



MINUTES

BEDFORD COUNTY BOARD OF SUPERVISORS

BEDFORD COUNTY ADMINISTRATION BUILDING

SEPTEMBER 8, 2014

5:00 P.M. WORK SESSION

- a. Scott Baker, Extension Agent, with a presentation of the Strategic Plan for the Agriculture and Forestry Economy in Virginia's Region 2000.
- b. Todd Daniel and Brian Casella, VDOT Residency Office, with an update on road projects and issues.

6:45 P.M. Dinner

7:30 P.M. WELCOME

- a. Moment of Silence
- b. Pledge of Allegiance

(1) APPROVAL OF AGENDA

(2) FIFTEEN MINUTE CITIZEN COMMENT PERIOD

- John Templeton

(3) APPROVAL OF CONSENT AGENDA

- a. Consideration of a request from the Sheriff's Office for approval to accept the Bureau of Justice Assistance Bulletproof Vest Program Grant; approval of a Supplemental Appropriation and subsequent Departmental Transfer in the amount of \$6,149.98 (the 50% local match is included in the FY 2014-15 adopted budget). (*Resolution #R090814-01*)
- b. Consideration of a request from the Sheriff's Office for approval to accept the DMV Selective Enforcement Alcohol Grant, and for a Supplemental Appropriation in the amount of \$16,393.00. (*Resolution #R090814-02*)
- c. Consideration of a request from the Sheriff's Office for approval to accept the DMV Selective Enforcement Speed Grant, and for a Supplemental Appropriation in the amount of \$7,400.00 (*Resolution #R09814-3*)

- d. Consideration of a request for an additional FY2014 Budget Adjustment to cover advertising for the Budget and Tax Public Hearing in the amount of \$2,686.00 (*Resolution #R090814-08*)
- e. Consideration of a request from the Sheriff's Office to submit a grant application in the amount of \$84,220.00 to the Virginia Department of Emergency Management (no local match is required). (*Resolution #R090814-09*)

(4) APPROVAL OF MINUTES – August 11, 2014

(5) PUBLIC HEARINGS / PUBLIC APPEARANCES

- a. Public Appearance – Andy Dooley, Bedford Moose Lodge Administrator, with a request for funding for the July 4th, 2015 fireworks display.
- b. Public Hearing – Consideration of Rezoning Application #RZ140006 for Constantine Rosko. (*Ordinance #O 090814-04*)
 - *Staff Presentation: Brad Robinson, Planner*

(6) ACTION ITEMS

- a. Consideration of a request from the Department of Fiscal Management to establish the Personal Property Tax Relief Rate. (*R090814-05*)
 - *Staff Presentation: Susan Crawford, Fiscal Management Director*
- b. Consideration of Resolution Endorsing Bedford Town Council's Resolution of July 22 Concerning a Passenger Rail Stop within Town of Bedford. (*Resolution #R090814-06*)
 - *Staff Presentation: Mark K. Reeter, County Administrator*

(7) BOARD COMMENTS, COMMITTEE REPORTS, REQUESTS AND RECOMMENDATIONS

- a. Bedford County Treasurer's annual report.
- b. Planning Commission meeting minutes from June 17, July 8 and August 5, 2014.
- c. Bedford Regional Water Authority meeting minutes from July 15, 2014.
- d. Community Development's Building Report from July 2014.
- e. Tri-County Lakes Administrative Commission, Environmental Committee, meeting minutes from May 27, 2014.
- f. Tri-County Lakes Administrative Commission meeting minutes from July 8, 2014.
- g. Bedford Communications Report from July 2014.

(8) APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

- a. Reminder – An Appointment is needed for the Recreation Advisory Board for District 5.

(9) COUNTY ATTORNEY REPORTS, REQUESTS AND RECOMMENDATIONS

(10) COUNTY ADMINISTRATOR’S REPORTS, REQUESTS AND RECOMMENDATIONS

- a. Request for Board Guidance Concerning Proposed Tourism Strategic Plan.
- b. Discussion regarding State Revenue Shortfall.
- c. Bedford County 2015 General Assembly Session Legislative Issues.
- d. Request by Town of Bedford for Informal Joint Meeting
- e. Closed Session pursuant to Section 2.2-3711 (A) (1) as to the discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; specifically, related to the County Administrator.

(11) PENDING MATTERS – VACo Conference Attendance (November 9th and 10th)

(12) UPCOMING MEETINGS

- September 22nd – Regular Meeting at 7:30 p.m.
- October 14th (*Tuesday*) – Joint Meeting with Economic Development Authority at 5:00 p.m. (*Ground Floor Meeting Room*); Regular Meeting at 7:30 p.m. (*Boardroom*)
- October 27th – Regular Meeting at 7:30 p.m.

5:00 P.M. – WORK SESSION

Board of Supervisors: John Sharp, Chairman – District 4; Tammy Parker, Vice-Chairman, District 7; Bill Thomasson, District 1; Curry Martin, District 2; Steve Wilkerson, District 3; and Steve Arrington, District 5

Absent: Annie Pollard, District 6

Staff Present: Mark K. Reeter, Carl Boggess, Frank Rogers and Brigitte Lockett

Chairman Sharp called the Board of Supervisors to order and turned the meeting over to County Administrator Mark K. Reeter, who introduced Mr. Scott Baker from the Extension Office.

