



MINUTES

**BEDFORD COUNTY BOARD OF SUPERVISORS
BEDFORD COUNTY ADMINISTRATION OFFICE
JANUARY 13, 2014**

5:00 P.M. WORK SESSION

- a. Discussion of delinquent tax collection with Becky Jones, Treasurer.
- b. Update on Road Issues with VDOT.
- c. Review of Board of Supervisors Rules of Procedure

7:30 P.M. ORGANIZATION OF THE BOARD

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

(1) ORGANIZATION OF THE BOARD

- a. Selection of Chairman (*Resolution # R011314-01*)
- b. Selection of Vice-Chairman (*Resolution # R011314-02*)
- c. Approval of the Board of Supervisors Meeting Schedule (*Resolution # R011314-03*)
- d. Approval of the Board of Supervisors Inclement Weather Policy for 2014 (*Resolution #R011314-04*)
- e. Re-adoption of the Board of Supervisors Rules of Procedure (*Resolution #R011413-05*)

REGULAR MEETING

(1) APPROVAL OF AGENDA

(2) FIFTEEN MINUTE CITIZEN COMMENT PERIOD

(3) APPROVAL OF CONSENT AGENDA

- a. Consideration of a request to transfer \$50,000.00 from the Contingency Fund for the Bedford Boys Homage Sculpture at the National D-Day Memorial, as directed by the Board of Supervisors. (*Resolution #R011314-06*)
- b. Consideration of a request from the Clerk of the Circuit Court for acceptance and Supplemental Appropriation of a Library of Virginia grant in the amount

of \$11,291.00 to fund the conservation of Order Books; no local match is required. (*Resolution #R011314-07*)

(4) APPROVAL OF MINUTES – December 9, 2013 (*to follow under separate cover*)

(5) PUBLIC HEARINGS / PUBLIC APPEARANCES

(6) ACTION ITEMS

a. Request for approval of the revised Organizational Cooperative Agreement for the Tri-County Lake Administrative Commission (TLAC). (*Resolution #R011314-08*)

- *Staff Presentation: Mark Reeter, County Administrator*

b. Request for approval of the Fire Funding Formula (*Resolution #R011314-09*)

- *Staff Presentation: Frank Rogers, Deputy County Administrator*

c. Request from the Bedford Regional Water Authority for a land transfer for the Smith Mountain Lake water treatment plant and waterlines. (*R011314-10*)

- *Staff Presentation: Carl Boggess, County Attorney*

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

a. Information Item – New Playground equipment at Montvale Park

b. Agricultural Economic Development Advisory Board meeting minutes from October 2 and November 6, 2013

c. Planning Commission meeting minutes from October 23, 2013

d. Department of Community Development's Building Report for November 2013

e. Communications Center reports for October and November 2013

f. TLAC Environmental Committee meeting minutes from September 26, 2013

g. Tri-County Lake Administrative Commission meeting minutes from October 8, 2013

h. Bedford Regional Water Authority meeting minutes from November 19, 2013

i. Library Board meeting minutes from November 12, 2013

j. Information Item – Smith Mountain Lake Association's support for Short Term Rental Regulations

(8) APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

a. Appointment to the Economic Development Board for District 4

b. Appointments to the Agricultural Economic Development Advisory Board for Districts 2, 3 and 4

- c. Appointments to the Planning Commission for Districts 2, 3 and 4
- d. Appointment to the CVCC Advisory Board
- e. Appointments to the Building Appeals Board

(9) COUNTY ATTORNEY REPORTS, REQUESTS AND RECOMMENDATIONS

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

- a. Upcoming VACo Events in February:
 - Rural Caucus Dinner (February 5)
 - Legislative Day (February 6)
 - Chairperson’s Institute (February 6-8)

(11) PENDING MATTERS

(12) UPCOMING MEETINGS

- January 27 – Regular Meeting at 7:30 p.m.
- January 30 (*Thursday*) – Joint Meeting with the School Board at 6:00 p.m. (School Board Office)
- February 3 – Budget work session at 5:00 p.m.
- February 10 – Regular meeting at 7:30 p.m., with a work session from 5:00 – 6:00 p.m.; *Extension Office Annual Report & Dinner at 6:00 in the Main Floor Meeting Room*

5:00 P.M. – WORK SESSION

Board of Supervisors: Steve Arrington, Chairman, District 5; John Sharp, Vice-Chairman, District 4; Bill Thomasson, District 1(*arrived at 5:36 p.m.*); Curry Martin, District 2; Steve Wilkerson, District 3; Annie Pollard, District 6; and Tammy Parker, District 7

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

Supervisor Arrington welcomed everyone to the work session and turned the meeting over to Becky Jones, County Treasurer, and Jeffery Scharf, Taxing Authority Consulting Services, PC.

Mr. Scharf stated that his company currently provides tax collecting services to over 30 localities, and noted that, if contracted, his staff would follow the Treasurer’s guidelines with regard to collecting delinquent taxes. He gave a brief overview of his company, and clarified for the Board that the County would still receive 100% of the delinquent tax collected; the collection fees are paid separately by the taxpayer.

Mrs. Jones noted that frequently when delinquent taxpayers set up payment plans with her office, they end up either never paying at all, or only making the first payment. She noted that the County will still work with those who are behind on their taxes, as the County has always made an effort to avoid selling property to collect.

Todd Daniel, VDOT Residency Administrator, and Brian Casella, Bedford Area Land Use Engineer, addressed the Board with an update on a variety of VDOT projects. They each touched on several items from their update, the entirety of which is given below:

Maintenance Activities for Previous 30 Days:

- Ordinary Maintenance – Gravel Road Repair, Brush Removal, and Shoulder Repair.
- Route 608 (Altice Road) – Bridge over Norfolk & Southern Railway, located 0.2 miles south of Route 795 (Watson Road) – Closed December 20, 2013 due to necessary repairs. Norfolk & Southern is planning repairs.
- Route 811 (Thomas Jefferson Road) – Paving.
- Route 1239 (Spring Lake Road) – Culvert replacement completed.

Maintenance Activities for Next 30 Days:

- Ordinary Maintenance – Gravel Road Repair, Shoulder Repair and Brush Cutting.
- Tree Trimming – Various Routes.
- Route 689 (Irving Road) – Box Culvert Replacement is scheduled to be completed by mid February.
- Various Routes – Regional Guardrail Contract is ongoing and guardrail repairs are in progress countywide.

Private Entrances & Land Use Permits:

- 2012 Permit Totals: Commercial – 7, Private Entrance Land Use Permits – 53, Private Entrance Permits/Letters for non-state maintained routes – 93, Special Events – 4, Utility Activities – 34.
- 2013 Permit Totals: Commercial – 9, Private Entrance Land Use Permits – 72, Private Entrance Permits/Letters for non-state maintained routes – 69, Special Events – 8, