



MINUTES

BEDFORD COUNTY BOARD OF SUPERVISORS

BEDFORD COUNTY ADMINISTRATION BUILDING

AUGUST 10, 2015

5:00 P.M. WORK SESSION

- a. Closed Session - pursuant to Section 2.2-3711 (A) (3) for consideration of the acquisition or disposition of real property, where discussion in an open meeting would adversely affect the bargaining position of negotiating strategy of the public body; and Section 2.2-3711 (A) (5) for discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.

6:30 P.M. Break for Dinner

7:00 P.M. REGULAR MEETING

- (1) **Call to Order & Welcome**
- (2) **Moment of Silence**
- (3) **Pledge of Allegiance**
- (4) **Approval of Agenda**
- (5) **Citizen Comments (15 Minutes)**
- (6) **Consent Agenda**
 - a. Request from the Commissioner of the Revenue to refund \$7,191.20 to Harry D. Wright due to his service related tax exemption. (*Resolution #R081015-01*)
 - b. Request from the Fiscal Management Department to reappropriate June 30, 2015 grant and donation balances. (*Resolution #R081015-02*)
 - c. Request from the Commonwealth Attorney's office to accept the Victim Witness Grant in the amount of \$67,057.00 (no local match required). (*Resolution #R081015-03*)

- d. Request from the Commonwealth Attorney's office to accept the Virginia Domestic Violence Victim Fund Grant, and for authorization for a Supplemental Appropriation in the amount of \$42,242.00 (no local match required). (*Resolution #R081015-06*)
- e. Request from the Clerk of the Circuit Court for grant acceptance and Supplemental Appropriation of a grant to conserve order books (no local match required). (*Resolution #R081015-04*)
- f. Request from the Domestic Violence Program for a Supplemental Appropriation in the amount of \$10,490.88 (from funds from a closed CD) for a privacy fence around the shelter's playground. (*Resolution #R081015-05*)
- g. Request from the Fire & Rescue Department to accept the Office of Emergency Medical Services 'Financial Assistance for Emergency Medical Services' grant in the amount of \$121,135.00 (the local portion of the 50/50 required match will come from available 'EMS-Reserve for Future' funds. A Supplemental Appropriation of \$242,270.00 (representing the grant and the matching funds) is also requested. (*Resolution #R081015-08*)
- h. Request from the Sheriff's Office for a Supplemental Appropriation of the State Internet Crimes Against Children Grant in the amount of \$352,133.17. (*Resolution #R081015-07*)
- i. Request from the Sheriff's Office for a Supplemental Appropriation from the DMV Selective Enforcement – Speed Grant in the amount of \$3,000.00. (*Resolution #R081015-09*)
- j. Request from the Sheriff's Office for a Supplemental Appropriation from the DMV Selective Enforcement – Alcohol Grant in the amount of \$5,351.56. (*Resolution #R081015-10*)
- k. Request from the Economic Development Department for Ratification of a Performance Agreement with the Tobacco Indemnification and Community Revitalization Commission and acceptance of a grant in the amount of \$20,000.00. (*Resolution #R081015-21*)

(7) Approval of Minutes – June 22 and July 6, 2015

(8) Public Hearings & Presentations

- a. Public Hearing – Consideration of a request to adopt the Bedford County 2030 Comprehensive Plan. (*Resolution #R081015-16*)
 - *Staff Presentation: Jordan Mitchell, Planner*

- b. Public Hearing – Consideration of a request for approval of Special Use Permit #SU150009, Blue Ridge Montessori School. (*Resolution #R081015-11*)
 - *Staff Presentation: Jordan Mitchell, Planner*
- c. Public Hearing – Consideration of a request for approval of Special Use Permit #SU150010 from Marina Properties to establish a “Multi-Family Dwellings” use. (*Resolution #R081015-12*)
 - *Staff Presentation: Mark E. Jordan, Planner*
- d. Public Hearing – Consideration of Amendments to the Zoning Ordinance
 - i. Ordinance Revision to Chapter 1 “General Provisions” and Chapter 3 “Amusements” (*Ordinance #O 081015-17*)
 - ii. Chapter 6 “Elections”, Article III “Precincts and Polling Places” (*Ordinance #O 081015-18*)
 - iii. Ordinance Revision to Chapter 18 “Waters and Sewers” (*Ordinance #O 081015-19*)
- e. Public Hearing – Consideration of an Ordinance to vacate the “Waterfront Paradise Section 2” subdivision plat. (*Ordinance #O 081015-13*)
 - *Staff Presentation – Carl Boguess, Interim County Administrator*

(9) Action & Discussion Items

- a. Consideration of a request from the Bedford County School Board for a Supplemental Appropriation of Sales Proceeds from excess property located near New London Academy in the amount of \$250,000.00. (*Resolution #R081015-14*)
 - *Staff Presentation: Susan Crawford, Fiscal Management Director*
- b. Request for approval of the Fiscal Year 2014-2015 Reappropriations (*Resolution #R081015-20*)
 - *Staff Presentation: Susan Crawford, Fiscal Management Director*
- c. Consideration of a request to authorize the acquisition of 3.208 acres from Joseph W. H. Mott for the Stewartsville Solid Waste Convenience Site. (*Resolution #R081015-15*)
 - *Staff Presentation: Carl Boguess, Interim County Administrator*

(10) Board Committee Reports

(11) Board Member Comments

(12) Board Appointments

(13) County Attorney Report

(14) County Administrator Report

(15) Board Information

- a. Bedford Regional Water Authority Board of Directors meeting minutes from June 16, 2015.
- b. Bedford Public Library System Board of Trustees meeting minutes from June 2, 2015.
- c. Bedford Welcome Center Quarterly Report from April through June 2015.
- d. Community Developments Annual Building Report for FY2015.
- e. Community Developments Monthly Building Report for June 2015.

