



MINUTES

BEDFORD COUNTY BOARD OF SUPERVISORS

BEDFORD COUNTY ADMINISTRATION BUILDING

AUGUST 12, 2013

5:00 P.M. WORK SESSION

- a.** Discussion with the County Attorney regarding Article One of the Zoning Ordinance.

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 of a request from the Sheriff's Department for authorization to submit an Asset Forfeiture Program One-Time Transfer application to the Virginia Office of the Attorney General in the amount of \$14,148.00. (*Resolution #R081213-01*)
- b.** Consideration of a request from the Sheriff's Department for a Supplemental Appropriation in the amount of \$6,198.00, which represents funding left over from the DMV Selective Enforcement Grant which was received in Fiscal Year 2012-13. (*Resolution #R081213-02*)
- c.** Consideration of a request from the Sheriff's Department for a Supplemental Appropriation in the amount of \$80,700.00, which represents funding from the COPS Hiring Program Grant that was originally received in 2011. (*Resolution #R081213-03*)

- d. Consideration of a request from the Commonwealth Attorney's office for a Supplement Appropriation for the remaining \$20,000.00 from the Virginia Domestic Violence Victim Fund Grant. (*Resolution #R081213-04*)
- e. Consideration of a request from the Commonwealth Attorney's office for approval to accept a grant in the amount of \$65,105.00 from the Department of Criminal Justice Services for the Victim Witness Program; there is no local match requirement. (*Resolution #R081213-05*)
- f. Consideration of a request from the Fire and Rescue Department for a Supplemental Appropriation in the amount of \$115,869.00 from the Aid to Localities for the Fire Programs Fund. (*Resolution #R081213-06*)

(4) APPROVAL OF MINUTES – July 22, 2013

(5) PUBLIC HEARINGS / PUBLIC APPEARANCES

- a. Presentation and funding request regarding the Moneta Park project.
 - *Presentation: Wayne Shepherd*
- b. Region 2000 Annual Report
 - *Presentation: Gary Christie*
- c. Discussion of FY14 Vehicle Replacements
 - *Staff Presentation: Sheldon Cash*

(6) ACTION ITEMS

- a. Consideration of a request from Fiscal Management to authorize a re-appropriation of Fiscal Year 2012-13 funds into Fiscal Year 2013-14. (*Resolution #R081213-07*)
 - *Staff Presentation: Susan Crawford, Director of Fiscal Management*
- b. Consideration of a request from the Human Resources Department to irrevocably elect not to participate in the Virginia Local Disability Program. (*Resolution #R081213-08*)
 - *Staff Presentation: Mark K. Reeter, County Administrator*
- c. Consideration of a request from the Human Resources Department to add an additional 457(k) plan to the employee benefits plan. (*Resolution #R081213-09*)
 - *Staff Presentation: Mark K. Reeter, County Administrator*
- d. Consideration of a request for authorization to issue an Invitation for Bids for the Woodhaven Road Project.
 - *Staff Presentation: Frank Rogers, Deputy County Administrator*

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

- a. Tri-County Lake Administrative Commission Environmental Committee meeting minutes from April 25, 2013.
- b. Bedford Communications report for June 2013.
- c. Economic Development Authority meeting minutes from June 6, 2013.
- d. Planning Commission meeting minutes from June 18, 2013.
- e. Bedford Business Roundtable meeting notes from July 23, 2013.
- f. Community Development Annual Building Report for Fiscal Year 2013.
- g. Bedford Public Library Board of Trustees meeting minutes from August 6, 2013.
- h. Notice – Grazing Dairy field tour on August 29, 2013.
- i. Information Item – Copy of request sent to the Secretary of Transportation voicing support for inclusion of I-73 Project in 2013 Virginia PPTA Project Pipeline from the Smith Mountain Lake Regional Chamber of Commerce.

(8) APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

- a. District 3 appointment to the Library Board of Trustees

(9) COUNTY ATTORNEY REPORTS, REQUESTS AND RECOMMENDATIONS

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

- a. Update on the Zoning Ordinance Text amendment regarding Commercial Outdoor Entertainment.

