



MINUTES

BEDFORD COUNTY BOARD OF SUPERVISORS

BEDFORD COUNTY ADMINISTRATION BUILDING

AUGUST 11, 2014

7:30 P.M. WELCOME

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

(1) APPROVAL OF AGENDA

(2) FIFTEEN MINUTE CITIZEN COMMENT PERIOD

(3) APPROVAL OF CONSENT AGENDA

- a. Consideration of a request from the Department of Fire and Rescue for acceptance of the Office of Emergency Medical Services Financial Assistance Grant in the amount of \$36,905.78; matching funds will come from CIP – Emergency Apparatus. (*Resolution #R081114-01*)
- b. Consideration of a request from the Department of Fiscal Management to re-appropriate unexpended grant funds and donations. (*Resolution #R081114-02*)
- c. Consideration of a request from the Sheriff's Office for a Supplemental Appropriation in the amount of \$363,000.00, which represents State funds from the Internet Crimes Against Children program; no local match is required. (*Resolution #R081114-03*)
- d. Consideration of a request from the Sheriff's Office for a Supplemental Appropriation in the amount of \$391,600.00 from an Internet Crimes Against Children grant; no local match is required. (*Resolution #R081114-04*)
- e. Consideration of a request from the Domestic Violence Program for a Supplemental Appropriation in the amount of \$33,485.00 from increased funding from the Commonwealth of Virginia's Department of Social Services. These funds will be used to convert a part-time position to a full-time position with benefits, training, supplies, etc. (*Resolution #R081114-05*)

(4) APPROVAL OF MINUTES – June 23, July 14 and July 28, 2014

(5) PUBLIC HEARINGS / PUBLIC APPEARANCES

- a. Public Appearance – Zack Olinger, Virginia Department of Forestry, with a check presentation for the Board of Supervisors.

(6) ACTION ITEMS

- a. Consideration of a request from the Department of Fiscal Management for authorization of the re-appropriation of Fiscal Year 2013-14 funds into Fiscal Year 2014-15. (*Resolution #R081114-06*)
- *Staff Presentation: Susan Crawford, Director of Fiscal Management*
- b. Consideration of a request to authorize the execution of an easement agreement with Lumos Networks, Inc. (*Resolution #R081114-07*)
- *Staff Presentation: Carl Boggess, County Attorney*
- c. Recommendations Concerning County Human Resources and Information Technology Operations (*Resolution #R081114-08*)
- *Staff Presentation: Mark K. Reeter, County Administrator*
- d. Consideration of a request from the County Attorney’s Office to enter into a permanent Pump and Haul Agreement with the State Health Commissioner. (*Resolution #R081114-09*)
- *Staff Presentation: Carl Boggess, County Attorney*

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

(8) APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

- a. Reminder - Appointment is needed for the Recreation Advisory Board for District 5.
- b. Replacement Appointment to the TLAC

(9) COUNTY ATTORNEY REPORTS, REQUESTS AND RECOMMENDATIONS

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

- a. Vacancy in position of County Director of Tourism

(11) PENDING MATTERS

(12) UPCOMING MEETINGS

- CANCELLED – Regular Meeting on August 25th
- September 8th – Regular Meeting at 7:30 p.m. (work session from 5:00 to 6:45 p.m.)
- September 22nd – Regular Meeting at 7:30 p.m.

7:30 P.M. – REGULAR MEETING

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

Absent: Steve Wilkerson, District 3 and Steve Arrington, District 5

Staff Present: Mark K. Reeter, Carl Boggess, Frank Rogers, Susan Crawford and Brigitte Luckett

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

(1) APPROVAL OF AGENDA

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

- Additional Documentation: Agenda Item #4 – Minutes from July 14 and July 28, 2014
- Additional Documentation: Agenda Item #6d – Supporting Documentation which was inadvertently left out of the agenda packet.
- Addition: Agenda Item #8b – Application for Replacement Appointment to the Tri-County Lakes Administrative Committee.

Chairman Sharp noted that Supervisors Arrington and Wilkerson would not be in attendance this evening. Supervisor Thomasson added that he would have an appointment for the Broadband Committee. Supervisors Pollard and Martin stated they would also have items under ‘Board Comments’.