(16) Board Calendar & Reminders

- September 14th – Regular Meeting at 7:00 p.m. (Work Session from 5:00 – 6:30 p.m.)
- September 28th – Regular Meeting at 7:00 p.m.
- October 13th – Regular Meeting at 7:00 p.m. (Work Session from 5:00 – 6:30 p.m.)

(17) Adjourn

5:00 P.M. – WORK SESSION

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

Staff Present: Interim County Administrator/County Attorney Carl Boggess, Senior Assistant County Attorney Patrick Skelley, I.T. Director Eric Rice and Executive Assistant Brigitte Lockett

Chairman Parker called the meeting to order, welcomed everyone in attendance, and then called for a motion to go into Closed Session.

Vice-Chairman Wilkerson made a motion to go into Closed Session pursuant to Section 2.2-3711 (A)(29), to discuss the awarding of a public contract involving the expenditure of public funds where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body; and Section 2.2-3711 (A) (3) for consideration of the acquisition of real property, where discussion in an open meeting would adversely affect the bargaining position of negotiating strategy of the public body, specifically land for the Stewartsville Solid Waste Convenience Site.

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

Voting no: None
Absent: Mr. Thomasson and Mr. Arrington
Motion passed.

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

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

Voting no: None

Motion passed.

**arrived at 5:15 p.m.*

*** arrived at 5:30 p.m.*

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>
Tammy Parker, Chairman	Yes
Steve Wilkerson, Vice Chairman	Yes
Bill Thomasson	Yes
Curry W. Martin	Yes
John Sharp	Yes
Steve Arrington	Yes
Annie S. Pollard	Yes

The board recessed for dinner at 5:47 p.m.

7:00 P.M.

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

Staff Present: Interim County Administrator/County Attorney Carl Boggess, Senior Assistant County Attorney Patrick Skelley, Community Development Director Gregg Zody, Economic Development Director Traci Blido, Captain Tim Hayden, Fiscal Management Director Susan Crawford, Planner Mark Jordan, Planner Jordan Mitchell, Public Works Director Sheldon Cash, Parks and Recreation Director Wyatt Woody and Executive Assistant Brigitte Luckett

REGULAR MEETING

- (1) Chairman Parker called the meeting to order and welcomed those in attendance.
- (2) Chairman Parker asked the room to observe a moment of silence.
- (3) Chairman Parker led the room in the pledge of allegiance.
- (4) **Approval of Agenda**
 - Correction to Minutes for July 6th, Agenda Item #7: These minutes have been corrected to show Supervisor Sharp made the motion to adjourn, not Supervisor Thomasson.
 - Added Public Appearance, Agenda Item #8a – Jeff Powers, Chairman of the Agricultural Economic Development Advisory Board, has asked to address the Board with an update on the County Fair.
 - Correction to Public Hearing Agenda Item #8e: The amendments are to the County Code, not the Zoning Ordinance.
 - Consent Item #6k, should be authorizing the County Administrator to sign the agreement instead of the Board Chairman.
 - Supervisor Sharp added Action Item #9d, discussion on the School Board's borrow.
 - Vice-Chairman Wilkerson and Supervisor Martin stated they would have comments under Item #11.

Supervisor Arrington made a motion to approve the agenda as amended.

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

Voting no: None

Motion passed.

(5) Citizen Comments

- Jackie Davis, citizen from Thaxton, led the Board and those in attendance in a prayer.

(6) Consent Agenda

Attorney Boggess reviewed the Consent Agenda for the benefit of those in attendance.

Supervisor Martin made a motion to approve the consent agenda as presented:

