



MINUTES

BEDFORD COUNTY BOARD OF SUPERVISORS

BEDFORD COUNTY ADMINISTRATION BUILDING

SEPTEMBER 9, 2013

5:00 P.M. WORK SESSION

- a. Presentation by Sheriff Brown, Major Gardner and Captain Miller from the Sheriff's Office regarding the department's use of license plate readers.
- b. Closed Session pursuant to Sections 2.2-3711 (A) (3) for discussion or consideration of the acquisition or disposition of real property for a public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

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

(For items on this agenda that have not been addressed at a Public Hearing)

(3) APPROVAL OF CONSENT AGENDA

- a. Consideration from the Communications Center to accept grant funds in the amount of \$2,000.00, and for a Supplemental Appropriation of these funds. *(Resolution #R090913-01)*
- b. Consideration of a request from the Domestic Violence Program to accept a grant increase in the amount of \$5,590.00. *(Resolution #R090913-02)*
- c. Consideration of a request from the Sheriff's Department for a Supplemental Appropriation in the amount of \$15,000.00, which represents funding from the DMV Selective Enforcement (Alcohol) Grant. *(Resolution #R090913-03)*

- d. Consideration of a request from the Sheriff's Department for a Supplemental Appropriation in the amount of \$8,400.00, which represents funding from the DMV Selective Enforcement (Speed) Grant. (*Resolution #R090913-04*)
 - e. Consideration of a request from the Fire and Rescue Department for a Supplemental Appropriation in the amount of \$200.00, which represents funds from a citizen donation for pet oxygen masks. (*Resolution #R090913-10*)
- (4) APPROVAL OF MINUTES – August 26, 2013 (to follow under separate cover)**
- (5) PUBLIC HEARINGS / PUBLIC APPEARANCES**
- a. Presentation regarding more training space for Fire and Rescue.
 - *Presentation: John Singer and June Lefke*
 - b. Presentation on behalf of residents of Mariners Landing regarding a speed study.
 - *Presentation: Cindy Barlow*
 - c. Presentation regarding the development and additional funding for the Regional Radio Board.
 - *Presentation: Gary Christie, Region 2000*
 - d. Presentation – Update on Road issues
 - *Presentation: Todd Daniel, VDOT*
 - e. Presentation on the status of development of the Montvale Park needs.
 - *Staff Presentation: Michael Stokes, Director of Parks and Recreation*
- (6) ACTION ITEMS**
- a. Consideration of a request from Fiscal Management to establish the Personal Property Tax Relief Rate (PPTRA). (*Resolution #R090913-05*)
 - *Staff Presentation: Susan Crawford, Director of Fiscal Management*
 - b. Consideration of Zoning Ordinance Text Amendments to Article I of the Bedford County Zoning Ordinance as initiated by resolution of the Bedford County Board of Supervisors. (*R090913-06*)
 - *Staff Presentation: Carl Boggess, County Attorney and Tim Wilson, Director of Community Development*
- (7) BOARD COMMENTS, COMMITTEE REPORTS, REQUESTS AND RECOMMENDATIONS**
- a. Social Services Board meeting minutes from June 20, 2013.
 - b. Bedford Regional Water Authority meeting minutes from July 23, 2013.
 - c. Bedford Public Library Board of Trustees meeting minutes from August 6, 2013 (dated September 3, 2013).

d. Notice – Mid-Atlantic Broadband meeting on September 13, 2013.

(8) APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

a. Appointment to the Central Virginia Alcohol Safety Action Program.

(9) COUNTY ATTORNEY REPORTS, REQUESTS AND RECOMMENDATIONS

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

a. Closed Session pursuant to Sections 2.2-3711 (A) (5), (30) and (1) for discussion or consideration of a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the businesses’ or industry’s interest in location or expanding its facilities in the community; the discussion of the award of a public contract involving the expenditure of public funds, where discussion in open session would adversely affect the bargaining position or negotiating strategy of the public body; and 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.

(11) PENDING MATTERS

(12) UPCOMING MEETINGS

- September 23 – Regular Meeting at 7:30 P.M.
- October 15 (*Tuesday*) – Regular Meeting at 7:30 P.M. (Work session held jointly with the EDA at 5:00 P.M. at the Welcome Center)
- October 28 - Regular Meeting at 7:30 P.M.

5:00 P.M. – WORK SESSION

Board of Supervisors: Steve Arrington, Chairman – District 5, John Sharp, Vice-Chairman, District 4; Bill Thomasson, District 1; Curry Martin, District 2; Roger Cheek, District 3; Annie Pollard, District 6 and Tammy Parker, District 7

Staff Present: Mark K. Reeter, Frank J. Rogers, Carl Boggess, Sheriff Mike Brown, Captain Mike Miller, Major Ricky Gardner, Chief Jack Jones, Jr. and Brigitte Petersen

Chairman Arrington welcomed everyone to the meeting, and then turned it over to Sheriff Mike Brown.