Supervisor Thomasson made a motion to approve the agenda; motion passed by acclamation.

(2) FIFTEEN MINUTE CITIZEN COMMENT PERIOD

- Virginia Lynch, citizen from Thaxton, addressed the Board regarding the recent proposal from Region 2000 for a Regional Library. Ms. Lynch said the proposal was vague regarding the benefits to the County, and voiced her concern that higher paying positions would be created while eliminating regular staff. She is also concerned that Christian and Conservative websites will be blocked on library computers in the same manner that pornography sites are currently blocked.
- Jack Phillips, citizen from Moneta, addressed the Board regarding the lack of broadband internet in the County. He said it’s important for attracting industry, entertainment, online classes, etc., but the main provider is not running broadband to many parts of the County. Mr. Phillips said satellite companies do not provide the service needed. Comcast has the regional monopoly, but refuses to provide better service; Shentel is eager to provide a better service, but is not allowed in the region without a franchise agreement.

Attorney Boggess said he would be happy to talk with the representatives from Shentel on this matter.

Supervisor Thomasson said this is definitely a problem, and other localities are having trouble with this company installing needed infrastructure.

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

(3) APPROVAL OF CONSENT AGENDA

County Administrator Mark Reeter read the consent agenda as follows:

- a. Consideration of a request from the Department of Fire and Rescue for acceptance of the Office of Emergency Medical Services Financial Assistance Grant in the amount of \$36,905.78; matching funds will come from CIP – Emergency Apparatus. (*Resolution #R081114-01*)
- b. Consideration of a request from the Department of Fiscal Management to re-appropriate unexpended grant funds and donations. (*Resolution #R081114-02*)
- c. Consideration of a request from the Sheriff’s Office for a Supplemental Appropriation in the amount of \$363,000.00, which represents State funds from the Internet Crimes Against Children program; no local match is required. (*Resolution #R081114-03*)
- d. Consideration of a request from the Sheriff’s Office for a Supplemental Appropriation in the amount of \$391,600.00 from an Internet Crimes Against Children grant; no local match is required. (*Resolution #R081114-04*)
- e. Consideration of a request from the Domestic Violence Program for a Supplemental Appropriation in the amount of \$33,485.00 from increased funding from the Commonwealth of Virginia’s Department of Social Services. These funds will be used to convert a part-time position to a full-time position with benefits, training, supplies, etc. (*Resolution #R081114-05*)

Supervisor Thomasson made a motion to approve the consent agenda.

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

Voting no: None

Absent: Mr. Wilkerson and Mr. Arrington

Motion passed.

(4) APPROVAL OF MINUTES

Supervisor Martin made a motion to approve the minutes of June 23, 2014 as presented; motion passed by acclamation; Supervisor Parker abstained.

Supervisor Thomasson made a motion to approve the minutes of July 14, 2014 as presented; motion passed by acclamation; Chairman Sharp abstained.

Supervisor Pollard made a motion to approve the minutes of July 28, 2014 as corrected; motion passed by acclamation; Chairman Sharp abstained.

(5) PUBLIC HEARINGS / PUBLIC APPEARANCES

(5a) Zack Olinger from the Virginia Department of Forestry presented the Board of Supervisors with a check in the amount of \$3,483.18 representing funds from a State Forest in the Huddleston area. Mr. Olinger explained that the check represented 25% of funds earned in the Parks, which are given to the localities where the Parks are located since the localities cannot collect taxes in those Parks.

(6) Action Items

(6a) Director of Fiscal Management Susan Crawford addressed the Board with a request for authorization of the re-appropriations of Fiscal Year 2013-14 funds into Fiscal Year 2014-15. Ms. Crawford reviewed the re-appropriation policy with the Board, noting it is intended to give departments flexibility while ensuring good fiscal management in facilitating the year-end close. She said that the requests total .45% of the Fiscal Year 2013-14 General Fund adopted budget. Ms. Crawford noted that if the Board approves these requests, it will leave an unassigned cash balance at year end of approximately \$18.3 million, which is \$9.4 million more than the minimum amount required by the Fund Balance Policy adopted by the Board. She clarified that the Electoral Board funds were for training election officers in accordance with State law.