- a. Request from the Commissioner of the Revenue to refund \$7,191.20 to Harry D. Wright due to his service related tax exemption. (*Resolution #R081015-01*)
- b. Request from the Fiscal Management Department to re-appropriate June 30, 2015 grant and donation balances. (*Resolution #R081015-02*)
- c. Request from the Commonwealth Attorney's office to accept the Victim Witness Grant in the amount of \$67,057.00 (no local match required). (*Resolution #R081015-03*)
- d. Request from the Commonwealth Attorney's office to accept the Virginia Domestic Violence Victim Fund Grant, and for authorization for a Supplemental Appropriation in the amount of \$42,242.00 (no local match required). (*Resolution #R081015-06*)
- e. Request from the Clerk of the Circuit Court for grant acceptance and Supplemental Appropriation of a grant to conserve order books (no local match required). (*Resolution #R081015-04*)
- f. Request from the Domestic Violence Program for a Supplemental Appropriation in the amount of \$10,490.88 (from funds from a closed CD) for a privacy fence around the shelter's playground. (*Resolution #R081015-05*)
- g. Request from the Fire & Rescue Department to accept the Office of Emergency Medical Services 'Financial Assistance for Emergency Medical Services' grant in the amount of \$121,135.00 (the local portion of the 50/50 required match will come from available 'EMS-Reserve for Future' funds. A Supplemental Appropriation of \$242,270.00 (representing the grant and the matching funds) is also requested. (*Resolution #R081015-08*)
- h. Request from the Sheriff's Office for a Supplemental Appropriation of the State Internet Crimes Against Children Grant in the amount of \$352,133.17. (*Resolution #R081015-07*)
- i. Request from the Sheriff's Office for a Supplemental Appropriation from the DMV Selective Enforcement – Speed Grant in the amount of \$3,000.00. (*Resolution #R081015-09*)
- j. Request from the Sheriff's Office for a Supplemental Appropriation from the DMV Selective Enforcement – Alcohol Grant in the amount of \$5,351.56. (*Resolution #R081015-10*)

k. Request from the Economic Development Department for Ratification of a Performance Agreement with the Tobacco Indemnification and Community Revitalization Commission and acceptance of a grant in the amount of \$20,000.00. (*Resolution #R081015-21*)

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

Voting no: None

Motion passed.

(7) Approval of Minutes

Chairman Parker asked the Clerk to check the spelling of a name on line #260.

Vice-Chairman Wilkerson made a motion to approve the minutes of June 22, 2015 as corrected.

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

Voting no: None

Motion passed.

Vice-Chairman Wilkerson had noted prior to tonight's meeting that it was Supervisor Sharp who made the motion to adjourn the meeting, not Supervisor Thomasson.

Supervisor Pollard made a motion to approve the minutes of July 6, 2015 as corrected.

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

Voting no: None

Abstained: Mr. Thomasson and Mr. Arrington

Motion passed.

(8) Public Hearings & Presentations

(8a) Jeff Powers, Chairman of the Agricultural Economic Development Advisory Board, introduced Joy Powers, Fair Superintendent, to address the Board with an update on the County Fair.

Ms. Powers briefly reviewed the events being held during the fair, including tractor and agriculture displays, livestock shows and equestrian competitions, a variety of animal exhibits, fair rides, live music, a car show and a wine garden. She stated there will be various local food and retail vendors at the fair as well. She noted that the gate and parking are free, which is possible through the generous donations of local sponsors. Ms. Powers thanked Supervisor Martin for his time and commitment to the fair, as well as the County's Economic Development Department and the Fire & Rescue Department, for

their assistance in getting the grounds ready and helping to get this project moving. She said they would especially like to thank Jessica Hupp in the Economic Development Department for her assistance, as her help has been invaluable.

(8b) Jordan Mitchell, Planner, addressed the Board with a request to adopt the Bedford County 2030 Comprehensive Plan. Mr. Mitchell noted that the main goal was to bring the Plan into compliance with state code changes as well as updating the statistical data. He then briefly reviewed the changes and updates that have been recommended by staff, the Planning Commission and the Citizens Advisory Committee.

There followed a brief question and answer session between Mr. Mitchell and the Board to clarify various portions of the suggested changes.

The citizen comment portion of the public hearing was opened; there being no citizens desiring to speak, this portion of the public hearing was closed.

Vice-Chairman Wilkerson thanked staff, the Citizens Advisory Board, and the Planning Commission for their hard work.

Vice-Chairman Wilkerson made a motion to approve Resolution #R081015-16.

WHEREAS, in accordance with the Code of Virginia §15.2-2223, the Bedford County Board of Supervisors adopted the *Bedford County 2025 Comprehensive Plan* on June 27, 2007; and

WHEREAS, the Planning Commission and staff were directed to update the *Bedford County 2025 Comprehensive Plan* through Virginia State Code §15.2-2230 by the Board of Supervisors; and

WHEREAS, the Planning Commission appointed a Citizens Advisory Committee review the updates to the Comprehensive Plan with their recommendations incorporated into the draft update; and

WHEREAS, the Planning Commission held a public hearing on March 3, 2015 and unanimously recommended approval of the updated *Bedford County 2025 Comprehensive Plan (Bedford County 2030 Comprehensive Plan)* and removing Chapter 14 - Urban Development Area to the Board of Supervisors for their consideration; and

WHEREAS, the Board of Supervisors has carefully considered the public record, the public testimony, the importance of Urban Development Areas in relation to future funding for transportation projects, and the recommendation of the Planning Commission; and

NOW, THEREFORE, BE IT RESOLVED, that in the furtherance of promoting the health, safety, morals, order, convenience, prosperity, and general welfare, the Bedford County Board of Supervisors does hereby approve of the update to the *Bedford County 2025 Comprehensive Plan* that shall be readopted as the *Bedford County 2030 Comprehensive Plan* with the inclusion of Chapter 14 - Urban Development Area and associated Future Land Use map.