(11) PENDING MATTERS

(12) UPCOMING MEETINGS

- August 26 – Regular Meeting at 7:30 P.M.
- September 9 – Regular Meeting at 7:30 P.M. (Work session at 5:00 P.M.)
- September 23 – 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; and Annie Pollard, District 6 (arrived at 5:24 p.m.)

Absent: Tammy Parker, District 7

Staff Present: Mark K. Reeter, Carl Boggess and Brigitte Petersen

(There was difficulty starting the audio recording system; the first three minutes of the work session were not recorded.) Chairman Arrington called the work session to order, and noted that Supervisor Parker would not be attending; Mrs. Pollard was expected to arrive later during the meeting. He then turned the meeting over to Carl Boggess, County Attorney.

Attorney Boggess reviewed various suggested amendments to Article I of the Bedford County Zoning Ordinance with the Board, noting that some of the changes were merely to clean up the Ordinance, as some of the language is no longer relevant nor compatible with State code.

There was a brief discussion between Mr. Mark K. Reeter, County Administrator, Attorney Boggess and the Board regarding changing the Ordinance to allow having a Special Use Permit request and a change in zoning request for the same project on the same night. The Board agreed that this would save time and funds for both the citizens and the County. The Board also agreed to allow unsolicited text changes to come before the Board a specific number of times per year without having to go through the normal political channels.

Attorney Boggess continued the discussion on the suggested amendments, including holding neighborhood informational meetings. He stated that this has worked fairly well, but it isn't required by code and puts the applicant through an additional process. Attorney Boggess suggested removing this requirement as a County-sanctioned process. He said many developers will hold these meetings anyway, and it may be better that way rather than as a requirement of the County. Mr. Reeter said in his experience the developers have been encouraged to hold these meetings, but they were not required to do so.

There followed a discussion between members of the Board regarding this issue, with Vice-Chairman Sharp stating that while he does not want to add additional costs to someone wanting to do something with their property, he would prefer to err on the side of full disclosure. He said more people tend to attend the neighborhood informational meetings as they are easier to get to than coming all the way into town for the Board meetings. He commented that he has seen improvements to projects that were the direct result of input from citizens at neighborhood meetings. Attorney Boggess replied that a good developer would do this, but the County shouldn't make them do it since it isn't required by State code. Mr. Reeter noted that it all boils down to the level of controversy a potential project could generate. Vice-Chairman Sharp reiterated that he sees the merit in removing this requirement from the County Ordinance. He would ask that, when controversy is anticipated, staff would assist the developer in identifying when an informational meeting would be advised. The consensus of the Board was that it shouldn't be a requirement of the County if it isn't required by the State, but staff will assist developers as needed to determine when informational meetings should be considered by the developers.

Attorney Boggess then moved on to when the 90-day clock started for the Planning Commission, stating that he would like to revise the wording so that it is clear the 90 days start from the first meeting of the Planning Commission after the proposed zoning amendment has been referred to them. He also

suggested that 60 days, in certain cases, should be enough time for the Planning Commission's consideration; the Board concurred. Mr. Reeter stated that a request for the Commission to consider a text change from the Board within 60 days should be included in the Board's initiating resolution.

Attorney Boggess stated that the signage requirement for proposed rezoning could be adjusted. He said that the Community Development Department has begun issuing signs for applicants instead of asking the applicant to purchase their own signs. He said this way the County knows the signs have the correct wording and size and are posted properly. Attorney Boggess also noted that posting is not required by State code, and suggested removing the requirement so that the request is not invalidated if the signs are posted late or go missing.

Supervisor Pollard asked why the County has anything in its code that is not required by the State code. Attorney Boggess stated that the sign posting is important, since few people read the classifieds anymore. He stated that this is also the reason the County posts these requests on its website – it isn't required, but we want people to have adequate notification. A brief conversation followed between members of the Board and Attorney Boggess, with Mr. Reeter noting that most Counties in Virginia still post these signs even though it is not required by the State. Supervisor Pollard said she feels we should not do anything that is not required by the State; the consensus of the Board was to not require signage for rezoning requests. Vice-Chairman Sharp noted his concern that not having signs or informational meetings may appear as though the County is trying to slip something past the citizens. There followed a brief discussion regarding the power and authority of the Zoning Administrator.