Sheriff Brown addressed the Board with a presentation regarding the use of license plate readers. He noted the system is approved for use by both the courts and the Commonwealth Attorney, and briefly detailed how the system worked. He stated that his office has one plate reader device, and that all the

information gathered on the stand-alone hard-drive is dumped after 90 days. Sheriff Brown said that it is only used when they receive notification from the State Police, etc., regarding specific gang activity or amber alerts, and that the information gathered is not shared outside the Sheriff's office unless there is a hit with regard to that specific notification. He clarified that a driver is not stopped unless they come up in the system as wanted for a crime. Sheriff Brown stated that this device was paid for with grant money from the State.

There followed a brief discussion between Sheriff Brown and members of the Supervisors regarding the applications of the plate reader, with the Board voicing their concern that this device may violate citizen privacy. Sheriff Brown assured the Board a database is not being built with the information gathered, and the information is permanently dumped after 90 days. Several Board members reiterated that they felt keeping the information 90 days was too long.

There being no further discussion on the plate readers, the Chairman called for a motion for the Board to go into closed session.

Supervisor Thomasson made a motion to go into Closed Session pursuant to Sections 2.2-3711 (A) (1) and (3) for discussion or consideration of the acquisition or disposition of real property for a public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body; and 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.

**Voting yes: Mr. Thomasson, Mr. Martin, Mr. Cheek, Mr. Sharp, Mr. Arrington,
Mrs. Pollard and Mrs. Parker**

Voting no: None

Motion Passed.

The Board remained in Closed Session in the Board conference room for dinner.

7:30 P.M. – REGULAR MEETING

Board of Supervisors: Steve Arrington, Chairman – District 5, John Sharp, Vice-Chairman, District 4; Bill Thomasson, District 1; Curry Martin, District 2; Roger Cheek, District 3; Annie Pollard, District 6 and Tammy Parker, District 7

Staff Present: Mark K. Reeter, Frank J. Rogers, Carl Boggess, Chief Jack Jones, Jr., Captain Kevin Adams, Susan Crawford, Janet Blankenship, John Barrett, Robin Sundquist, Michael Stokes, Tim Wilson, Traci Blido and Brigitte Petersen

Supervisor Cheek made a motion to go back into regular session.

**Voting yes: Mr. Thomasson, Mr. Martin, Mr. Cheek, Mr. Sharp, Mr. Arrington,
Mrs. Pollard and Mrs. Parker**

Voting no: None

Motion Passed.

WHEREAS, the Bedford County Board of Supervisors has convened a Closed Meeting on this the 9th day of September 2013, 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 on this 9th day of September 2013, 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.

MEMBERS:

VOTE:

| | |
|---------------------------|-----|
| Steve Arrington, Chairman | Yes |
| John Sharp, Vice-Chairman | Yes |
| Bill Thomasson | Yes |
| Curry W. Martin | Yes |
| Roger W. Cheek | Yes |
| Annie S. Pollard | Yes |
| Tammy Parker | Yes |

Chairman Arrington welcomed those in attendance; a moment of silence was held and the Pledge of Allegiance was said.

(1) APPROVAL OF AGENDA

Mr. Mark K. Reeter, County Administrator, read the changes to the agenda as follows:

- Additional documentation under Minutes for Approval, #4 – Minutes from August 26, 2013.
- Additional documentation under Action Items, #6a: Updated memo and resolution for Personal Property Tax Relief (PPTRA).
- Added under Action Items, #6c – initiating resolution for text amendments to the zoning ordinance.

Supervisor Pollard noted that she may have possible action under Item #5c.

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

Chairman Arrington noted that in the earlier work session with Sheriff Mike Brown, it was erroneously stated that funds for the license plate reader came from a grant. It has since been clarified that the funds came from drug forfeitures.

(2) FIFTEEN MINUTE CITIZEN COMMENT PERIOD

Jackie Davis, citizen from Thaxton, addressed the Board with a prayer.

Ann Briscoe, citizen from Thaxton, asked the Board how many crimes had been resolved specifically due to the use of the license plate reader discussed in the work session earlier this evening.

Chairman Arrington noted that Mrs. Briscoe's question would be passed along to the Sheriff.

John Briscoe, citizen from Thaxton, stated that while he appreciated the forthrightness of the Sheriff regarding the use of a license plate reader during the work session, he still has misgivings about its use. Mr. Briscoe said he would rather the information gathered with the reader was dumped quickly instead of being held for 90 days.

Josiah Tillet, citizen from Forest, stated that, with regard to the license plate reader, it's a good policy to never take the government's word that you can trust them with power that should not be theirs. He said it's the responsibility of the Board and the citizens to make sure the government is restrained so authority is not abused.

Ryan Stevens, citizen from Montvale, addressed the Board to voice his support for finishing Montvale Park. He noted the park's contribution to the social, physical and economic wellbeing of the community, and urged the Board to support funding the park's completion.

Cindy Baldwin, citizen from Huddleston, address the Board with her concern that the speed limit on Deer Trail Road (Route 1360) is being studied for an increase from 25mph to 35mph. She noted that this road is in a golfing community, where there are golf carts, children, pedestrians and tourists frequently crossing the road. She stated that drivers already speed through, and that an increased speed limit will only encourage drivers to drive even faster. Ms. Baldwin concluded by presenting the Board with the signatures of 71 citizens opposed to the increase in the speed limit.