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

Voting no: None

Motion passed.

(8c) Jordan Mitchell, Planner, addressed the Board with a request on behalf of the Blue Ridge Montessori School for approval of Special Use Permit #SU150009 to establish an 'Educational Facility, Primary/Secondary'. He said that the property was owned by Long Meadows, Inc., of Lynchburg, Virginia. Mr. Mitchell stated that the property is identified as Tax Map #135-A-73 on approximately 13.84 acres, with the applicant is intending to utilize 7.2 acres for the proposed use. He displayed a variety of maps and photographs illustrating both the current appearance and intended future use of the property. Mr. Mitchell referenced those portions of the Comprehensive Plan which applied to this application, as well as the anticipated environmental, transportation, utility, public facility and visual impacts.

Mr. Mitchell stated that the Planning Commission held a public hearing for this application on July 21, 2015; at that time, 16 citizens spoke in opposition to the project, while 5 spoke in favor. The Planning Commission voted 4-1 on a motion to recommend approval of the application to the Board of Supervisors with staff conditions (included in the resolution below).

There followed a brief question and answer session between Mr. Mitchell and members of the Board to clarify specific points of the application.

Robin Boling, Director of Blue Ridge Montessori School, addressed the Board with a history of the Montessori method of teaching, including the multitude of benefits for children being given this type of education. Ms. Boling said this new location is perfect for their school as it offers seclusion, ample space, room for future growth, etc.

Bill Berkley, engineer with Berkley, Howell and Associates, addressed the Board on behalf of the applicant. Mr. Berkley touched on some of the more technical issues, noting that the architectural design is pleasing and the proposed landscaping exceeds the County's code requirements. The playing fields will not be lighted, and any lighting that is installed will be directed downward to mitigate light pollution. He stated the anticipated traffic generated by this request will be minimal, and that children will be picked up and dropped off throughout the day due to the various start times of the classes.

The citizen comment portion of the public hearing was opened. The following spoke in favor of the project: Roberta Ryan, Michael Cook and Tom Taylor (school founder). Reasons for supporting the project included the school being an asset to the neighborhood; the school will be a good steward of the property; Blue Ridge Montessori School will be a good neighbor; this school provides an excellent

learning environment for future career success; most of the children are already traveling this road to reach the schools current location.

The following spoke in opposition of the project: Carol Bush, Allen Baughman, David Haney, Angela Lusardi, Bill Pearson, Jerry Childress, Daryl Popowitch and Vincent Lusadri. Reasons for opposing the project included concerns over increased traffic on an already heavily traveled roadway; property encroachment; disruption of the natural habitat; increased noise; it's against the planned use of the area; the need for a traffic study before approval is given; concern over the 'forced sewer'; security concerns; negative impact to quality of life for residents; hundreds of people have signed a petition against this request. Several speakers noted that their opposition to this project had nothing to do with the school itself; rather, they were opposed to the school being located in their neighborhood.

Mr. Berkley, Mr. Mitchell and Ms. Boling addressed some of the concerns raised by citizens opposing the project, as well as explaining how the Special Use process applies to this request.

There being no other citizens desiring to speak, this portion of the public hearing was closed.

There followed a discussion debate between members of the Board regarding the merits of this proposal, property rights and the concerns of the residents.

Supervisor Wilkerson made a motion to deny Resolution #R081015-11.

Voting yes: Mr. Thomasson, Mr. Martin and Mr. Wilkerson

Voting no: Mr. Sharp, Mr. Arrington, Mrs. Pollard and Mrs. Parker

Motion failed.

Supervisor Sharp made a motion to approve Resolution #R081015-11.

WHEREAS, the Blue Ridge Montessori School (C/o Robin Boling) has submitted Special Use Permit application #SU150009 requesting an "Educational Facility, Primary/Secondary" use in a R-2 (Medium Density Residential) District on property identified as Tax Map Number 135-A-73; and

WHEREAS, the application has been submitted pursuant to Section 30-79-2 of the Zoning Ordinance, which allows an "Educational Facility, Primary/Secondary" use in the R-2 Zoning District after a Special Use Permit has been approved in accordance with Section 30-19 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 finds that the request meets the goals and objectives of the Comprehensive Plan and the purposes of the Zoning Ordinance for issuance of a Special Use Permit.

NOW, THEREFORE, BE IT RESOLVED, by the Bedford County Board of Supervisors that the Board does hereby approve of a Special Use Permit pursuant to application #SU150009 with the following conditions:

1. Section 30-83-6A *General Standards* shall apply in perpetuity until the “Educational Facilities, Primary/Secondary” use has been discontinued.

2. The agricultural components that are essential to the Blue Ridge Montessori Schools academic curriculum shall be allowed through Section 30-88-3(A5).

3. A minimum 20 foot buffer yard of the existing vegetation shall remain along the perimeter of the subject parcel. This requirement is in addition to any other landscaping required by the Zoning Ordinance to established an “Educational Facilities, Primary/Secondary” use.

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

Voting no: Mr. Thomasson, Mr. Martin and Mr. Wilkerson

Motion passed.