Mr. Baker gave a presentation on the Strategic Plan for the Agriculture and Forestry Economy in Virginia’s Region 2000. He reviewed the process that led to the plan before the Board this evening, and noted that the Agriculture Economic Development Advisory Board (AEDAB) has already heard this presentation. Mr. Baker noted that this plan was formulated after receiving a grant from the Virginia Department of Agricultural and Consumer Services Fund, which is a matching grant program that looks

to integrate agricultural and forestry with economic development efforts. He said the Strategic Plan Coordinating Team included leadership from local economic development organizations and local Extension Offices, who worked with Prosperity Ag Resources and Thomas P. Miller and Associates to develop this plan; Economic Development Director Traci Blido and Mr. Baker represented Bedford. Mr. Baker then briefly reviewed the various sources used for input and information, and explained how the information was used to develop the plan. He highlighted information in the plan relating to the economic impact of agriculture and forestry, noting that these are substantial in Bedford and are made of relatively small farms. Mr. Baker noted that the vision statement reads, “We recognize and promote the agriculture and forestry industries to strengthen regional economic development and future sustainability.” He stated that the goals were to coordinate regional outreach and marketing, to strengthen resources for producers and to promote career and small business development opportunities. He then worked through a brief overview of the plan, and closed his presentation by stating that the plan is viable and valuable for the agriculture and forestry economy in this region. He said the AEDAB supports the overall vision of the plan and have recommended that the Board endorse it. However, they wanted to go on record as saying they support what is in the plan, and they also support the other agricultural industries that may not be focused upon in this plan.

Supervisor Thomasson said the AEDAB had made a request to add additional recommendations, and asked what those recommendations were. Mr. Baker said he didn’t have specifics from them yet, but that their position was they supported both this plan and the larger-scale type of commodity production systems; as we move forward, AEDAB wants to be sure those interests are maintained.

Supervisor Martin said his appointee on AEDAB was concerned that the plan should focus more on cattle than on garden essentials.

Supervisor Arrington asked Mr. Baker if the plan addressed concerns such as regulations around Total Maximum Daily Loads (TMDL), as such regulation has the potential to impact agriculture significantly. Mr. Baker responded that this is something that, to some extent, would need to be championed at the local level, as these are regional efforts.

Supervisor Thomasson said that he didn’t see where broadband was addressed in the plan; Mr. Baker said that would be a larger issue for the region that extends beyond this plan.

Chairman Sharp questioned a portion of the plan that gave a beef cooperative as an example, as he said not all beef is equal. He said he also wants to be sure segments of the industry are not excluded, and cited as an example the concern that farmers would be forced to accept EBT cards; he further noted concerns about how grant funding streams would be tied to mandatory EBT acceptance.

Supervisor Thomasson suggested that the Supervisors have a work session with the AEDAB to be sure everyone is in agreement on the plan and future goals.

Mr. Baker noted he has been given direction by the AEDAB that, as long as it is understood that there are areas for improvement in the plan, the overall vision and theme of this idea is a good thing to do.

There followed a brief discussion between Mr. Baker and the Board, with the Supervisors deciding to try to meet with the AEDAB (at an already scheduled work session; they did not want a work session added to their schedule) to discuss the plan further.

Mr. Todd Daniel and Mr. Brian Casella from the VDOT Residency Office then addressed the Board with an update on road projects and issues, the entirety of which is given below:

Maintenance Activities for Previous 30 Days:

- Ordinary Maintenance – Gravel Road Repair, Brush Removal, Shoulder Repair and Patching for secondary overlay.
- Plant Mix Schedule – Various Primary Routes – Route 24 Completed
- Mowing Secondary Routes – First Round Completed
- Route 807 (Harveys Creek Road) – Culvert Repair – Completed. (Area 2 – Martin)
- Route 640 (Wheats Valley Road) – Pipe Replacement – Completed. (Area 5 – Arrington)
- Route 772 (Marcus Trail Road) – Pipe Replacement – Completed. (Area 5 – Arrington)

Maintenance Activities for Next 60 Days:

- Ordinary Maintenance – Gravel Road Repair, Apply Dust Control to Gravel Routes, Shoulder Repair, Ditching and Patching on Various Secondary Routes, Mowing Primary and Secondary Routes.
- Plant Mix Schedule – Primary Route – Route 460 - Tentative Completion Date: September
- Plant Mix Schedule – Various Secondary Routes – Tentative Start Date: September
- Various Routes – Regional Guardrail Contract is ongoing and guardrail repairs are in progress countywide.
- Route 682 (Kelso Mill Road) – Repair Drainage issue at intersection Route 43, Peaks Road (Area 5 – Arrington)
- Route 683 (Sharps Mountain Road) – Pipe Replacement – Tentative Start Date: Mid-October. (Area 7 – Parker)
- Route 689 (Irving Road) – Box Culvert Replacement – Guardrail installation pending. (Area 6 – Pollard)
- Route 691 (Thaxton Mountain Road) – Replace Low Water Structure – No current schedule. (Area 6 – Pollard)
- Route 697 (Emory Lane) – Pipe Replacement – Tentative Start Date: Mid-September (Area 6 – Pollard)
- Route 727 (Crab Orchard Road) – Box Culvert Replacement – Tentative Start Date: Late November. (Area 3 – Wilkerson)
- Route 808 (St. Helena Road) – Bridge Repair Project – Road will be closed starting Sept. 22, and won't be reopened until Sept. 26.