Chairman Arrington noted that Ms. Baldwin was originally scheduled to address the Board under Public Appearances, Item #5b.

Nathan O'Brien, a Boy Scout from Troup 183, stated that he would like to do his Eagle project at the Montvale Park and voiced his support for having the park finished.

(3) APPROVAL OF CONSENT AGENDA

Mr. Mark K. Reeter, County Administrator, read the Consent Agenda for the benefit of those in attendance:

- a. Consideration from the Communications Center to accept grant funds in the amount of \$2,000.00, and for a Supplemental Appropriation of these funds. (*Resolution #R090913-01*)
- b. Consideration of a request from the Domestic Violence Program to accept a grant increase in the amount of \$5,590.00. (*Resolution #R090913-02*)
- c. Consideration of a request from the Sheriff's Department for a Supplemental Appropriation in the amount of \$15,000.00, which represents funding from the DMV Selective Enforcement (Alcohol) Grant. (*Resolution #R090913-03*)
- d. Consideration of a request from the Sheriff's Department for a Supplemental Appropriation in the amount of \$8,400.00, which represents funding from the DMV Selective Enforcement (Speed) Grant. (*Resolution #R090913-04*)
- e. Consideration of a request from the Fire and Rescue Department for a Supplemental Appropriation in the amount of \$200.00, which represents funds from a citizen donation for pet oxygen masks. (*Resolution #R090913-10*)

Supervisor Cheek made a motion to approve the Consent Agenda as presented.

**Voting yes: Mr. Thomasson, Mr. Martin, Mr. Cheek, Mr. Sharp, Mr. Arrington,
Mrs. Pollard and Mrs. Parker**

Voting no: None

Motion passed.

(4) APPROVAL OF MINUTES

Supervisor Thomasson requested that the approval for the minutes of August 26, 2013 be tabled until the next meeting; motion passed by acclamation.

(5) PUBLIC HEARINGS / PUBLIC APPEARANCES

(5a) Captain John Singer (Moneta Rescue Squad) and Captain June Leffke (Boonsboro Rescue Squad) addressed the Board with a request for better training facilities for the Fire and Rescue Volunteers.

Captain Singer noted that he has served for 15 years and he runs approximately 300 calls a year. He reviewed some statistics with the Board with regard to the number of trained EMT and Paramedic volunteers in the County, noting that the numbers of trained volunteers were low and the number of calls

for assistance was high. He said there is no longer a logical way to advance EMTs forward to higher training in the county-wide system since the training cannot be provided locally due to space limitations. Captain Singer stated that if something is not done to engage and train younger volunteers, in five years his station will have to close since there are very few trained people that now respond to calls.

Captain Leffke addressed the Board with a brief description of the training she provides to the volunteers and career staff, and the serious lack of training space and equipment needed to maintain the volunteer system. She noted the various issues with the current training space, including unreliable heat and air conditioning, flooring that needs to be replaced and the inability to accommodate more than a handful of students in each room. Captain Leffke urged the Board to plan to enable the training to move to a facility in the next two years that will meet their training needs; training equipment, such as mannequins, simulators and other supplies, are also needed. She noted that the currently facility is not accredited for training, as it is inadequate to the accreditation requirements and centralized training is no longer possible at the site.

Captain Leffke concluded by stating that while she understands funding is tight, the Board should consider what the expense to the County will be if it loses its volunteer system.

Chairman Arrington thanked Captains Singer and Leffke for their comments and their service to the County. He stated that the Board is very aware of the issues facing the volunteer system and its value to Bedford, and has made their concerns a legislative priority.

Supervisor Thomasson noted the training issues are also being addressed through the Virginia Association of Counties (VACo). Supervisor Pollard stated that the Bedford Town Fire Department has offered its facility for training and asked if it would be adequate to the training needs; Captain Singer noted that this site would not work for training for a variety of reasons as it is also not accredited. In response to a question from Supervisor Thomasson, Captain Leffke stated the new curriculum became effect July 2012; the facility requirements have been the same for some time, but the current facility does not allow for compliance with the new curriculum requirements.

Captain Leffke noted that taking the basic EMT training class would cost \$800 per person and requires four months to complete. There followed a brief discussion between Captain Singer, Captain Leffke and members of the Board on the issues facing the volunteer system.

(5b) (This item was addressed during the Citizen Comment Period).

(5c) Mr. Gary Christie, Region 2000, addressed the Board with an update on the upgrade being conducted on the regional radio system. He briefly reviewed the process that resulted in the current regional radio infrastructure between Amherst, Lynchburg and Bedford, which enables emergency officials to communicate throughout all three regions. He noted that the regional system has also been more economical than operating three separate systems. Mr. Christie stated that the computer equipment

is now reaching the end of its life and could no longer be serviced. In addition, they are looking to move from an 11 tower system to a 16 tower system, with 95% mobile radio coverage throughout the regional areas. He reviewed some of the details of the upgrade, and stated additional funds may be needed to cover unexpected real estate and tower transaction costs. Mr. Christie stated that, worst case scenario, they anticipate additional funding of \$700,000.00 will be needed, with Bedford's share as 41.9% of that amount. He stated they are working to keep the costs down, and will hopefully be able to come back with a lesser amount. He said that the funding could come out of the FY2014 budget, or Region 2000 could take out a loan and pay it from the FY2015 funds next year. Bedford is the first to hear this proposal, so after presenting to Amherst and Lynchburg he will come back to the Board for direction on how they wish to proceed with funding. He concluded by offering to pass along any comments or suggestions the Board may have to Amherst and Lynchburg at their respective presentations.