(8d) Mark Jordan, Planner, addressed the Board with a request for approval of Special Use Permit #150010 on behalf of Marina Properties to establish a ‘Multi-Family Dwellings’ use. Mr. Jordan stated that the project would convert an existing restaurant facility into five multi-family units on 0.642 acres of land on property identified as Tax Map #257C1-1-E located on 16111 Smith Mountain Lake Parkway in Huddleston. He displayed a variety of maps and photographs, as well as the concept plan, illustrating the current and intended future use. Mr. Jordan briefly touched on those portions of the Comprehensive Plan as they applied to this project, as well as the environmental, transportation, utility, public facility and visual impacts anticipated from this proposal. He said that the Planning Commission held a public hearing for this application on July 21, 2015, with one citizen speaking in opposition. The Planning Commission voted 5-0 to approve the request.

There followed a brief question and answer session between Mr. Jordan and members of the Board.

Mr. Ben Shrader, engineer for the applicant, addressed the Board with an explanation of how the former restaurant would be divided into living units.

The citizen comment portion of the public hearing was opened; there being no one desiring to speak, this portion of the public hearing was closed.

Supervisor Martin made a motion to approve Resolution #R081015-12.

WHEREAS, Marina Properties VI, LLC has submitted Special Use Permit application #SU150010 requesting a “Multi-Family Dwelling” use in a PCD (Planned Commercial Development) District on property identified as Tax Map Number 257C1-1-E ; and

WHEREAS, the application has been submitted pursuant to Section 30-79-2 of the Zoning Ordinance, which allows a “Multi-Family Dwelling” use in the PCD Zoning District after a Special Use Permit has been approved in accordance with Section 30-19 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 finds that the request meets the goals and objectives of the Comprehensive Plan and the purposes of the Zoning Ordinance for issuance of a Special Use Permit.

NOW, THEREFORE, BE IT ORDAINED, by the Bedford County Board of Supervisors that the Board does hereby approve a Special Use Permit pursuant to application #SU150010.

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

Voting no: None

Motion passed.

(8e.i) Patrick Skelley, Senior Assistant County Attorney, addressed the Board with amendments to the Bedford County Zoning Ordinance. Attorney Skelley noted these were housekeeping amendments and reviewed the proposed updates, the details of which are contained in the Ordinances below.

There followed a brief question and answer session between Attorney Skelley and members of the Board to clarify various aspects of the proposed amendments.

The citizen comment portion of the public hearing was opened; there being no other citizens desiring to speak, this portion of the public hearing was closed.

Supervisor Arrington made a motion to approve Ordinance #O 081015-17a and O 08101517b.

BE IT HEREBY ORDAINED, that the Board of Supervisors of the County of Bedford, Virginia, hereby amends Chapter 1 “General Provisions” by adding Section 1-15 as follows:

Sec. 1-15. Electronic summons system fee; amount; administration.

There is hereby imposed, in addition to any other fees prescribed by law, the sum of \$5.00 in each criminal and traffic case in which the defendant is convicted of a violation of any statute of the Commonwealth or any ordinance of the County filed in the general district court and the circuit court. The clerk of court in which the action is filed shall collect the assessment and remit it to the county treasurer. The County Treasurer, subject to appropriation by the Board of Supervisors, shall disburse such funds in accordance with Virginia Code § 17.1-279.1.

2. This ordinance shall take effect 1 September 2015.

BE IT HEREBY ORDAINED, that the Board of Supervisors of the County of Bedford, Virginia, hereby amends Chapter 3, Amusements, by deleting in their entirety ARTICLE III (Outdoor Music Festivals or Entertainment Festivals) and ARTICLE IV (Bingo Games and Raffles).

This ordinance shall take effect upon its passage.

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

Voting no: None

Motion passed.

(8e.ii) Supervisor Sharp made a motion to approve Ordinance #O 081015-18.

WHEREAS, with the determination of the Bedford County School Board that there is no longer use for the school facilities known as Body Camp Elementary and Thaxton Elementary, the Bedford County School Board passed a Resolution on the 18th day of June 2015 declaring the property to be surplus; and

WHEREAS, Body Camp Elementary and Thaxton Elementary are both polling sites; and

WHEREAS, with the closing of Body Camp Elementary and Thaxton Elementary, the Electoral Board proposes that the polling place of Precinct 204 Body Camp Elementary School in Election District 2 be located at Quaker Baptist Church and that the polling place of Precinct 703 Thaxton Elementary School in Election District 7 be located at Thaxton Baptist Church #2; and

WHEREAS, the Electoral Board further proposes that polling place of Precinct 603 Thaxton Community Center in Election District 6 be located at Thaxton Baptist Church #1 to provide better parking and greater handicapped access for the citizens; and

WHEREAS, the ordinance text has been duly advertised.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of the County of Bedford as follows (*only changes to the Ordinance are shown below, not the full ordinance*):

ARTICLE III

PRECINCTS AND POLLING PLACES

DIVISION I. GENERALLY

Sec. 6-36. - Established.

