1950, as amended. (Resolution Number 13-12-10)

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

NAYS: None

ABSENT: None

ABSTAINING: None

The Chairman called the meeting back to order at 5:15 P. M.

On motion by Mr. Austin, 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 13-12-11)

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

NAYS: None

ABSENT: None

ABSTAINING: None

BE IT RESOLVED, that to the best of the Board members' knowledge, only public business matters lawfully exempt from open meeting requirements and only such matters as were identified in the motion to go into Closed Session were heard, discussed, or considered during the Closed Session.

Dr. Scothorn then left the meeting at this time. (5:16 P. M.)

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

A public hearing was then held on a request in the Buchanan Magisterial District from Botetourt Funeral Services, LLC, to rezone a 0.485-acre portion of a 2.388-acre lot from an Agricultural A-1 Use District to a Business B-2 Use District, with possible proffered conditions, to bring the full parcel into compliance for business uses on property located at 14920 Lee Highway (U. S. Route 11), approximately 0.24 miles northeast of its intersection with Hardbarger Road (State Route 636), identified on the Real Property Identification Maps of Botetourt County as Section 76, Parcel 123A.

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

Mr. Jeff Busby, County Planner, stated that this request is to bring the 0.485 acre portion of this 2.388 acre lot into full compliance with the County's Zoning Ordinance. He noted that a boundary line adjustment was recorded in March 2012 combining the 0.485 acre parcel with a 1.903 acre property which is zoned Business B-2. Mr. Busby stated that the new lot is split-zoned and the applicant would like to have the entire parcel zoned for Business B-2 use.

Mr. Busby stated that Botetourt Funeral Services is proposing to construct a 25' X 60' two-bay storage building on this site which necessitated the rezoning request. He further stated that this property is also located within the 100 year flood zone of Mill Creek. Mr. Busby stated that the applicant's surveyor has confirmed that the future storage building would be located at an 1,063' elevation which is above the site's 100 year flood elevation of 1,059.6'.

After discussion, Mr. Busby noted that there was no one present to speak regarding this request at the Planning Commission meeting and there were no proffers submitted with this request by the applicant. He further noted that the County's 2010 Comprehensive Plan update designated this parcel as commercial.

Mr. Chris McMurry, Certified Land Surveyor, stated that this additional property acquired from a boundary line adjustment is being requested to be rezoned to Business B-2 use for construction of a storage building for use by the Botetourt Funeral Home.

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

There being no further discussion, on motion by Mr. Austin, and carried by the following recorded vote, the Board approved this rezoning 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 13-12-12)

AYES: Mr. Clinton, Mr. Leffel, Mr. Martin, Mr. Austin

NAYS: None

ABSENT: Dr. Scothorn

ABSTAINING: None

BOTETOURT FUNERAL SERVICES, LLC

In the Buchanan Magisterial District to rezone a 0.485-acre portion of a 2.388-acre lot from an Agricultural A-1 Use District to a Business B-2 Use District to bring the full parcel into compliance for business uses on property located at 14920 Lee Highway (U. S. Route 11), approximately 0.24 miles northeast of its intersection with Hardbarger Road (State Route 636), identified on the Real Property Identification Maps of Botetourt County as Section 76, Parcel 123A.

A public hearing was then held on a request in the Amsterdam Magisterial District from New Orchard Marketplace, LLC, for a special exception permit for the operation of a medical care facility, with possible conditions, in the Shopping Center SC Use District. The proposed medical care facility will utilize approximately 8,325 sq. ft. of an existing 12,000 sq. ft. building located on a 2.508 acre parcel within Orchard Marketplace at the intersection of U. S. Route 220 (Roanoke Road) and Market Center Way, approximately 0.49 miles north of the U. S. Route 220 (Roanoke Road)/State Route 779 (Catawba Road) intersection, identified on the Real Property Identification Maps of Botetourt County as Section 101(17), Parcel 9.

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

Mr. Jeff Busby, County Planner, stated that Carilion Clinic is proposing to use space in an existing building located at Orchard Marketplace for a pediatric medical facility. Mr. Busby noted that there was one citizen comment about this proposal at the Planning Commission meeting regarding parking availability for this proposed use. Mr. Busby noted that the applicant is providing 42 parking spaces for this facility which is 8 more than is required by the Zoning Ordinance.

After discussion, Mr. Busby stated that the pediatric medical office will have 16 exam rooms and up to 18 employees in 8,325 square feet of space. He noted that the County's Comprehensive Plan designates this area as commercial. Mr. Busby noted that this proposed use is a good fit for the community and will provide a good service to the County's citizens.