In response to a question from Supervisor Thomasson, Mr. Christie stated that originally \$13.1 million was borrowed for the system (to be paid back by the jurisdictions over 15 years), the contract with Harris is for \$11.3 million and this latest piece will be up to an additional \$700,000.00.

Supervisor Martin asked why it's so expensive and why Bedford pays such a large share. Chairman Arrington asked why a tower that was initially identified can now no longer be used; Mr. Christie replied that that particular tower ended up not working out due to issues with US Cellular. Chairman Arrington noted the funding will certainly be higher than what is being discussed this evening, as new equipment will need to be purchased as well. Supervisor Martin asked why Campbell County isn't involved; Vice-Chairman Sharp clarified that Campbell declined the offer to participate in the system when it first originated, but may opt in once their current system needs to be replaced.

In response to a question from Vice-Chairman Sharp, Mr. Christie offered to provide a list of where various funding has been used for this project in Region 2000. There followed a brief discussion between Mr. Christie and members of the Board regarding this project. In response to a question from Supervisor Cheek, Mr. Christie noted that the new equipment is expected to last 14-15 years.

John Barrett, E-911 Communications Coordinator, stated that the County's percentage share is based on per capita; he noted that the County has also recently had to pick up the Town's share due to reversion. Vice-Chairman Sharp commented that the size of the County and the need for more radios also contributes to the percentage. More discussion followed on various potential funding scenarios, with Mr. Mark Reeter asking the Board to provide Mr. Christie with direction on how, financially, they would like to handle this request. The consensus of the Board was to pay for this request in cash versus taking out a loan; Mr. Christie noted that all three localities would have to agree on the funding method.

(5d) Todd Daniel, VDOT Residency Administrator, and Brian Casella, Bedford Area Land Use Engineer, addressed the Board with a transportation and land use report. Mr. Daniel turned the meeting over to Mr. Casella, who distributed information on maintenance activity, land developments and permits,

traffic studies and special requests, the status of various projects throughout the County and additions that have been made to the Secondary System of State highways. Mr. Casella then noted the following items from the report:

- Ordinary maintenance – pavement repair, gravel road repair, mowing brush removal and shoulder repair
- Route 24 (Shingle Block Road) – latex overlay is complete
- Route 643 (Jopling Road) superstructure replacement. Contractor installed notice of bridge closure from September 16 through September 20, 2013. The bridge will remain closed through September 20, 2013.
- Route 689 (Irving Road) - Box Culvert Replacement is scheduled to be completed by mid November.
- Route 755 (Union Church Road) - Culvert replacement. Roadway opened to traffic on Friday, September 6, 2013.
- Route 1239 (SpringLake Road) - Culvert replacement. Contractor installing temporary bridge and maintaining traffic control with a minimum of one lane of travel.
- Various Routes - Regional Guardrail Contract has been awarded and we will begin to see guardrail repairs countywide.
- There has been an increase of special event permits.
- Through Truck Restrictions on Route 644 (Old Cifax Road and Coffee Road) and Route 695 (Goose Creek Valley Road) are still in progress
- Route 43 (Virginia Byway) – request speed study from Bedford Town Limit to Route 722 (five Forks Road); study is under review.

In response to a question from Supervisor Cheek, Mr. Casella stated there are a number of driveways off this road with poor site distance, which resulted in a citizen making a request for this speed study.

- Route 695 (Goose Creek Valley Road) – Speed limit reduced to 35 mph from intersection of Route 617 (Pike Road) to 0.26 mile north of Route 693 (Statler Road), a distance of 3.32 miles.
- Route 722 (Five Forks Road) – Speed limit is posted at 35 mph, from Route 747 (Old County Road) to Route 723 (MacDaniel Road), for a distance of 1.7 miles, following completion of Rural Rustic Road project.
- Route 773 (Two Church Lane) – Speed study under review as requested by the Board of Supervisors.

- Route 781 (Tabernacle Lane) – Speed limit posted at 35 mph for entire roadway following completion of Rural Rustic Road project, a distance of 1.34 miles.
- Route 1360 (Deer Trail Drive) – Request to increase the speed limit from 25 mph to 35 mph from Route 626 (Smith Mountain Lake Parkway) to Route 1364 (Lake Retreat Road), a distance of 1.3 miles. Study is on hold pending Board and community input.

Supervisor Martin stated that this area has been at 25 mph due to the golf carts, pedestrians, etc.

Supervisor Martin made a motion to keep the speed limit on Route 1360 (Deer Trail Road) set at 25mph.