ELECTION DISTRICT NO. 2

Precinct/Polling Place

201 Bedford Christian Church

202 Staunton River High School

203 Moneta Elementary School

204 ~~Body Camp Elementary School~~ **Quaker Baptist Church**

205 Saunders Volunteer Fire Company

ELECTION DISTRICT NO. 6

Precinct Name/Polling Place

601 Montvale Elementary School

602 Shady Grove Fire Department

603 ~~Thaxton Community Center~~ **Thaxton Baptist Church #1**

604 Bedford Welcome Center

ELECTION DISTRICT NO. 7

Precinct Name/Polling Place

701 Goode Volunteer Rescue Squad

702 Liberty High School

703 ~~Thaxton Elementary School~~ **Thaxton Baptist Church #2**

704 Bedford Central Library

DIVISION 2. - PRECINCT BOUNDARIES

Sec. 6-42. - Generally

The boundaries of the election precincts of the county are shown on the map attached to the ordinance from which this article is derived and full written descriptions of such boundaries are set forth in the following sections of this division.

Sec. 6-44. - District No. 2 precincts.

The boundaries of the precincts in Election District No. 2 shall be as follows:

(4) ~~Body Camp Elementary School:~~ **Quaker Baptist Church:**

Beginning on Route 122 (Moneta Road) where it crosses the Norfolk Southern Railroad; then north on Moneta Road to Route 735 (Rock Cliff Road); then southeast on Route 735 (Rock Cliff Road) to Route 24 (Shingle Block Road); then east on Route 24 (Shingle Block Road) to Route 722 (Wilson Church Road); then north on Route 722 (Wilson Church Road) to Route 725 (Phelps Road); then east and northeast and then southeast on Route 725 (Phelps Road) to Route 43 (Virginia By-Way); then south on Route 43 (Virginia By-Way) to Route 24 (Shingle Block Road); then southwest on Route 24 (Shingle Block Road) to Route 732 (Headens Bridge Rd); then southwest along Route 732 (Headens Bridge Rd.) to Route 731 (Gladdy Branch Rd.); then south on Route 731 (Gladdy Branch Rd.) to a point at Glader Branch, approximately 0.3 miles north of Route 727 (Crab Orchard Rd.); then south along Glader Branch to its mouth at Goose Creek; then west along Goose Creek, to where the Norfolk Southern Railroad crosses the creek; then in a westerly direction with the Norfolk Southern Railroad to its intersection with Route 122 (Moneta Rd.), the point of beginning.

Sec. 6-47. - District No. 5 precincts.

The boundaries of the precincts in Election District No. 5 shall be as follows:

(3) ~~Thaxton Community Center~~: **Thaxton Baptist Church #1:**

Beginning at a point where US Route 460 meets the American Electric Power Company Troutville-Smith Mountain Transmission Line; then southwest along the transmission line to the North Fork of Goose Creek; then north along the North Fork of Goose Creek to the mouth of an unnamed branch, approximately 1,000 feet southeast of the intersection of Route 695 (Goose Creek Valley Road) and Route 741 (Beale Trail Road); then east along this branch to Route 717 (Murray Hollow Road); then east and north on Route 717 (Murray Hollow Road) to Route 692 (Cool Springs Road); then southeast on Route 692 (Cool Springs Road) to Route 688 (Buffalo Run); then southwest on Route 688 (Buffalo Run) to Route 689 (Irving Road); then southeast on Route 689 (Irving Road) to Route 460 (W. Lynchburg-Salem Turnpike); then east on Route 460 (W. Lynchburg-Salem Turnpike) to the intersection with the American Electric Power Company Troutville-Smith Mountain Transmission Line, the point of beginning.

Sec. 6-49. - District No. 7 precincts.

The boundaries of the precincts in Election District No. 7 shall be as follows:

(3) ~~Thaxton Elementary School~~: **Thaxton Baptist Church #2:**

Beginning at the Blue Ridge Parkway; then west along the County boundary to a point north of the Royal Ambassador Camp Lake and south of the Blue Ridge Parkway, being the crest of McFalls Mountain; then southwest along the crest of McFalls Mountain to the summit of Campbell's Mountain and then continuing south, crossing Route 680 (Murrells Gap Rd.) in Murrells Gap; then south along Peaks Shadow Rd., continuing south on an unimproved road to the end of Route 692 (Cool Springs Rd.); then southeast along Route 692 (Cool Springs Rd.) to Route 688 (Buffalo Run); then south on Buffalo Run to Route 689 (Irving Rd.); then southeast on Irving Rd. to Route 460 (W. Lynchburg Salem Tpke.); then east on Route 460 to the newly annexed Town boundary; then northeast along the Town boundary to the intersection with Route 43 (Peaks Road); then north on Route 43 (Peaks Road) to the Blue Ridge Parkway; then northwest along the Blue Ridge Parkway to the boundary line between Bedford, Botetourt and Rockbridge to the point of beginning.

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

Voting no: None

Motion passed.

(8e.iii) Supervisor Sharp made a motion to approve Ordinance #O 081015-19.

BE IT HEREBY ORDAINED, that the Board of Supervisors of the County of Bedford, Virginia, hereby amend Chapter 18 “Water and Sewer” to replace and reenact Articles I, II, and III with Article I “Sewer Use”, Article II “Stormwater Discharges”, and Article III Cross-Connection Control and Backflow Prevention.” Article IV “Conservation of Water” Section 18-98 is not being amended.