The conversation on suggested changes to Article I continued, with some of the changes being necessary to match State code requirements. In response to a question from Supervisor Pollard, Attorney Boggess stated we do not have any requirements under 'special use' that are not required by State code. He also noted that the County has taken non-conformity as far as is possible in the code, and that the County is more lenient than required by the State.

Vice-Chairman Sharp asked if any locality in the State of Virginia has abolished their zoning requirements. Attorney Boggess stated that all but approximately 6-8 localities in the State have a zoning ordinance.

There being no further questions from the Board, Attorney Boggess suggested adding the initiating resolution for these changes to the Board's regular meeting for this evening.

Attorney Boggess moved the conversation to the issue of allowing private roads in planned districts. He said changing the planned districts will not work well for the particular situation that brought this issue up in the first place, but the Board may want to change the Subdivision Ordinance to allow private roads. He said that if there is a property that can only receive access through a private road, the way the ordinance is currently written would prevent that property from being developed. There followed a brief discussion regarding the merits and issues of allowing private roads, with the Board asking the County Attorney to work with the Director of Community Development to develop

specifications and appropriate language regarding waivers for private roads in certain situations where there isn't accessible public road frontage.

There being no further discussion, Chairman Arrington adjourned the work session.

The Board moved into 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; and Annie Pollard, District 6

Absent: Tammy Parker, District 7

Staff Present: Mark K. Reeter, Frank Rogers, Carl Boggess, Cheryl Dean, Susan Crawford, Sheldon Cash and Brigitte Petersen

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:

- Added from the work session – Action Item #6e – Consideration of an initiating resolution for Article I of the County Zoning Ordinance.

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

(2) FIFTEEN MINUTE CITIZEN COMMENT PERIOD

- Scott Baker, Extension Office Unit Coordinator, addressed the Board to introduce Beth Hawse, the new 4H Extension Agent. He stated that Ms. Hawse has an extensive background in both 4H and the Parks system. Ms. Hawse addressed the Board by stating she is looking forward to doing great things in Bedford.
- Jackie Davis, citizen from Thaxton, addressed the Board with a prayer.
- Steve Price, citizen from Forest, thanked the Board for their support in his endeavors to open a business in Bedford.
- John Brisco, citizen from Thaxton, voiced his support for Mr. Price's business and urged the Board to do anything they can do to support it.

- Ruby Dooley, citizen from Montvale, also voiced her support for Mr. Price’s business. Mrs. Dooley then moved to stating her concerns regarding the re-appropriations scheduled for approval before the Board this evening, and asked that they consider everything carefully before giving their approval to this request. She also urged the Board to attend the neighborhood public meetings to be better acquainted with what the citizens want.

(3) APPROVAL OF CONSENT AGENDA

Mr. Mark K. Reeter, County Administrator, noted that there were no additions to the Consent Agenda, as well as no local matching funds for the requested grants.

- a. Consideration of a request from the Sheriff’s Department for authorization to submit an Asset Forfeiture Program One-Time Transfer application to the Virginia Office of the Attorney General in the amount of \$14,148.00.
- b. Consideration of a request from the Sheriff’s Department for a Supplemental Appropriation in the amount of \$6,198.00, which represents funds left over from the DMV Selective Enforcement Grant which was received in Fiscal Year 2012-13.
- c. Consideration of a request from the Sheriff’s Department for a Supplemental Appropriation in the amount of \$80,700.00, which represents funding from the COPS Hiring Program Grant that was originally received in 2011.
- d. Consideration of a request from the Commonwealth Attorney’s office for a Supplement Appropriation for the remaining \$20,000.00 from the Virginia Domestic Violence Victim Fund Grant.
- e. Consideration of a request from the Commonwealth Attorney’s office for approval to accept a grant in the amount of \$65,105.00 from the Department of Criminal Justice Services for the Victim Witness Program; there is no local match requirement.
- f. Consideration of a request from the Fire and Rescue Department for a Supplemental Appropriation in the amount of \$115,869.00 from the Aid to Localities for the Fire Programs Fund.