Land Development and Permits

Private Entrances & Land Use Permits:

- July 2014: Land Use Permits: Issued 1 Temporary Construction Entrance, 12 Private Entrance Permits for state maintained routes, and 2 Utility Activities Permits.
- July 2014: Private (non-state maintained): 3 entrance permits, 1 existing entrance permit, and 1 private road letter.
- August 2014: Land Use Permits: Issued 1 Commercial Entrance, 7 Private Entrance Permits for state maintained routes, 1 Utility Activities Permit, and 2 Special Events (Race) permits.
- August 2014: Private (non-state maintained): 4 entrance permits and 2 private road letters.
- September 2014 to date: Land Use Permits: Issued 1 Private Entrance Permits for state maintained routes, and 1 Special Events (Race) permit.
- Plat/Plan Reviews:
- July 2014: 12 Plats/Site Plans reviewed.
- August 2014: 8 Plats/Site Plans received for review.
- September 2014 to date: No Plats/Site Plans received for review.

Secondary Additions:

- Autumn Run Subdivision – Punch list generated, awaiting fees and surety from developer. (Area 5 – Arrington)
- Farmington Subdivision, Sections 8 & 15 – Punch list generated by VDOT and developer is addressing deficiencies. (Area 4 – Sharp)
- Great Oaks Subdivision – Punch list generated by VDOT and developer is addressing deficiencies. (Area 3 – Wilkerson)
- Mayberry Hills Subdivision – Punch list generated by VDOT and developer is addressing deficiencies. (Area 2 – Martin)

Traffic Studies and Special Requests (*Denotes Change) –

- Route 24 STARS Project (Strategically Targeted Affordable Roadway Solutions) – The project study area extends from Route 886 (Drewry’s Hill Road) to Route 819 (Old Country Road). The purpose of the study is to identify common crash factors and to propose intermediate and long-term projects to improve safety. The study results will be used to develop projects that can be funded through HSIP and other traffic operations funding sources. Team field visit along corridor conducted December 12, 2013. Final report with recommendations is in progress. (Area 1 – Thomasson)
- Route 221 Safety Improvement Study – This study is lead by the Region 2000 Local Government Council / Central Virginia MPO in cooperation with Bedford County and the City of Lynchburg. The study will commence at Route 1483 (Cloverhill Boulevard) and will terminate in the City of Lynchburg at Forest Brook Road. Community meetings held on January 30 and April 10, 2014 at the Forest Library. Final report is available. (Area 4 – Sharp)

- Route 644 (Old Cifax Road) – Through Truck Restriction #1: The through tractor truck and trailer or semi-trailer combination restriction is proposed of Route 644 (Old Cifax Road), beginning at the East Intersection of Route 643 (Cifax Road), and ending at the intersection of Route 663 (Perrowville Road), with the termini to termini distance equaling approximately 3.98 miles. Board resolution passed October 28, 2013 and study is under review by VDOT Salem District Traffic Engineering. Public Comment Period Ended May 7. (Area 5 – Arrington / Area 7 – Parker)
- Route 644 (Coffee Road) – Through Truck Restriction #2: The through tractor truck and trailer or semi-trailer combination restriction is proposed of Route 644 (Coffee Road), beginning at the intersection of Route 663 (Perrowville Road) and ending at the Lynchburg City Limits, with the termini to termini distance equaling approximately 5.66 miles. Board resolution passed October 28, 2013 and study is under review by VDOT Salem District Traffic Engineering. Public Comment Period Ended May 7. (Area 5 – Arrington)
- Route 1240 (Lake Vista Drive) – The Lake Vista and Forest Lakes Homeowner’s Associations are pursuing a Traffic Calming study to mitigate speeding. Bedford County Administration has taken the lead on this with VDOT and a preliminary meeting was held on December 5, 2013 to discuss the process. The HOAs are collecting signed petitions. (Area 4 – Sharp)
- Route 1390 (Gilfield Drive) – Stop Sign Relocation/Realignment: Revision of existing STOP sign placement to correct issues with traffic flow and sight distance to signage at intersections of Routes 1390 (Gilfield Drive), Route 1407 (Eastway Lane), and Route 1418 (Lakepointe Drive) .*(Area 5 – Arrington)

Speed and Safety Studies (*Denotes Change)

- Route 221 (Forest Road) – Signal Request – Citizen request for a traffic signal at the intersection of Route 1474 (Maple Hills Drive) and Route 1475 (Woodberry Lane). Study is under review. (Area 4 – Sharp)
- Route 619 (Turner Branch Road) – From Route 634 (Hardy Road) to Route 757 (Goodview Road). Current speed limit is unposted. Study complete. No reduction in speed limit recommended.* (Area 1 – Thomasson)
- Route 654 (Morgans Church Road) – From Route 805 (Stone Mountain) to Route 122 (Moneta Road). Study is under review. Speed limit is currently unposted. (Area 2 – Martin)
- Route 671 (Centerville Road) – From Route 221 (Forest Road) to 0.3 mile east of Route 644 (Lankford Mill Road). Study is under review. Speed limit is currently unposted. (Area 7 – Parker)
- Route 689 (Johnson School Road) – Speed & Safety study requested and under review. (Area 6 – Pollard)
- Route 755 (Morgans Mill Road) – Speed study requested and under review. (Area 1 – Thomasson)