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

Voting no: None

Motion passed.

(8f) Carl Boggess, Interim County Administrator, addressed the Board with a request to vacate the “Waterfront Paradise Section 2” subdivision plat. Attorney Boggess stated this request applies to one small part of the plat due to a trail easement being where the applicant’s would like to build a house. He said the neighbors have been duly notified.

Mr. Henry Clark, attorney for the petitioners, explained this is a currently a footpath to nowhere, so the applicant is not building over an established route.

The citizen comment portion of the public hearing was opened; there being no citizens desiring to speak, this portion of the public hearing was closed.

Supervisor Martin made a motion to approve Ordinance #O 081015-13.

WHEREAS, there is of record in the aforesaid Clerk’s Office in Plat Book 24, at Page 118, a plat of Waterfront Paradise, Section 2; and

WHEREAS, Eddie L. Sublett and Teresa A. Sublett are the fee simple owners of Lot 37, having purchased said lot by deed of record in the Clerk’s Office for the Circuit Court of Bedford County, VA as Deed Instrument No. 050013074; and

WHEREAS, Joybiz, Inc., a Virginia corporation has executed a contract to purchase Lots 35, 36 and 37 in Section 2 of Waterfront Paradise Subdivision; and

WHEREAS, the County of Bedford, Virginia has executed a Deed of Vacation, vacating the boundary lines between Lots 36 and 37, to enable Joybiz, Inc. to construct a home on both lots; and

WHEREAS, the existing plat shows an existing 20 foot trail easement traversing across the westerly boundary of Lot 37, between Lots 36 and 37, of Section 2, Waterfront Paradise.; and

WHEREAS, Joybiz, Inc. will be unable to construct a house on Lots 36 and 37 (or new Lot 37), despite the Deed of Vacation, because of the existing 20 foot trail easement; and

WHEREAS, the Petitioners, Eddie L. Sublett and Teresa A. Sublett and Joybiz, Inc. desire to vacate the 20 foot trail easement as shown on the aforesaid plat of survey; and

WHEREAS, it is the finding of the Bedford County Board of Supervisors that the vacation of the above-referenced 20 foot trail line easement in Waterfront Paradise, Section 2 will not cause irreparably damage to the adjoining property owners.

NOW THEREFORE, BE IT ORDAINED, by the Board of Supervisors for the County of Bedford, Virginia, that pursuant to the Petition of Eddie L. Sublett and Teresa A. Sublett and Joybiz, Inc., and after giving required notice pursuant to Section 15.2-2204 of the Code of Virginia of 1950, as amended, that the subdivision play known as “Waterfront Paradise, Section 2” of record in the aforesaid Clerk’s Office in Plat Book 24, at Page 118 be and it is hereby vacated solely for the purpose of vacating the existing 20 foot trail easement traversing across the westerly side of lot 37 of Waterfront Paradise, Section 2.

BE IT FURTHER ORDAINED, that a certified copy of this Ordinance of Vacation be recorded in the aforesaid Clerk’s Office and indexed in the names of James D. Viars, Victoria Lynn Morgan Williams, William T. Turner and Joan R. Turner, Rosemary Ellis Dillard, Thrasher Memorial United Methodist Church, Christina M. Osborne and Lawrence Osborne, Clifford D. Worrell, Lonnie Holt, Jr., Michael R. Steele and Hunter Gimbert, Dennis R. Belcher and Rita B. Belcher, Richard J. Frakes and Teresa M. Frakes, Jerry Padgett and Christopher W. Padgett, Debra Clement Cupp, George D. Bendick and Carol J. Bendick, Larry L. Salmons, Damon A. Conner, Joey C. Kirk and Sally J. Kirk, Frances Bush, Mack Investments, Inc., Cynthia Hartless, George P. Urias and Gloria Urias, Raymond L. Hartman and Tammy Hartman, Tammy Renee Hartman, Vickie J. Valentino, Gerald Babula, Eddie L. Sublett and Teresa A. Sublett, Nationstar Mortgage, LLC, Paul D. Thornhill and Annette S. Thornhill, Robert M. Kinsley.

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

Voting no: None

Motion passed.

(9) Action & Discussion Items

(9a) Susan Crawford, Fiscal Management Director, addressed the Board with a request from the School Board for a Supplemental Appropriation of sales proceeds from excess property located near New London Academy in the amount of \$250,000.00.

Supervisor Arrington made a motion to approve Resolution #R081015-14.

WHEREAS, the Bedford County School Board passed a resolution on June 18, 2015, to sell excess property located near New London Academy to the King of Kings Free Will Baptist Church; and

WHEREAS, it is the School Board's intent to use the proceeds from the sale of this property for maintenance projects in the School Maintenance Project Fund;

NOW, THEREFORE, BE IT RESOLVED, that the Bedford County Board of Supervisors does hereby authorize a Supplemental Appropriation of \$250,000 to the School Maintenance Project Fund.

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

Voting no: None

Motion passed.