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

Voting no: None

Motion passed.

- 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 in progress.
- Route 622 (Everett Road) – Review existing passing zone at intersection of Route 1515 (Merrywood Drive).
- Route 626 (Smith Mountain lake Parkway) and Route 608 (White House Road) – Intersection realigned to a traditional “T” type to avoid conflicting movements.
- Route 699 (Bore Auger Road) – Study for guardrail from Botetourt County line to southern end of Route 887 (Auger Loop Road) is under review.
- Route 1240 (Lake Vista Drive) – POA requests traffic calming measures to include a speed hump in the vicinity of 615 Lake Vista Drive. A resolution for traffic calming measures is required by the Board of Supervisors prior to this being allowed. In response to a question from Vice-Chairman Sharp, Mr. Daniel stated the Board does not actually document the properties or do the surveys. In response to a question from Chairman Arrington, Mr. Daniel said the funding for this would be taken out of the secondary six-year plan. Supervisor Pollard asked if her prior request for similar measures on Mountain Meadows was ever looked into; Mr. Daniel replied that he didn’t recall requesting a study, but he would look into it.
- Route 221 (Forest Road) – Left turn lanes at Route 668 (Goode Station Road) – in preliminary engineering. Public information meeting was held on March 12, 2013 to receive community input following plan revision from previous community input. Tentative construction set for November 2019.

- Route 460 (West Lynchburg-Salem Turnpike) – Safety improvement west bound lane grade changes near State Police office – in preliminary engineering. Proposed ad date is December 2013.
- Route 668 (Goode Station Road) – Bridge over Norfolk Southern Railroad – In preliminary engineering. Working with property owner affected by total take of residence. Proposed construction 2020.
- Secondary Additions – Autumn Run Subdivision, Cobbs Corner Subdivision, Farmington Subdivision (Sections 8 and 15), Great Oak Subdivision, Mayberry Hills Subdivision and West Crossing Subdivision.

In response to a question from Chairman Arrington, Mr. Casella stated that the monthly updates the Board used to receive from VDOT ended due to there being nothing to report; a lack of funding severely limited road projects. The consensus of the Board was to have VDOT give updates on a bi-monthly basis.

(5e) Michael Stokes, Director of Parks and Recreation, addressed the Board with a report of the status of the development of Montvale Park. Mr. Stokes thanked those who spoke in favor of Montvale Park this evening, and then listed the ongoing projects. Various needs to complete the project include adding trails to the north side of the park, a second shelter, playground equipment, a paved trail, a bridge to access to other side of the park, signage, landscaping, trash cans, installing water fountains and misters (already in stock), fencing and restroom facilities. Mr. Stokes stated there is currently \$139,605.00 in the CIP for this park, which is \$127,720.00 short of the anticipated costs to complete all these projects.

Supervisor Pollard stated this park has been on hold for 13 years, and she feels that the recently collected, and unallocated, delinquent tax revenue could go towards completing these projects.

Supervisor Pollard made a motion to allocate \$105,000.00 in funds from recently collected delinquent tax revenue to projects needed to complete Montvale Park.

In response to a question from Vice-Chairman Sharp, Attorney Boggess stated that since Mrs. Pollard added a motion at the beginning of the meeting for this item, the vote does not need to be unanimous. Vice-Chairman Sharp stated that he thought Supervisor Pollard added a motion for Item #5c and that this was Item #5e. Attorney Boggess responded that she did say ‘c’, but he understood that she meant ‘e’. Supervisor Thomasson asked what the total cost for the park projects; Mr. Stokes replied it was approximately \$267,325.00, which includes the CIP funding currently in place.

Voting yes: Mr. Thomasson, Mr. Martin, Mr. Cheek, Mr. Arrington, Mrs. Pollard and Mrs. Parker

Voting no: Mr. Sharp

Motion passed.

(6) ACTION ITEMS

(6a) Susan Crawford, Director of Fiscal Management, addressed the Board with a request to establish the Personal Property Tax Relief Rate (PPTRA). Ms. Crawford stated this was necessary to complete the Fiscal Year 2014 budget process. Staff did not propose a rate during the budget process, as it is best to wait until the Commissioner provides a preliminary assessment value. She stated that staff has estimated the personal property PPTRA values will increase approximately 2% from 2012, and is recommending a 54% relief percentage. She noted that relief at 54% will provide Bedford County citizens with approximately the same amount of relief that is received from the State.

In response to a question from Supervisor Thomasson, Ms. Crawford stated the present rate is 55%.

Vice-Chairman Sharp made a motion to approve Resolution #R092313-05.

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” §17-17 “Personal Property Relief”); and

WHEREAS, pursuant to §17-17 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 17-6 “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 four percent (54%). 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. Cheek, Mr. Sharp, Mr. Arrington,
Mrs. Pollard and Mrs. Parker**

Voting no: None

Motion passed.

(6b) Tim Wilson, Director of Community Development, addressed the Board with a request to approve text amendments to the Zoning Ordinance, Article I. Mr. Wilson noted that these changes were an amendment to the Board's application request to modify the terms of Article I with regard to the "Posting of Property".