- Route 805 (Stone Mountain Road) – From Route 654 (Morgans Church Road) to Route 626 (Smith Mountain Lake Parkway). Study is under review. Speed limit is currently unposted. (Area 2 – Martin)
- Route 805 (Morgans Church Road) – From Route 122 (Moneta Road) to Route 805 (Stone Mountain Road). Study is under review. Speed limit is currently unposted. Mr. Casella noted that there has been a request to install center lines along this roadway, but this cannot be done as the road is only 7 feet wide. (Area 2 – Martin)

Project Status

- Route 43 (Peaks Road) – Bridge over Stoney Creek – UPC 97225 – Consultant is preparing an alignment study for review by VDOT. Tentative construction in 2020. (Area 5 – Arrington)
- Route 43 (Peaks Road) – Bridge over Big Otter River – UPC 94722 – Consultant prepared an alignment study for review by VDOT Bridge section. Tentative construction in 2017. (Area 5 – Arrington / Area 7 – Parker)
- Route 122 (Moneta Road) – Bridges over Goose and Stony Fork Creeks – UPC 00673 – Scope is currently revised to replace only the Goose Creek Bridge at Route 801 (Stony Fork Road) on the existing roadway alignment. Project is in the Preliminary Engineering Phase with construction tentatively planned for 2019. (Area 2 – Martin)
- Route 221 (Forest Road) – Left turn lanes at Route 668 (Goode Station Road) – UPC 97043 – Project in preliminary engineering phase. Tentative construction in May 2020. (Area 7 – Parker)
- Route 221/460 (West Lynchburg-Salem Turnpike) – Bridge over North Fork of Goose Creek – UPC 104181 – VDOT performing pre-scoping activities to provide to consultant for design. Project is in Preliminary Engineering scoping phase with no dates set. (Area 6 – Pollard)
- Route 460 (West Lynchburg-Salem Turnpike) – UPC 67529 – Safety improvement - WBL grade change near Virginia State Police office. Haymes Brothers, Inc. was awarded the contract and construction is underway. Project is scheduled to be complete in December 2014. (Area 6 – Pollard)
- Route 460 (West Lynchburg-Salem Turnpike) – S-Curves – UPC 76643 – Preliminary Engineering investigation to straighten Route 460 eastbound lanes to parallel westbound lanes. Project in Preliminary Engineering scoping phase with no dates set. Consultant kickoff meeting held on March 17, 2014 for preliminary scoping and engineering. (Area 6 – Pollard)
- Route 634 (Hardy Ford) – UPC 62650 – Bridge replacement project. Project is in Preliminary Engineering with Ad date in April 1, 2017. (Area 1 – Thomasson)
- Route 668 (Goode Station Road) – Bridge over Norfolk Southern Railroad – UPC 51916 – Project in Preliminary Engineering phase. Proposed construction advertisement in 2017. (Area 7 – Parker)
- Route 1599 (Deertrack Drive) – Rural Addition (Revenue Sharing Project) – UPC 105747 – Construction October 2014 (will be completed by next month) (Area 4 – Sharp)

Possible Rural Additions:

- Deer Creek Drive – Huntington Wood Estates. (Area 2 – Martin)
- Indian Ridge Drive – Village East Subdivision. Preliminary Estimate provided to HOA. HOA will not pursue Revenue Sharing funds for Rural Addition at this time.* (Area 2 – Martin)
- Westwind Court – Harbor Village – Route 655 (Isle of Pines Drive). Preliminary estimate provided to HOA. (Area 2 – Martin)
- Woodbrook Lane – Woodbrook Subdivision. Preliminary estimate provided to HOA. HOA will not pursue Revenue Sharing funds for Rural Addition at this time.* (Area 4 – Sharp)

Mr. Casella then briefly reviewed for the Board how the traffic calming process works. Mr. Daniel noted that VDOT has done traffic calming in the County for quite some time, which is paid out of the six year plan by transferring funds from traffic services into traffic calming. He asked if the Board wished to continue to fund every request that met the qualifications, or if they would rather use Revenue Sharing to fund these requests; he asked the Board to consider this and perhaps it could be discussed at the next VDOT Status Update. There followed a brief discussion between Mr. Daniel and the Board regarding traffic calming.

Mr. Daniel stated that the way VDOT receives funding has been changed. Revenues are down, which means the funding for the Six-Year Plan has been reduced from what was approved earlier in the year. He said they will make adjustments to line items in the plan and present it to the Board in the spring. Mr. Daniel also said that as of January 1, 2015, the wholesale gas tax will increase from 3.5% to 5.1% if the internet sales tax proposal doesn't pass.

Mr. Daniel ended his presentation by stating that VDOT has really enjoyed working with Deputy County Administrator Frank Rogers, who has announced he will be leaving Bedford for a position in Campbell. He said Mr. Rogers has been wonderful to work with, and that he would have been remiss if he had not said as much before Mr. Rogers left.

Mr. Reeter noted that there is an article at the Board's station regarding the internet tax and the gas tax increase that he had planned to touch on during the meeting. He said that since Mr. Daniel covered those items, he would not bring them up later.

There being no further discussion, the Board recessed for dinner at 6:14 p.m.