Chairman Sharp asked how the funds were distributed to the volunteer fire agencies. Ms. Crawford replied that it is a set amount to each agency, who must turn in invoices showing they have spent that particular amount of money.

Supervisor Parker made a motion to approve Resolution #R081114-06.

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

WHEREAS, the Fiscal Year 2014 recommendations total \$400,781.40 or 0.45% of the total adopted FY 14 General Fund Budget; now

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

Department:	Recommended:
County Administration	\$ 1,500.00
Information Technology	\$ 72,835.00
Electoral Board	\$ 6,000.00

Sheriff's Office	\$ 5,556.89
Fire and Rescue – Fire Division	\$134,892.32
Fire and Rescue – Rescue Division	\$ 44,743.91
Welfare Administration	\$ 3,725.28
Parks and Recreation	\$ 67,068.00
Erosion and Sediment Control	\$ 1,200.00
Storm Water Maintenance	\$ 63,260.00

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

Voting no: None

Absent: Mr. Wilkerson and Mr. Arrington

Motion passed.

(6b) County Attorney Carl Boggess addressed the Board with a request to authorize the execution of an easement agreement with Lumos Networks. Attorney Boggess noted that this is a standard utility easement. In response to a question from Supervisor Thomasson, Attorney Boggess stated this request does not have anything to do with the proposed Regional Library; it is simply intended to give faster internet access to the libraries in Forest, Moneta and Big Island.

Supervisor Parker made a resolution to approve Resolution #R081114-07.

WHEREAS, at the April 1, 2014 meeting of the Library Board of Trustees, the Board approved a recommendation to replace the existing T-1 Internet lines at the Forest, Moneta and Big Island Libraries with high capacity fiber lines, in order to provide a more reliable Internet connection and provide more bandwidth capacity as Internet usage grows at those facilities; and

WHEREAS, in order to implement the recommendations at the Forest Library, Lumos Networks, Inc. needs to run underground fiber lines from Route 221 to the library building, resulting in the need of an easement across County owned property; and

WHEREAS, similar easements will be needed for Moneta and Big Island library properties.

NOW, THEREFORE, BE IT RESOLVED, by the Bedford County Board of Supervisors, that the Board does hereby authorize the County Administrator to execute a right of way agreement with Lumos Networks, Inc. for the Forest Library site and further authorizes the County Administrator to execute similar easements for the Moneta and Big Island library properties, all of the easements to be in a form approved by the County Attorney.

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

Voting no: None

Absent: Mr. Wilkerson and Mr. Arrington

Motion passed.

(6c) County Administrator Mark Reeter addressed the Board with recommendations concerning positions in the Human Resources and Information Technology Departments. Mr. Reeter reviewed the process that led to this evening's request, and summarized the request as given in the resolution below.

Supervisor Thomasson made a motion to approve Resolution #R081114-08.

WHEREAS, the Office of County Administrator has brought forth a number of recommendations with respect to County Human Resources and Information Technology operations pertaining to re-organization, changes to position titles and Pay Grades, and compensation adjustments, and

WHEREAS, these recommendations have been reviewed and endorsed by the County Personnel Committee and submitted for approval by the Board of Supervisors;

NOW, THEREFORE, BE IT RESOLVED, by the Bedford County Board of Supervisors that the Board does hereby approve the following:

1. Re-assignment of the current Human Resources Manager and supporting positions currently assigned to the County Department of Management Services to the County Department of Administration as a Division of Human Resources; adjustment of the current Pay Grade of the Human Resources Manager position from 22 to 25, and approval of an initial new starting salary for the position between \$55,000 and \$75,000.
2. Designation of current County information technology (IT) operations and personnel as a County Department of Information Technology, with re-titling of the current IT Manager position as a Director of Information Technology and adjusting the Pay Grade of that position from 23 to 26.
3. Authorize creation of a new Desktop/Web Support Specialist position with the Department of IT at Pay Grade 14 with an initial starting salary range between \$38,000 and \$42,000.
4. Re-titling (as determined by the County Administrator) and adjusting of the current LAN Administrator position's Pay Grade from 18 to 23; re-titling the current IT Specialist position as Public Safety LAN Administrator with a Pay Grade adjustment from 13 to 18, and adjusting the Pay Grade of the IT Technician position from 10 to 14.
5. Adjusting the current compensation of the Director of IT, current LAN Administrator and Public Safety LAN Administrator positions by \$5,000 each effective August 1, 2014.