Mr. Busby stated that the required traffic studies and Virginia Department of Transportation approvals have previously been reviewed and approved during the original Orchard Marketplace VDoT entrance permitting process. He further noted that the sidewalks previously discussed by the Board of Supervisors along MarketPlace Drive are currently under construction.

Mr. Busby noted that Mr. Roby Hackney and Mr. Clyde Butler with New Orchard Market, LLC; Mr. John Christodoulides with Carilion Clinic; and Mr. Chris Burns with Balzer and Associates, were present at the meeting.

Mr. Hackney stated that he lives in Henrico County and is the Asset Manager for New Orchard Market, LLC. Mr. Hackney stated that he discussed the leasing of this vacant space at Orchard MarketPlace with the manager of the Food Lion Store. He noted that the manager was "thrilled" that there would be a medical office located in this space.

After questioning, Mr. Hackney stated that Carilion preferred to lease the middle portion of this 12,000 square foot building for their pediatrics office. He noted that in this situation many retailers prefer to have the "end caps" of a building and having available space on either side of a doctor's office makes the space more marketable.

Mr. Clinton noted that it had been hoped and proposed by the developer that this building would be used as retail space.

Mr. Hackney stated that the owners hope that leasing this space to a medical office would be a catalyst for rental of the two remaining offices. Mr. Hackney noted that the space had been vacant for a long time and they believe that the site “had gotten stale.”

After questioning by Mr. Austin, Mr. Hackney stated that the end units contain 1,700 and 1,500 square feet of space.

Mr. Christodoulides stated that Carilion is excited about opening a pediatrics office in this facility. He noted that one of the doctors whose office will be in this new space is present at this hearing.

Mr. Christodoulides stated that Carilion plans to advertise this project for bids and hope to begin renovations/construction of this space in early February. He noted that Carilion previously did the same type of project in Blacksburg.

Mr. Clinton stated that what Carilion has done with their investment in the VelocityCare facility located across from Botetourt Commons and the existing Carilion Clinic at Orchard MarketPlace has been a great benefit for the County and its citizens and the Board appreciates Carilion’s continuing investment in the County.

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

On motion by Mr. Clinton, and carried by the following recorded vote, the Board approved a request in the Amsterdam Magisterial District from New Orchard Marketplace, LLC, for a special exception permit for the operation of a medical care facility in the Shopping Center SC Use District. The proposed medical care facility will utilize approximately 8,325 sq. ft. of an existing 12,000 sq. ft. building located on a 2.508 acre parcel within Orchard Marketplace at the intersection of U. S. Route 220 (Roanoke Road) and Market Center Way, approximately 0.49 miles north of the U. S. Route 220 (Roanoke Road)/State Route 779 (Catawba Road) intersection, identified on the Real Property Identification Maps of Botetourt County as Section 101(17), Parcel 9. (Resolution Number 13-12-13)

AYES: Mr. Clinton, Mr. Leffel, Mr. Martin, Mr. Austin

NAYS: None

ABSENT: Dr. Scothorn

ABSTAINING: None

It was noted that the request in the Fincastle District from Frontier Land Development, Inc., for the rezoning of 10.957 acres of a 17.172 acre parcel from a Residential R-3 Use District to an Industrial M-1 Use District, with possible proffered conditions, for the construction of mini-storage warehouses containing 418 individual units, and a change of proffers. Located at 335 Spring-wood Road, Fincastle, the property will be accessed from Botetourt Road (U. S. Route 220), 0.19 miles northeast of the Botetourt Road/ North Roanoke Street (Route T1204) intersection, identified on the Real Property Identification Maps of Botetourt County as Section 61, Parcel 44, and, the request in the Blue Ridge Magisterial District from Roanoke City, (Intercept Youth Services, contractual purchaser) for a text amendment to Chapter 25. Zoning, Section 25-601. Definitions to include “Mental Health Group Home with private school for up to sixteen (16) youths ages 11-17”; a text amendment to Section 25-73. Uses Permissible by Special Exception to add a Mental Health Group Home with private school for up to sixteen (16) youths ages 11-17 by special exception permit; and a Special Exception Permit in the Agriculture A-1 Use District for the placement of a Mental Health Group Home with a private school to serve up to sixteen (16) youths ages 11-17 at 108 Coyner Springs Road (State Route 660), approximately 0.43

miles north of its intersection with Blue Ridge Blvd. (U. S. Route 460), identified on the Real Property Identification Maps of Botetourt County as Section 108 (9), Parcel 1B, had been tabled by the Planning Commission for up to 90 days to allow additional information to be obtained by the applicants.

There being no further discussion, Mr. Clinton continued the meeting at 6:16 P. M. until 9:00 A. M., on Friday, January 3, 2014, in the Circuit Courthouse's second floor conference room in Fincastle to conduct the Board of Supervisors' 2014 reorganizational meeting.