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

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

Voting no: None

Absent: Mrs. Parker

Motion passed.

(4) APPROVAL OF MINUTES

Supervisor Pollard made a motion to approve the minutes for July 22, 2013 as presented; motion passed by acclamation.

(5) PUBLIC HEARINGS / PUBLIC APPEARANCES

(5a) Wayne Shepherd addressed the Board with a presentation of the progress on the Moneta Park project. Mr. Shepherd gave the Board an overview of the progress of the development over the past ten years, and presented a variety of photos showing the ball fields, developed park land, etc. Mr. Shepherd noted that a large majority of the park was improved through the generous funding from private citizens in addition to funds from the County.

Mr. Shepherd stated that the next item they'd like to finish up would be the restrooms, for which they are under-budgeted, as well as a concession stand with a storage area for landscaping equipment, etc. He stated that anything the Board could do to help with the costs associated with these projects would be appreciated.

Supervisor Martin commented that he has toured the park and the facility is nice but the restrooms really need to be finished, not only for aesthetics but also for sanitary reasons.

Supervisor Pollard asked that this issue be discussed at the next Parks and Recreation Committee meeting next week. In response to a question from Supervisor Pollard, Mr. Shepherd stated that the County has given close to \$200,000.00 for this park, and the citizens raised just over \$600,000.00. Supervisor Pollard congratulated Mr. Shepherd on their success with the park and commented that it is an asset to the County.

(5b) Mr. Gary Christie from the Local Government Council addressed the Board with their annual report. He noted the Council is separate from Region 2000, but each is supportive of the other. Mr. Christie stated the Council has reiterated the Council's emphasis on finding ways to help localities save money and to encourage communication among regional localities. He noted the Council's efforts to increase communication towers in the region and applying for FEMA grants for Fire and Rescue radio equipment. He stated that the Council runs a regional landfill out of Rustburg (which does not serve the residents of Bedford), as well as establishing regional stormwater regulations. Mr. Christie touched on a number of other projects such as regional Economic Development programs, business development services and studies for a regional library.

There being no questions from the Board, Chairman Arrington thanked Mr. Christie for his presentation.

(5c) Sheldon Cash, Director of Public Works, addressed the Board with a presentation of the Fiscal Year 2014 vehicle requests. Mr. Cash stated that there were requests for 16 new vehicles from the Sheriff's office, one for Building Inspections, one for Code Enforcement, two for Fire & Rescue and one

for Parks and Recreation, which would total approximately \$590,000.00. He noted that these were the same vehicles that were requested earlier in the year during the budget process, and that the mileages given on the sheet he distributed to the Board reflected the mileages as of January.

In response to a question from Supervisor Thomasson, Mr. Cash stated that the truck with 38,000 miles on it that Fire & Rescue wants to replace is undersized (with regard to the engine) and is not a 4x4. Mr. Cash recommended that this vehicle be transferred to another department to run the miles out on it.

In response to a question from Supervisor Pollard, Mr. Cash stated that very few employees take County vehicles home (excluding the Sheriff's office and Public Safety); usually only the Maintenance-on-call and the Code Enforcement officer take their vehicles home. He clarified that the vehicle for the SRO (school resource officer) would be a used vehicle from a deputy, who would in turn need a replacement vehicle.

In response to a question from Supervisor Thomasson, Sheriff Brown stated that in a year's time a deputy's road vehicle averages 40-50,000 miles.

Mr. Cash reiterated that vehicles from the Sheriff's department are frequently repurposed to other departments when possible; if the vehicle has too many mechanical issues to consider keeping it in the fleet, it is sold through an online auction service.

In response to a question from Vice-Chairman Sharp, Mr. Cash stated that the vehicle listed for Animal Control is not included in this request.

Supervisor Cheek noted that these requests were already approved during the budget work sessions and budget approval.

Chairman Arrington stated that he wants staff to finish the study regarding the benefits of owning verses leasing vehicles, as well as running cheaper vehicles.