(9b) Susan Crawford, Fiscal Management Director, addressed the Board with a request for approval of the Fiscal Year 2014-15 Re-appropriations. Ms. Crawford briefly reviewed the process that led to the request before the Board this evening, noting that this year's re-appropriation requests totaled \$880,649.94. She stated that if the Board approves all the requests, it will leave unassigned cash balance at the year-end of approximately \$23.2 million, which is \$14 million more than the minimum required by the Fund Balance Policy adopted by the Board.

Supervisor Arrington made a motion to approve Resolution #R081015-20.

WHEREAS, the Bedford County Board of Supervisors annually receives and reviews requests for re-appropriation of year end funds; and

WHEREAS, the Fiscal Year 2015 recommendations total \$880,649.94 or 0.99% of the total adopted General Fund Budget; now

THEREFORE, BE IT RESOLVED, that the Board of Supervisors does hereby re-appropriate funds as follows:

Department	Recommended
Commissioner of the Revenue	\$ 5,873.80
Information Technolocy	40,000.00
Sheriff's Office	33,454.50
Fire and Rescue-Fire Division	150,348.63
Fire and Rescue-Rescue Division	51,935.29
Communications	13,000.00
General Properties	14,574.00
Welfare Administration	2,909.72
Parks & Recreation	8,000.00
Economic Development	135,554.00
Contingency Fund	400,000.00
Moneta Park CIP	25,000.00
	\$ 880,649.94

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

Voting no: None

Motion passed.

(9c) Carl Boggess, Interim County Administrator, addressed the Board for authorization of the acquisition of 3.208 acres from Joseph W. H. Mott for the Stewartsville Solid Waste Convenience Site. Attorney Boggess stated this resolution will, as required by law, allow the Interim County Administrator to accept the property upon closure.

Supervisor Thomasson made a motion to approve Resolution #R081015-15.

WHEREAS, the Solid Waste Convenience Site at Stewartsville has the second highest tonnage rates for the entire County; and

WHEREAS, the existing site on Drewrys Hill Road is inadequate and it is impossible to expand the site; and

WHEREAS, the Solid Waste Staff has spend enumerable hours looking for an adequate site in the Stewartsville area; and

WHEREAS, the property owned by Joseph W. H. Mott appears to be a site that will serve the long term Solid Waste needs of the County; and

WHEREAS, the purchase price of \$190,000 has been negotiated for the site.

NOW, THEREFORE, BE IT RESOLVED, that the Bedford County Board of Supervisors authorizes the purchase of 3.208 acres located at the intersection of Stewartsville Road and Drewrys Hill Road from Joseph W. H. Mott; and further authorizes the Interim County Administrator to accept the acquisition of the property.

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

Voting no: None

Motion passed.

(9d) Supervisor Sharp read a quote from Chairman Hostutler of the Bedford County School Board regarding the escalating cost incurred by waiting for a decision from the Board of Supervisors regarding the new middle school. Supervisor Sharp said he was requesting that the School Board, at their next meeting, lock into a municipal bond before rates rise and construction costs grow. He noted he was using Chairman Hostutler's words exactly, but changing the direction of the request so that it is aimed at the School Board instead of the Board of Supervisors, as he would like the school to lock in a rate during the fall instead of waiting until the new year. Supervisor Sharp said both boards needed to come together in the interests of the schools and the taxpayers; he said he is asking the School Board to do everything that the Supervisors were asked to do, which is to move this project forward.

After a discussion between members of the Board, a consensus was reached to ask the County Attorney to send a letter encouraging the School Board to lock in a bond rate this fall.

(10) Board Committee Reports - none

(11) Board Member Comments

Vice-Chairman Wilkerson requested, and received, consensus from the Board to have staff evaluate ‘trap-neuter-release’ as an alternative policy to control the County’s expanding feral cat populations.

(12) Board Appointments – there were no appointments needed at this time.

(13) County Attorney Report - nothing to report

(14) County Administrator Report

- a. Attorney Boggess distributed a thank you card from Mrs. Scott for the Resolution the Board recently passed regarding her husband.

(15) Board Information

- a. The Board was given the Bedford Regional Water Authority Board of Directors meeting minutes from June 16, 2015 for review.
- b. The Board was given the Bedford Public Library System Board of Trustees meeting minutes from June 2, 2015 for review.
- c. The Board was given the Bedford Welcome Center Quarterly Report from April through June 2015 for review.
- d. The Board was given the Community Developments Annual Building Report for FY2015 for review.
- e. The Board was given the Community Developments Monthly Building Report for June 2015 for review.

(16) Board Calendar & Reminders

Chairman Parker noted the Board’s upcoming meetings as follows: Special Work Session on August 14th at 9:00 a.m.; September 14th – Regular Meeting at 7:00 p.m. (Work Session from 5:00 – 6:30

p.m.); September 28th – Regular Meeting at 7:00 p.m.; and October 13th (*Tuesday*) – Regular Meeting at 7:00 p.m. (Work Session from 5:00 – 6:30 p.m.)

(17) Adjourn

Supervisor Thomasson made a motion to adjourn the meeting at 9:39 p.m.

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

Voting no: None

Motion passed.