Supervisor Martin noted that he has no objection to the signs as they are not a burden on individuals.

Vice-Chairman Sharp made a motion to approve Resolution #R092313-06.

WHEREAS, by Resolution adopted on August 12, 2013 the Board of Supervisors initiated a comprehensive set of amendments to the provisions of Article I, General Provisions, of the Bedford County Zoning Ordinance; and

WHEREAS, included in these amendments was the proposed rescinding of requirements related to the posting of property with signs for applications for zoning map amendments, special use permits, and variance applications in advance of public hearings by the Planning Commission, Board of Supervisors, and Board of Zoning Appeals as presently set forth in Zoning Ordinance Sections 30-14-4, *Posting of property* and 30-14-5 *Posting of Property, Exemptions*; and

WHEREAS, after further discussion and contemplation of this proposed change by the Board of Supervisors, it is no longer the Board's desire to rescind these sections in their entirety, but to combine and modify these sections as follows:

Sec. 30-14-3 Posting of Property

- (A) Notwithstanding any advertising requirements imposed by Section 15.2-2204 of the Code of Virginia, as amended, any ~~applicant for a~~ proposed map amendment, special use permit, variance, or any other type of review as elsewhere specified in this ordinance shall have ~~the additional responsibility of placing~~ public notice signs posted on the subject property by the county ~~proposed for review.~~
- (B) Signs shall be posted on the subject property at least 14 days prior to the planning commission's public hearing and shall remain posted until the board of supervisors has acted on the application or the application has been withdrawn. ~~and at least 7 days prior to the Neighborhood Informational meeting on the pending application, signs the applicant shall be erected on the subject property signs indicating the change proposed and the date, time, and place of the public hearing/informational meeting. The wording and size of the sign shall be approved by the zoning administrator. The applicant shall notify the zoning administrator of the sign's installation so that it may be inspected to insure compliance with these requirements.~~
- (C) ~~The zoning administrator shall determine the number of signs required; however,~~ There shall be at least one sign posted along each public right-of-way abutting the property. ~~At least one sign shall be posted every 300 feet along any single right of way.~~ For properties that lack any public

right-of-way, the location and number of signs shall be ~~all required signs shall be posted along at least 2 property lines, as determined by the zoning administrator.~~

- (D) Each sign shall state that the subject property is subject to a public hearing and explain how to obtain additional information about the public hearing. ~~The applicant shall have the responsibility to determine and provide the Structural elements necessary to erect the sign on the property. All signs erected must be posted within 10 feet of the adjacent right-of-way, and must be clearly visible from same.~~
- (E) ~~The applicant shall have the responsibility of protecting the Signs shall be protected from the elements to ensure that the sign is in place and legible through the date of the public hearing/informational meeting. If any sign is damaged due to the elements, such that the pertinent information on the sign is unreadable, the public hearing/informational meeting may be rescheduled or continued. The applicant shall be responsible for all advertising costs associated with rescheduling the public hearing/informational meeting.~~
- (F) ~~All public hearing/informational meeting signs posted shall be removed from the property by the applicant within 14 days after the planning commission's public hearing or the informational meeting.~~

Sec. 30-14-5 Posting of Property; Exemptions

(A) The following exemption shall apply to the provisions of Section 30-14-4:

1. The posting of property shall not be required for any action initiated by a resolution of the board of supervisors, if the action encompasses more than 26 parcels of land.
2. ~~Vandalism or unauthorized removal of the signs prior to the planning commission hearing or neighborhood informational meeting shall not violate the public notice intent of Section 30-14-4. The zoning administrator shall have the responsibility for determining whether or not the signs have been vandalized.~~

NOW, THEREFORE, BE IT RESOLVED, the Bedford County Board of Supervisors does hereby modify its proposed zoning ordinance amendment action initiated on August 12, 2013 so as not to rescind the provisions of Sections 30-14-4 and 30-14-5 of the zoning ordinance in their entirety as originally proposed, but to combine and amend these ordinance sections as set forth above.

Voting yes: Mr. Thomasson, Mr. Martin, Mr. Cheek, Mr. Sharp, Mrs. Pollard and Mrs. Parker

Voting no: Mr. Arrington

Motion passed.

(6c) Tim Wilson, Director of Community Development, addressed the Board with a request for approval of an initiating resolution regarding the permitting of manufactured homes. Mr. Wilson stated that he and Supervisor Parker had worked on this change; he then reviewed the process currently in place,

and stated that this request is to simply remove an outmoded process. Supervisor Parker added that this is just intended to mirror the recent changes in Article I, and removes items that should not have been in the text to begin with. Supervisor Parker and Mr. Wilson both stressed that this is just an initiating resolution so that this issue may be taken up by the Planning Commission.

There followed a brief discussion between Mr. Wilson and members of the Board regarding this resolution. Supervisor Thomasson expressed his concern that this will allow a developer to endlessly add homes; Vice-Chairman Sharp and Supervisor Parker pointed out that the ordinance specifically states this is for “infill”.

Supervisor Parker made a motion to approve Resolution #R090913-12.