Supervisor Thomasson commended the Sheriff's department for keeping the vehicles as long as they do to save money. Supervisor Martin commented that the mileages shown do not reflect the "engine miles", such as when the vehicle was idling, etc., which result in the engine having more wear and being older than the actual mileage.

Supervisor Cheek made a motion to approve the vehicle replacements as presented.

WHEREAS, during the FY2013-14 budget process County Staff had determined the need for replacement vehicles for the Sheriff's Department (16 vehicles), Building Inspections (one vehicle), Code Enforcement (one vehicle), Fire & Rescue (two vehicles) and Parks and Recreation (one vehicle) in the adopted budget, and

WHEREAS, the Board of Supervisors had previously adopted and appropriated funding for vehicle replacements totaling \$560,000.00 to accommodate these requests,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors does hereby authorize County Staff to proceed to replace vehicles as needed in these departments.

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

Voting no: None

Absent: Mrs. Parker

Motion passed.

(6) ACTION ITEMS

(6a) Susan Crawford, Director of Fiscal Management, addressed the Board with a request for authorization to re-appropriate the Fiscal Year 2012-13 funds in Fiscal Year 2013-14. At the request of the Chairman, Ms. Crawford explained that a re-appropriation is for a project that has been started or was budgeted for in a previous fiscal year and wasn't completed (either because the goods or services weren't received, or due to the timing of when the project began). She stressed that this is not giving money to a new project.

Ms. Crawford then briefly reviewed the re-appropriation policy of the Board, as well as the requests listed in the resolution.

Supervisor Cheek made a motion to approve Resolution #R081213-07.

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 \$780,149.16 or 0.87% of the total adopted General Fund Budget; now

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

Information Technology	\$13,206.00
Registrar	\$5,000.00
Sheriff's Office	\$8,884.26
Fire & Rescue – Fire Division	\$22,942.00
Fire & Rescue – Rescue Division	\$45,851.36
Fire & Rescue – Ancillary Fire & Rescue	\$16,500.00
Communications Center	\$14,235.75
Youth & Family Services	\$4,727.49
Parks & Recreation	\$46,358.00
Economic Development	\$6,574.00
Tourism	\$12,000.00
Erosion and Sediment Control	\$1,749.43
Storm Water Maintenance	\$50,700.00
Contingency Fund	\$483,378.91

Debt Service \$45,041.96
\$780,149.16

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

Voting no: None

Absent: Mrs. Parker

Motion passed.

(6b) Mark K. Reeter, County Administrator, addressed the Board with a request from the Human Resources Department to irrevocably elect not to participate in the Virginia Local Disability Program. Mr. Reeter stated that the Virginia Retirement System (VRS) has created a local disability program as a disability benefit that is required for local subdivisions and school divisions. VRS is requiring localities to either remain permanently in this program or opt out forever by the first of September. Mr. Reeter said staff is recommending opting out for a variety of reasons, and noted that staff has already obtained a market provider for this disability benefit that will either meet or exceed the state requirements. Retaining our own provider also gives the County the flexibility to move to a better program if we discover one, which is not allowed in the VRS program.

In response to a question from Supervisor Thomasson, Mr. Reeter stated that this is basically an insurance that the County would buy, as it has previously, and is not self-funded.

Supervisor Thomasson made a motion to approve Resolution #R081213-08.

WHEREAS, by enacting Chapter 11.1 of Title 51.1 of the *Code of Virginia*, the Virginia General Assembly has established the Virginia Local Disability Program (“VLDP”) for the payment of short-term and long-term disability benefits for certain participants in the hybrid retirement program described in Virginia Code § 51.1-169; and

WHEREAS, for the purposes of VLDP administration, an employer with VLDP-eligible employees may make an irrevocable election on or before September 1, 2013, requesting that its eligible employees not participate in VLDP as of the VLDP effective date of January 1, 2014, because it has or will establish, and continue to maintain, comparable employer-paid disability coverage for such employees that meets or exceeds the coverage set out in Chapter 11.1 of Title 51.1 of the *Code of Virginia*, with the exception of long term care coverage, by January 1, 2014; and

WHEREAS, it is the intent of Bedford County, 55109, to make this irrevocable election to request that its eligible employees not participate in VLDP;

NOW THEREFORE, BE IT RESOLVED, that Bedford County irrevocably elects not to participate in VLDP because it has or will establish, and continue to maintain, comparable employer-paid disability coverage for such employees; and it is further

BE IT FURTHER RESOLVED that, as an integral part of making this irrevocable election, Bedford County certifies that it has or will establish, and continue to maintain, comparable employer-paid disability coverage for such employees.