BE IT FURTHER RESOLVED, the Board directs that the positions of Human Resources Manager, Desktop/Web Support Specialist and IT Technician be filled as soon as practical.

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

Voting no: None

Absent: Mr. Wilkerson and Mr. Arrington

Motion passed.

(6d) County Attorney Carl Boggess addressed the Board with a request to enter into a permanent Pump and Haul Agreement with the State Health Commissioner. Attorney Boggess reviewed the process that led to this request, noting that he has been informed by the State that at least one project needed to be on this application when submitted. He said that by approving this resolution the Board is agreeing to (1) submit to the State Health Commissioner a revised pump and haul agreement that does in fact reference a project; and (2) allow the County Administrator to enter into an agreement with the local health department for pump and haul for the property owned by the Blankenships (which will be the project referenced on the state application). He stated that the agreement with the Blankenships will include an escrow amount which will be decided on by the Board. Lastly, the local agreement should clarify that the property owners will notify the County if there are any issues. He also suggested that when revisions to the water and sewer ordinance are made in the near future that an article be added dealing with pump and haul.

There followed a discussion between Attorney Boggess and members of the Board clarifying how the process would work for pump and haul agreements in the future. Attorney Boggess explained how a pump and haul system worked, noting that it would likely need to be pumped every 14 days by the owner and would cost approximately \$300-\$500 each time it is pumped out. The consequences of not pumping it out as needed could be significant, which is why he is recommending an escrow of \$2,500.00.

Supervisor Thomasson asked if the owners were aware of these issues before purchasing the property. Attorney Boggess said they were told that the only option would be a permanent pump and haul because of the lack of a permitted system. He said the closing attorney did give them full and complete disclosure of the implications if they closed on the property without a septic system.

In response to a question from Supervisor Martin, Attorney Boggess stated that the County is not responsible for the installation, etc., of the system for the Blankenships.

The discussion continued, with the Board agreeing to an escrow amount of \$2,500.00.

Supervisor Pollard made a motion to approve Resolution #R081114-09, amended with an added escrow of \$2,500.00.

Supervisor Martin asked if this agreement would only be binding with the current property owner; Attorney Boggess responded in the affirmative.

Chairman Sharp asked why the agreement would not be conveyed from the current owner if they sold the property. Attorney Boggess said that a pump and haul system is not like a regular system that is in the ground or connected to a line, so it is not considered 'infrastructure'. The agreement is only with the current owner.

Supervisor Thomasson asked who was going to police this if the property is sold. Attorney Boggess said the County would require a new agreement with the new owner when the new sale is recorded.

Supervisor Pollard said there was a motion on the floor and called for the question.

WHEREAS, from time to time it is possible for septic systems to fail for County residents and businesses; and

WHEREAS, the State Health Commissioner will only grant a permanent pump and haul agreements to a locality; and

WHEREAS, the County cannot enter into agreements with its citizens for pump and haul services until a pump and haul agreement is in place with the Commonwealth of Virginia, through the State Health Commissioner; and

WHEREAS, County citizens, Jason and Wendy Blankenship are requesting pump and haul services.

NOW, THEREFORE, BE IT RESOLVED, by the Bedford County Board of Supervisors, that the Board does hereby authorize the County Administrator, with the assistance of the County Attorney, to enter into a Permanent Pump and Haul Agreement and General Permit with the State Health Commissioner pursuant to Part IV, Article 4 §12 VAC 5-610-598 et. seq. of the State Board of Health Sewage Handling and Disposal Regulations; the County Administrator is authorized to execute the aforesaid Agreement. Further, County Administrator, with the assistance of the County Attorney, is authorized to enter into a pump and haul agreement with Jason and Wendy Blankenship upon the placement in escrow of a sufficient sum of money to protect and hold the County harmless. A zoning permit for the property in question shall not be issued until the agreements are signed, the monies are placed in escrow, the system is designed by a licensed engineer and the facilities are constructed by an approved and licensed contractor.