WHEREAS, manufactured homes provide an affordable and safe housing option for a notable segment of the county’s population; and

WHEREAS, manufactured homes are a principal single-family use already permitted by right in select residential zoning districts in accordance with general district regulations and more stringent use and design standards set forth in Article IV of the Zoning Ordinance; and

WHEREAS, it is the value of the Board of Supervisors that the administration and permitting processes of the Zoning Ordinance be conducted in such manner as to minimize costs and to maximize timeliness and convenience, and that the lengthy permitting by right procedure attached to manufactured homes on individual lots in residential districts is contrary to this value; and

WHEREAS, the special permitting by right of manufactured homes in residential zoning districts improperly assigns authorities to the zoning administrator and planning commission to make discretionary findings, including the imposing of conditions above and beyond stated ordinance standards;

NOW, THEREFORE, BE IT RESOLVED, that for the reasons stated above and in the furtherance of promoting the public necessity, convenience, general welfare, and for good zoning practice the Bedford County Board of Supervisors hereby initiates amendments to the regulations of *Section 30-82-7, Manufactured Home* and *Section 30-82-9, Manufactured Homes, Class A* of the Bedford County Zoning Ordinance, to rescind the following identified provisions.

Sec. 30-82-7. Manufactured home.

- (a) Intent. Manufactured homes provide a viable and affordable housing option for a segment of the county's population. This housing option is provided in areas predominately of agricultural and forest use with minimal requirements, consistent with the state code. This option is also provided under certain design criteria in more residentially developed areas where they will not conflict with developments planned for site-built dwellings.
- (b) General standards on individual lots outside manufactured home parks:
 - (1) No manufactured homes constructed before July 1, 1976, shall be erected, installed, occupied or sold in Bedford County, except under the following conditions:

- a. The manufactured home existed in the county prior to the effective date of this ordinance and shall be allowed to be relocated and/or remain in a mobile home park; and
 - b. A manufactured home located outside of a mobile home park shall be allowed to remain subject to the provisions for nonconforming uses contained in article I of this ordinance.
- (2) The manufactured home shall be mounted on and anchored to a permanent foundation, and skirted in accordance with the provisions of the Virginia Uniform Statewide Building Code.
- (c) Additional standards in R-1 and R-2 districts:

Intent: The intents of this section is to allow manufactured homes in areas that were originally developed for manufactured housing but are now zoned R-1 or R-2. This section is not intended to allow for the expansion of these areas but to allow for infill development.

- (1) The zoning administrator may be authorized to allow manufactured homes in R-1 and R-2 districts if the following standards and guidelines are met:

- (a) Seventy percent (70) of the homes in the surrounding area are manufactured homes (Class A).
- (b) Fifty Percent (50) of the parcels in the surrounding area have functioning housing units on them.
- (c) Surrounding areas for (a) and (b) above shall be defined as a platted subdivision containing 25 lots or more or an area encompassing 1,500 feet from each property line, as determined by the zoning administrator.

~~(2) Prior to allowing a manufactured home (Class A), the zoning administrator shall give all property owners in the surrounding area written notice of the request, and an opportunity to respond to the request within twenty one (21) days of the date of the notice. If any property owner in the surrounding area objects to said request in writing within the time specified above, the request shall be transferred to the planning commission for decision. The person filing the appeal shall be responsible for all required application and legal ad costs.~~

~~(3) The zoning administrator or planning commission shall be authorized to place conditions on the approval of the manufactured home (Class A). These conditions may include: building design considerations (pitch of roof, permanent foundation, etc.); and screening and landscaping requirements to reduce any impacts on adjacent properties.~~

Sec. 30-82-9. Manufactured home, Class A.

- (a) Intent. Manufactured homes provide a viable and affordable housing option for a segment of the county's population. This housing option is provided under certain design criteria in large portions of the county where they will not conflict with developments planned for site-built dwellings.
- (b) General standards:

- (1) The manufactured home shall have the tow assembly, wheels and axles removed and be mounted on and anchored to a permanent foundation in accordance with the provisions of the Virginia Uniform Statewide Building Code.
 - (2) The manufactured home shall have a minimum width of twenty-three (23) feet.
 - (3) The manufactured home shall be covered with a non-reflective material customarily used on a site-built dwelling, such as but, not limited, to lap siding, plywood, brick, stone, or stucco.
 - (4) The roof shall be covered with non-reflective materials, such as but not limited to, fiberglass shingles, asphalt shingles, or wood shakes.
 - (5) The manufactured home shall be declared a permanently affixed dwelling and taxed as real estate.
- (c) Additional standards in R-1 district:

Intent. The intent of this section is to allow manufactured homes (Class A) in areas that were originally developed for manufactured housing but are now zoned R-1. This section is not intended to allow for the expansion of these areas but to allow for infill development.