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

Voting no: None

Absent: Mrs. Parker

Motion passed.

(6c) Mark K. Reeter, County Administrator, County Administrator, addressed the Board with a request from the Human Resources Department to add an additional 457(k) plan to the employee benefits plan. Mr. Reeter stated this request would allow staff to opt to participate in an additional VRS optional retirement program, and said that the County already offers two such plans to staff. He noted that this request was generated by one staff member who was interested in participating in this particular plan, and suggested that the County cap the number of these types of plans being offered at three. Mr. Reeter also stated that this plan is based on contributions entirely from the employee, and there is no County match in funds.

In response to questions from Supervisor Thomasson, Mr. Reeter stated that Fiscal Management will have to keep records, etc., of this benefit for payroll services. This created a bit of extra work, which is why he is suggesting not offering more than three such programs. He also noted that very few employees participate in these programs. Mr. Rogers stated that the County has been satisfied with the plans offered to employees thus far.

Supervisor Sharp made a motion to approve Resolution #R081213-09.

WHEREAS, the Bedford County Board of Supervisors, the governing body of Bedford County, desires to establish a Deferred Compensation Plan for the employees of the County; and,

WHEREAS, a Deferred Compensation Plan is permitted by the Code of Virginia, Sections 51.1-600 et seq and Internal Revenue Code section 457(b); and,

NOW THEREFORE, BE IT RESOLVED, That the Bedford County Board of Supervisors hereby approves the establishment of a Deferred Compensation Plan for the employees of the County in accordance with the provisions of the Virginia Code; and,

BE IT FURTHER RESOLVED, That the staff is hereby directed to develop and implement a Deferred Compensation Plan at the earliest possible date but no sooner than August 1, 2013.

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

Voting no: None

Absent: Mrs. Parker

Motion passed.

(6d) Frank J. Rogers, Deputy County Administrator, addressed the Board with a request for authorization to issue an Invitation to Bid for the Woodhaven Road Project. Mr. Rogers said that the County had previously agreed to a Revenue Sharing Project with VDOT to realign Woodhaven Drive, which is happening at the same time as other construction projects related to Woodhaven, such as the Harmony development. He noted that the project could save approximately \$150,000.00 by beginning now and utilizing fill dirt that has been offered to the County by the Harmony developer. Mr. Rogers said that the downside to moving forward now would be the inconvenience caused to the residents on Woodhaven, which could be considerable and last for an extended period of time, especially if the project isn't completed until the spring due to adverse weather, etc. He said if the County waits until the spring to advertise for construction, we could potentially lose these savings and adversely affect the commercial marketability of at least two of the Harmony lots. The impact to the residents of Woodhaven would not, however, be as severe. He noted that much of the savings realized through the fill dirt we receive now would be lost if it has to be stored until the spring.

There followed a brief discussion among members of the Board. Supervisor Pollard voiced her concern for the Woodhaven residents being inconvenienced for such a long time, and noted that it's been a really wet year – if the current weather pattern continues it could cause delays with completing the project in what remains of the construction season. Supervisor Thomasson noted that he is concerned about safety with regard to traffic handling during the project. Vice-Chairman Sharp stated he was concerned about finishing the project within the limited amount of time left in the construction season this year. Chairman Arrington said that there are always cost increases in construction, and waiting until spring means this project could cost more. He stated that weather factors are something that are dealt with every day in construction and is not really a factor in this decision; Supervisor Martin concurred.

Supervisor Pollard made a motion to delay the advertisement for construction until the spring.

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

Voting no: Mr. Martin, Mr. Cheek and Mr. Arrington

Absent: Mrs. Parker

Motion failed.