7:30 P.M. – REGULAR MEETING

Board of Supervisors: John Sharp, Chairman – District 4; Tammy Parker, Vice-Chairman, District 7; Bill Thomasson, District 1; Curry Martin, District 2; Steve Wilkerson, District 3; and Steve Arrington, District 5

Absent: Annie Pollard, District 6

Staff Present: Mark K. Reeter, Carl Boggess, Frank Rogers, Susan Crawford, Kevin Adams, Tim Hayden, Robin Sundquist, Brad Robinson, Eric Rice and Brigitte Lockett

Chairman Sharp called the meeting to order and welcomed those in attendance; a moment of silence was held and the Pledge of Allegiance was said.

(1) APPROVAL OF AGENDA

Mr. Mark Reeter, County Administrator, noted the following changes to the agenda:

- Added Consent Agenda Item: #3d – Request for additional FY2014 Budget Adjustment to cover advertising costs for the Budget and Tax Hearing.
- Added Consent Agenda Item: #3e – Request from the Sheriff’s Office to submit an application for the Virginia Department of Emergency Management Grant in the amount of \$84,220.00; no local match is required.
- Additional Documentation under Action Items: #6a – Request from Fiscal Management to establish the Personal Property Tax Relief (PPTRA) Rate.
- Additional Documentation under County Administrator’s Reports: #10d – Request from the Town of Bedford for a joint meeting between the Town Council and the Board of Supervisors.
- Added Item under County Administrator Reports: #10e – Closed Session pursuant to Section 2.2-3711 (A) (1) as to the discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; specifically, related to the County Administrator.

Supervisor Arrington made a motion to approve the agenda as amended; motion passed by acclamation.

(2) FIFTEEN MINUTE CITIZEN COMMENT PERIOD

- ~~John Templeton~~ - *did not attend the meeting*
 - Susan Martin, Bedford Area Chamber of Commerce, addressed the Board to voice the Chamber’s support for a passenger rail stop in the Town of Bedford.
 - Jackie Davis, citizen from Thaxton, addressed the Board with a prayer.
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(3) APPROVAL OF CONSENT AGENDA

County Administrator Mark Reeter read the consent agenda as follows:

- a. Consideration of a request from the Sheriff’s Office for approval to accept the Bureau of Justice Assistance Bulletproof Vest Program Grant; approval of a Supplemental

Appropriation and subsequent Departmental Transfer in the amount of \$6,149.98 (the 50% local match is included in the FY 2014-15 adopted budget). (*Resolution #R090814-01*)

- b.** Consideration of a request from the Sheriff's Office for approval to accept the DMV Selective Enforcement Alcohol Grant, and for a Supplemental Appropriation in the amount of \$16,393.00. (*Resolution #R090814-02*)
- c.** Consideration of a request from the Sheriff's Office for approval to accept the DMV Selective Enforcement Speed Grant , and for a Supplemental Appropriation in the amount of \$7,400.00 (*Resolution #R09814-3*)
- d.** Consideration of a request for an additional FY2014 Budget Adjustment to cover advertising for the Budget and Tax Public Hearing in the amount of \$2,686.00 (*Resolution #R090814-08*)
- e.** Consideration of a request from the Sheriff's Office to submit a grant application in the amount of \$84,220.00 to the Virginia Department of Emergency Management (no local match is required). (*Resolution #R090814-09*)

Supervisor Martin made a motion to approve the Consent Agenda.

Voting yes: Mr. Thomasson, Mr. Martin, Mr. Wilkerson, Mr. Sharp, Mr. Arrington and Mrs. Parker

Voting no: None

Absent: Mrs. Pollard

Motion passed.

Supervisor Martin noted that Robin Sundquist in the Sheriff's Office writes these grants that save the taxpayers so much money and he thanked her for her efforts.

(4) APPROVAL OF MINUTES

Vice-Chairman Parker made a motion to approve the minutes of August 11, 2014 as presented; motion passed by acclamation; Supervisors Arrington and Wilkerson abstained.

(5) PUBLIC HEARINGS / PUBLIC APPEARANCES

(5a) Andy Dooley, Fireworks Committee Chairman, addressed the Board with a request for funding for the July 4th, 2015 fireworks display. Mr. Dooley stated the Moose membership has overwhelmingly voted to continue with the fireworks show next year. He said the Town donated \$2,000 towards this year's show, but asked that it be moved to the D-Day Memorial. He said to hold it there requires a more expensive show, increasing the price from the current \$5,000 to \$12,000. He explained the various options they are looking at in that area for the best visibility for the display, and asked the Board to consider supporting the show with \$4,000 in funding when they begin work on the upcoming budget.

In response to a question from Vice-Chairman Parker, Mr. Dooley stated that he would address the Town Council with a similar funding request tomorrow night.

Mr. Reeter noted that the Board would need to provide a fiscal commitment inside this fiscal year to fund next year's fireworks show. Chairman Sharp asked that this be placed on the Board's agenda for one of October's regular meetings. Supervisor Martin asked if the other fireworks shows in the County would also receive additional funding. Mr. Reeter responded that this would be at the discretion of the Board.

(5b) Brad Robinson, Planner, addressed the Board with rezoning request #RZ140006 on behalf of the property owner, Constantine Rosko, and clarified that this is specifically to amend proffers. Mr. Robinson said the property is identified as Tax Map #114-A-82, totals 72.67 acres, is zoned Conditional AV and is located along Forest Road (Route 221) approximately 0.1 miles east of the intersection with Bellevue Road (Route 643) in District 7.