- (1) The zoning administrator may be authorized to allow manufactured homes (Class A) in an R-1 district if the following standards and guidelines are met:
 - a. Seventy (70) percent of the homes in the surrounding area are manufactured homes or manufactured homes (Class A).
 - b. Fifty (50) percent of the parcels in the surrounding area have functioning housing units on them.
 - c. Surrounding area for a and b above shall be defined as a platted subdivision containing twenty-five (25) lots or more or an area encompassing fifteen hundred (1500) feet from each property line, whichever is greater.
- ~~(2) Prior to allowing a manufactured home (Class A), the zoning administrator shall give all property owners in the surrounding area written notice of the request, and an opportunity to respond to the request within twenty one (21) days of the date of the notice. If any property owner in the surrounding area objects to said request in writing within the time specified above, the request shall be transferred to the planning commission for decision. The person filing the appeal shall be responsible for all required application and legal ad costs.~~
- ~~(3) The zoning administrator or planning commission shall be authorized to place conditions on the approval of the manufactured home (Class A). These conditions may include: building design considerations (pitch of roof, permanent foundation, etc.); and screening and landscaping requirements to reduce any impacts on adjacent properties.~~

BE IT FURTHER RESOLVED, that these proposed amendments be referred to the Planning Commission for review and recommendation to be forwarded to the Board of Supervisors for final

consideration and action in accordance with all procedural and public notification requirements as prescribed by local ordinance and state statute.

**Voting yes: Mr. Thomasson, Mr. Martin, Mr. Cheek, Mr. Sharp, Mr. Arrington,
Mrs. Pollard and Mrs. Parker**

Motion passed.

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

Supervisor Pollard thanked the Board for their support on Montvale Park. She noted that the Board had discussed having a retreat, which has not yet been scheduled; she also noted the Board had intended to follow up on some zoning amendments that had been made earlier in the year regarding “use table for non-conforming and special use permits”, which she said she would like to address right away. Supervisor Pollard noted the Board was also going to work on the maps, and asked if that could be worked on as well. She also requested a hard copy of the Board’s policies, and asked that the Board receive the agenda a little sooner than they have been, perhaps a week before the meeting.

Vice-Chairman Sharp noted that on the agenda, during the Fifteen Minute Citizen Comment Period, it states that the time is to be used for items on the agenda that have not been addressed at a public hearing. He asked that this be modified to allow citizens to speak on whatever they chose, as has been the Board’s practice for years. Attorney Boggess asked if the Board would like for him and the County Administrator to review the rules and bring it back to the Board at the next meeting for a vote; the Board concurred.

Supervisor Martin commented that he would like \$7,500.00 to be allocated to complete the restrooms at Moneta Park. Supervisor Pollard asked staff to add this request to the next agenda.

Chairman Arrington thanked everyone in attendance for coming to the meeting and taking part in the local government process.

(7a) The Board was given a copy of the Social Services Board meeting minutes from June 20, 2013 for their review.

(7b) The Board was given a copy of the Bedford Regional Water Authority meeting minutes from July 23, 2013 for their review.

(7c) The Board was given a copy of the Bedford Public Library Board of Trustees meeting minutes from August 6, 2013 (dated September 3, 2013) for their review.

(7d) The Board was given a notice regarding the Mid-Atlantic Broadband meeting on September 13, 2013 for their review.

(8) APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

No appointments were made during this meeting.

(9) COUNTY ATTORNEY REPORTS, REQUESTS AND RECOMMENDATIONS

Attorney Boggess had nothing to report at this time.

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

(10a) Supervisor Thomasson made a motion to go into Closed Session pursuant to Sections 2.2-3711 (A) (5), (30) and (1) for discussion or consideration of a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the businesses' or industry's interest in location or expanding its facilities in the community; the discussion of the award of a public contract involving the expenditure of public funds, where discussion in open session would adversely affect the bargaining position or negotiating strategy of the public body; and 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.

**Voting yes: Mr. Thomasson, Mr. Martin, Mr. Cheek, Mr. Sharp, Mr. Arrington,
Mrs. Pollard and Mrs. Parker**

Voting no: None

Motion Passed.

Supervisor Pollard made a motion to go back into regular session.

**Voting yes: Mr. Thomasson, Mr. Martin, Mr. Cheek, Mr. Sharp, Mr. Arrington,
Mrs. Pollard and Mrs. Parker**

Voting no: None

Motion Passed.

WHEREAS, the Bedford County Board of Supervisors has convened a Closed Meeting on this the 9th day of September 2013, 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 on this 9th day of September 2013, 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.

MEMBERS:

Steve Arrington, Chairman
John Sharp, Vice-Chairman
Bill Thomasson
Curry W. Martin
Roger W. Cheek
Annie S. Pollard
Tammy Parker

VOTE:

Yes
Yes
Yes
Yes
Yes
Yes
Yes

(11) PENDING MATTERS – There were no pending matters.

(12) UPCOMING MEETINGS

Chairman Arrington noted the Board’s upcoming meetings on September 23 (regular meeting at 7:30 P.M.); October 15 (Tuesday), which will have a joint meeting with the EDA at 5:00 p.m. at the Welcome Center, and a regular meeting at the Administration Building at 7:30 p.m.; and October 28 (regular meeting at 7:30 P.M.).

Supervisor Thomasson made a motion to adjourn the meeting; motion passed by acclamation at 11:54 p.m.