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

Voting no: Mr. Thomasson and Mr. Sharp

Absent: Mr. Wilkerson and Mr. Arrington

Motion passed.

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

Supervisor Pollard stated that when the Board Retreat was held back in January, the Board agreed to give themselves a raise. She said the Board has not had a raise in forty years, and are not compensated for the work they do; it's a 24/7 job. She requested consensus from the Board to hold the requisite public hearing regarding raises for the Board.

Supervisor Thomasson said he means no disrespect to any of the Board members, and he agrees that they work very hard. However, he could not support even so much as a consensus for a public hearing on Board raises at this time. He said taxes were just raised in the County, and aside from the 3% raise last August, employees have not had a raise in many years. Supervisor Thomasson asked how the Board could vote for a pay increase for themselves when they just implemented for a tax increase and

didn't give employees raises. He said he did not think it was a good use of funds to give the Board members raises.

Supervisor Pollard said the Board has paid for the increases in retirement and benefits in past years, and while this may not be the same as take-home pay it is an increase in pay. She said she understands that some employees may be getting paid below their pay scale, but there are others being paid above their pay scale and this is something administration needs to take a look at. She said a raise would not benefit her a great deal, but she is thinking about the next people coming on the Board. She said not everyone will be able to just buy their way onto the Board; it takes a lot to run for the office itself. Supervisor Pollard said the Supervisors take a lot of flak, and it's a big risk. She said that surrounding counties make more; that a county in South Carolina has a lot fewer people and make a salary in the teens; and that Roanoke County Supervisors were making \$14,000 three years ago.

Supervisor Martin said he was always in favor of public hearings on Board decisions, and stated that it was always a good idea to get public input before making decisions that affect the County. He said the people of Bedford County should have their say.

Supervisor Parker gave her consensus for moving forward with a public hearing at the first meeting in September.

Supervisor Martin said he had intended to speak about broadband needs this evening, but changed his mind in light of the fact that this was already discussed during the Citizen Comment Period earlier this evening.

There followed a brief discussion between members of the Board regarding the importance of broadband expansion in the County. Supervisor Pollard said it was her understanding that the Broadband Advisory Committee had some kind of recommendation or report, but she has never seen it. Mr. Reeter noted that since the recent passing of one of its members, the Committee has not met; Supervisor Thomasson has an appointment this evening to fill that vacancy on the Committee. Supervisor Pollard said that the report that she hadn't seen was done before Mr. Schikling passed away. Mr. Rogers reviewed the work of the Committee to date, clarifying that there was not in fact a report for the Board. There have been lots of discussion on the options available to the County, but nothing has been distilled into a report yet for the Board. This will be brought forward once the Committee is back in motion following the appointment of a new member.

(8) APPOINTMENTS TO BOARD, COMMISSIONS AND COMMITTEES

(8a) Supervisor Thomasson made a motion to appoint Teresa Lorraine Morris to serve on the Tri-County Lake Commission; motion passed by acclamation.

Supervisor Thomasson made a motion to appoint Lee Walker to serve on the Broadband advisory Board; motion passed by acclamation.

(9) COUNTY ATTORNEY'S REPORTS, REQUESTS AND RECOMMENDATIONS – *nothing to report*

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

(10a) County Administrator Mark Reeter addressed the Board with a request for direction on the vacant County Director of Tourism position. He reminded the Board of the recent presentation they were given by Prototype: Tourism, and asked if they wanted to move ahead with filling this position, or if they would rather hire a consulting firm to map out a tourism strategy first. After a brief discussion, it was the consensus of the Board to move forward with filling the position of the Tourism Director first, and work on a strategic plan at a later date. Chairman Sharp noted that he would have rather waited to make a decision on this until Supervisors Arrington and Wilkerson were present.

(11) PENDING MATTERS

(12) UPCOMING MEETINGS

Chairman Sharp noted the Board's upcoming meetings: CANCELLED – Regular Meeting on August 25th; September 8th – Regular Meeting at 7:30 p.m. (work session from 5:00 to 6:45 p.m.); September 22nd – Regular Meeting at 7:30 p.m.

Supervisor Thomasson made a motion to adjourn the meeting at 8:45 p.m.; motion passed by acclamation.