Mr. Robinson displayed a variety of maps and photographs of the property, and noted that the original proffers were approved in 2005. He stated that all the original proffers would remain in place for the areas that have been developed (Bellevue Terrace). The developer is asking that of the eight original proffers (listed below), only #2 and #8 be left in place for the remaining land.

1. The property will be developed in substantial conformance with the submitted rezoning plan, revision dated November 15, 2004, as prepared by Perkins & Orrison, Inc.
- 2. Uses for the proposed lots shall be limited to single family residential dwellings and residential accessory uses/structures.**
3. No home shall be permitted to be constructed on any lot that contains less than 3,000 square feet of finished living space for a two story house, or 2,500 square feet for a one story house.
4. Architectural standards for all homes and accessory structures are to be primarily brick or stone, with Hardi Plank or similar cement fiber siding product covering less than half of the building exterior. Architectural grade shingle or better roof material must be used. There shall be no exposed concrete CMU foundations. Homes shall be of a generally traditional appearance, in keeping with other finer homes in the area.
5. Along the Bellevue Road lots, the developer agrees to dedicate public right-of-way extending 25 feet from the centerline.
6. The project will be developed in two phases: The first being the 12 lots along Bellevue Road, and the second being lots accessed off of Route 221 (not including the Trivium house).
7. A right turn lane and taper will be constructed on Route 221 at the proposed entrance.
- 8. Along the southern and eastern boundaries of the rezoned lots, a 50-foot buffer will remain undisturbed. If disturbance is required, then a double row of evergreen trees, 12-foot on center, 6 feet fall at planting, shall be installed along or near the property line for the entire length of the disturbed area.**

Mr. Robinson stated that surrounding properties are zoned AV or AR, and the parcel in question is currently vacant. He noted those portions of the Comprehensive Plan as they applied to this request, and briefly reviewed anticipated environmental, transportation, utility, aesthetic/visual and public facility impacts.

Mr. Robinson stated the Planning Commission recommended approval by a vote of 6-1 at their meeting on August 5, 2014.

Mr. Russell Orrison of Perkins and Orrison addressed the Board as the representative for the applicant. He said times have changed since 2005, and they were just looking to adjust these proffers to be compatible with today's market.

The public hearing was opened; there being no one desiring to speak, the public hearing was closed.

Vice-Chairman Parker made a motion to approve Ordinance #O 090814-04.

WHEREAS, Constantine Rosko has submitted rezoning application #RZ140006 to amend proffered conditions of Tax Map Number 114-A-82; and

WHEREAS, the existing proffered conditions were approved with rezoning application #RZ050002 on February 14, 2005 which rezoned the subject property to Conditional AV (Agricultural Village Center District); and

WHEREAS, the application requests to remove all existing proffers except Numbers 2 and 8 from a proposed second phase of development to be known as Trivium Oaks; and

WHEREAS, all existing proffered conditions will remain in effect for the first phase known as Bellevue Terrace which has already been platted and recorded; and

WHEREAS, the application has been submitted pursuant to Section 30-15 of the Zoning Ordinance; and

WHEREAS, the Board of Supervisors has carefully considered the public record, the public testimony, and the recommendation of the Planning Commission; and

WHEREAS, the Board has determined that the requested amendment meets the goals and objectives of the Comprehensive Plan and the purposes of the Zoning Ordinance; and

WHEREAS, the Board finds that the public necessity, convenience, general welfare, and good zoning practice requires adoption of an ordinance to amend the conditions of the subject property; and

NOW, THEREFORE, BE IT ORDAINED, by the Bedford County Board of Supervisors on this the 8th day of September, 2014, that the Bedford County Zoning Ordinance be and it hereby is amended and readopted by amending the proffered conditions for property identified as TM #114-A-82 to contain the following:

1. Uses for the property shall be limited to single family residential dwellings and residential accessory uses/structures.
2. Along the southern and eastern boundaries of the rezoned property, a 50' buffer will remain undisturbed. If disturbance is required, then a double row of evergreen trees, 12' on center, 6'

tall at planting, shall be installed along or near the property line for the entire length of the disturbed area.

NOW, THEREFORE, BE IT FURTHER ORDAINED, that should any portion or provision of this ordinance be held by any court to be unconstitutional or invalid, that decision shall not affect the validity of the ordinance as a whole, or any part of the ordinance other than the part held to be unconstitutional or invalid.

Voting yes: Mr. Thomasson, Mr. Martin, Mr. Wilkerson, Mr. Sharp, Mr. Arrington and Mrs. Parker

Voting no: None

Absent: Mrs. Pollard

Motion passed.

(6) Action Items

(6a) Susan Crawford, Fiscal Management Director, addressed the Board with a request to establish the Personal Property Tax Relief Rate. Ms. Crawford reviewed the Board's process and policy for the yearly adoption of the Personal Property Tax Relief Rate, and asked if the Board had any questions.

In response to a question from Chairman Sharp, Attorney Boggess explained that the Town did not add a personal property tax rate on their citizens in addition to the County's, but they are receiving the money they are entitled to in relief funds from the Commonwealth. All of the personal property tax comes to the County, including the tax from the Town, but in return (because there are more vehicles) our percentage of tax relief has been reduced. The town's tax rate is set to be equalized with the amount being received as State relief, so they are really not collecting more revenue than before.