Supervisor Martin made a motion to advertise for construction immediately.

Voting yes: Mr. Martin, Mr. Cheek and Mr. Arrington

Voting no: Mr. Sharp, Mrs. Pollard and Mr. Thomasson

Absent: Mrs. Parker

Motion failed.

This item was tabled until the next Board meeting on August 26, 2013.

(6e) Carl Boggess, County Attorney, addressed the Board for approval for a resolution initiating amendments to Article I of the County's Zoning Ordinance, per the recommendations made by the Board in their earlier work session.

Supervisor Pollard made a motion to approve Resolution #R081213-12.

WHEREAS, Article I, General Provisions, of the Bedford County Zoning Ordinance sets forth the purposes, processes, and rights by which the provisions of the Zoning Ordinance are administered and enforced; and

WHEREAS, provisions related to the administration and enforcement of local zoning ordinances are governed by, and in many instances must strictly adhere to, the requirements expressly stated in Title 15.2, Chapter 22, Article 7, Zoning, of the Code of Virginia, 1950, as amended; and

WHEREAS, the Board of Supervisors understands the necessity and importance of local ordinances being compliant with current and evolving applicable state statutes governing their regulatory authorities and responsibilities; 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 regulations of the Ordinance be no more a derogation of private property rights than required to advance and achieve beneficial public needs and purposes;

NOW, THEREFORE, BE IT RESOLVED, that 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 Article I of the Bedford County Zoning Ordinance, as presented and reviewed with the County Attorney and County Administrator this day.

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, and Mrs. Pollard

Voting no: None

Absent: Mrs. Parker

Motion passed.

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

Chairman Arrington noted that Supervisor Parker is not feeling well, which is why she is not in attendance this evening.

Vice-Chairman Sharp noted that license plate readers are used in several surrounding localities, and has asked the Sheriff to brief staff and the Board on how this technology is being used in Bedford County. He noted that while he supports certain applications, he is very concerned that the information collected could be misused and violate citizen's privacy.

(7a) The Board was given a copy of the Tri-County Lake Administrative Commission Environmental Committee meeting minutes from April 25, 2013 for their review.

(7b) The Board was given a copy of the Bedford Communications report for June 2013 for their review.

(7c) The Board was given a copy of the Economic Development Authority meeting minutes from June 6, 2013 for their review.

(7d) The Board was given a copy of the Planning Commission meeting minutes from June 18, 2013 for their review.

(7e) The Board was given a copy of the Bedford Business Roundtable meeting notes from July 23, 2013 for their review.

(7f) The Board was given a copy of the Community Development Annual Building Report for Fiscal Year 2013 for their review.

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

(7h) The Board was given a notice regarding the Grazing Dairy field tour on August 29, 2013.

(7i) The Board was given a copy of request sent to the Secretary of Transportation voicing support for inclusion of I-73 Project in 2013 Virginia PPTA Project Pipeline from the Smith Mountain Lake Regional Chamber of Commerce for their review.

(8) APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

(8a) Supervisor Cheek made a motion to appoint Barbara Woodford to the Board of Trustees of the Bedford Public Library for a term of two years commencing on the 12th day of August 2013 and ending on the 30th day of June 2017; motion passed by acclamation.

(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) Mark K. Reeter, County Administrator, gave the Board an update on the zoning ordinance text amendment regarding Commercial Outdoor Entertainment, noting that it will be before the Board for a public hearing during the August 26 meeting.

Mr. Reeter requested to add a work session to the August 26 meeting to review the proposal from the Fire and Rescue Committee on the funding formula for operational support. The Board gave its consensus to add the work session.

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

(12) UPCOMING MEETINGS

Chairman Arrington noted the Board's upcoming meetings on August 26 (regular meeting at 7:30 P.M. with a work session at 5:00 P.M.), September 9 (regular meeting at 7:30 P.M. with a work session at 5:00 P.M.), and September 23 (regular meeting at 7:30 P.M.).

Supervisor Thomasson made a motion to adjourn the meeting; motion passed by acclamation at 9:18 p.m.