Supervisor Wilkerson made a motion to approve Resolution #R090814-05.

WHEREAS, the Virginia General Assembly in 1998 passed the Personal Property Tax Relief Act; the philosophy in passing the Act was to eliminate personal property tax on personal motor vehicles; and

WHEREAS, in 2001 the Virginia General Assembly set the reimbursement rate to localities for personal property taxes for personal vehicles at 70% of the personal property tax amount; and

WHEREAS, the Virginia General Assembly in 2004 drastically revised the philosophy of the Act and capped the contribution of the Commonwealth to localities for reimbursement for personal property taxes; and

WHEREAS, on the 28th day of November 2005, as a requirement of the 2004 amendments to the Act, the County of Bedford passed an ordinance to set the percentage of tax relief that the County anticipates will fully exhaust the PPTRA funds that it will be provided by the Commonwealth (Bedford County Ordinance "Taxation" §17-16 "Personal Property Relief"); and

WHEREAS, pursuant to §17-16 of the County Code, the County shall as part of the annual budget by resolution must set the percentage of tax relief at such level that it is anticipated to fully exhaust PPTRA relief funds provided to the County by the Commonwealth; now

BE IT THEREFORE RESOLVED, that pursuant to Bedford County Code Chapter 17 “Taxation”, Section 17-16 “Personal Property Relief Act” the percentage of tax relief anticipated to fully exhaust PPTRA funds provided to the County by the Commonwealth is hereby set at fifty percent (50%). Any amount of PPTRA relief not used within the County’s fiscal year shall be carried forward and used to increase the funds available for personal property tax relief in the following fiscal year.

Voting yes: Mr. Thomasson, Mr. Martin, Mr. Wilkerson, Mr. Sharp, Mr. Arrington and Mrs. Parker

Voting no: None

Absent: Mrs. Pollard

Motion passed.

(6b) Mark K. Reeter, County Administrator, addressed the Board with a resolution endorsing Bedford Town Council’s resolution from July 22 concerning a Passenger Rail Stop within the Town of Bedford. Mr. Reeter reviewed the process that led to the request before the Board this evening, noting that this was in addition to the resolution the Board passed in December asking the Virginia Department of Rail and Public Transportation (DRPT) to give consideration to a local rail stop.

Chairman Sharp asked if this resolution meant the County was committing to a rail station before they have been given a rail stop. Mr. Reeter said the language in this resolution was largely provided to him, but in the resolved action it says the Board is endorsing the creation of a regional passenger station/stop in the Town of Bedford and also endorses the Bedford Town Council’s resolution of July 22, 2014; the Board is not committing any funds. Chairman Sharp said that DRPT has already responded to a rail stop request with no (for now), and asked if there is any chance this resolution would offend the DRPT; Mr. Reeter responded in the negative.

Supervisor Wilkerson noted that this resolution shows in a respectful way the support this request has in this area, and that he is personally in support of it.

Vice-Chairman Parker made a motion to approve Resolution #R090814-06.

WHEREAS, the Virginia Department of Rail and Public Transportation (hereinafter DRPT) has announced that on or before the year 2017 rail passenger service will be extended to the City of Roanoke, Virginia, passing through but not stopping in the Town of Bedford, Virginia, and

WHEREAS, passenger rail service to Bedford County, Virginia is included in the 2025 Bedford County Comprehensive Plan, noting “...*this service will not only spur commercial development in and around the station locations but it will provide an invaluable transportation alternative to the citizens of Bedford County.*”, and

WHEREAS, citizens and citizen organizations of the Town of Bedford and Counties of Bedford and Franklin, Virginia have expressed strong support for a rail passenger station stop in the Town of Bedford, and

WHEREAS, the Town Council of the Town of Bedford by Resolution dated July 22, 2014 has endorsed the placement of a Bedford Town rail passenger rail station within the Town's limits, and

WHEREAS, the Board of Supervisors of Bedford County views the placement of a Bedford passenger rail station stop the Town of Bedford as a vital element in meeting the County's current needs and plans for growth and economic development, while serving the regional passenger rail transportation needs and plans of Bedford and Franklin Counties;

NOW, THEREFORE, BE IT RESOLVED, by the Bedford County Board of Supervisors that the Board does hereby endorse the creation of a regional passenger rail station stop in the Town of Bedford and the Bedford Town Council's Resolution of July 22, 2014, and authorizes County staff as may be requested and appropriate to participate and assist in negotiations between the Town of Bedford, Franklin County and citizen organizations thereof, the DRPT and officials of the Commonwealth of Virginia and federal government to realize the aforementioned rail passenger station stop in the Town of Bedford.

Voting yes: Mr. Thomasson, Mr. Martin, Mr. Wilkerson, Mr. Sharp, Mr. Arrington and Mrs. Parker

Voting no: None

Absent: Mrs. Pollard

Motion passed.

(7) BOARD COMMENTS, COMMITTEE REPORTS, REQUESTS AND RECOMMENDATIONS

Supervisor Martin said he is very concerned with the fact that people have to give up their property rights in order to obtain permission to build a dock. He said he would like to see this changed so that it matches the process in Franklin and Pittsylvania Counties, which means residents will come to the County to get their building permits instead of going to AEP for the permits first. He said AEP has a stipulation that forces them to sign away their property rights in order to get the permit.

Attorney Boggess explained how the process in Bedford came into use, noting that in 2008 the Board did away with a dock ordinance so that residents would not have to get a permit from both the County and AEP (except for community docks); this has worked extremely well and there have been very few complaints. He said he would be happy to do a memorandum on this issue for the Board, noting that these issues will have to be settled in Federal Court and not State Court.

Supervisor Martin disagreed, stating that the issue is with AEP and needs to be addressed by the County. Attorney Boggess said he felt the Board should have his written legal opinion on this before deciding to put a dock ordinance back in place. Supervisor Martin said we are the only locality on the Lake that has to sign off on property rights to AEP.

Chairman Sharp said he recalls how this came into play, and that it was originally put in place to simplify things for residents. Supervisor Martin said this is not the problem; the problem is with AEP stipulating that in order to get the permit you have to sign away your property rights. Supervisor Thomasson asked if Bedford County Attorney could consult with Pittsylvania County's attorney regarding this issue.

Supervisor Wilkerson said it was his understanding that the core of the issue lies in new owners of these properties having to reaffirm the agreements. He asked Attorney Boggess to frame his opinion around the flowage easements and the related rights.

(7a) The Board was given a copy of the Bedford County Treasurer's annual report for review.

(7b) The Board was given a copy of the Planning Commission meeting minutes from June 17, July 8 and August 5, 2014 for review.

(7c) The Board was given a copy of the Bedford Regional Water Authority meeting minutes from July 15, 2014 for review.

(7d) The Board was given a copy of the Community Development's Building Report from July 2014 for review.

(7e) The Board was given a copy of the Tri-County Lakes Administrative Commission, Environmental Committee, meeting minutes from May 27, 2014 for review.

(7f) The Board was given a copy of the Tri-County Lakes Administrative Commission meeting minutes from July 8, 2014 for review.

(7g) The Board was given a copy of the Bedford Communications Report from July 2014 for review.

(8) APPOINTMENTS TO BOARD, COMMISSIONS AND COMMITTEES

None at this time.

(9) COUNTY ATTORNEY'S REPORTS, REQUESTS AND RECOMMENDATIONS

None at this time.

(10) COUNTY ADMINISTRATOR'S REPORTS, REQUESTS AND RECOMMENDATIONS

(10a) Mr. Reeter asked for guidance from the Board regarding hiring a Tourism Director and the development of a strategic plan. After a brief discussion, the consensus of the Board was to hire a Tourism Director first, and then have the Director work to build a strategic plan with a consultant if needed.

(10b) *(formerly Item #10e)* **Supervisor Thomasson made a motion for the Board to enter into closed session** pursuant to Section 2.2-3711 (A) (1) as to the discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion,

salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; specifically, related to the County Administrator; **motion passed by acclamation.**

Supervisor Thomasson made a motion to go back into regular session; motion passed by acclamation.

WHEREAS, the Bedford County Board of Supervisors has convened a Closed Meeting, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, §2.2-3712 of the Code of Virginia requires a certification by the Bedford County Board of Supervisors that such closed meeting was conducted in conformity with Virginia Law.

NOW, THEREFORE BE IT RESOLVED, that the Bedford County Board of Supervisors does hereby certify that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting was heard, discussed or considered by the Bedford County Board of Supervisors.

<u>MEMBERS:</u>	<u>VOTE:</u>
John Sharp, Chairman	Yes
Tammy Parker, Vice-Chairman	Yes
Bill Thomasson	Yes
Curry W. Martin	Yes
Steve Wilkerson	Yes
Steve Arrington	Yes
Annie S. Pollard	Absent

(10b) Mr. Reeter gave the Board a copy of an article regarding the anticipated State revenue shortfall, as well as a copy of the Governor's speech regarding this issue.

(10c) Mr. Reeter noted that he will need the Board to begin considering what they wanted this year's legislative priorities to be, as these will be forwarded to VACo and our legislators in the next few months.

Chairman Sharp said he would like to see VACo discuss conceal/carry by local school personnel, as is being done in more localities across the county.

Supervisor Martin said he would like to see something put in place to allow counties to opt out of State mandates that are beyond their financial capabilities.

(10d) Mr. Reeter stated that the Bedford Town Council has requested a joint meeting with the Board on October 20, 2014, to hear a presentation from Mr. E. W. Tibbs regarding the impact of Centra Health's assumption of the Bedford Hospital. The Board agreed to meet on the 20th at the Welcome Center (time to be determined later).

(11) **PENDING MATTERS**

- Supervisor Thomasson confirmed that he would be attending the VACo conference in November.

(12) **UPCOMING MEETINGS**

Chairman Sharp noted the Board's upcoming meetings as follows: September 22nd – Regular Meeting at 7:30 p.m.; October 14th (**Tuesday**) – Joint Meeting with Economic Development Authority at 5:00 p.m. (*Ground Floor Meeting Room*), Regular Meeting at 7:30 p.m. (*Boardroom*); October 20th - Joint meeting with the Bedford Town Council at the Welcome Center; October 27th – Regular Meeting at 7:30 p.m.

Supervisor Wilkerson made a motion to adjourn the meeting at 9:02 p.m.; motion passed by acclamation.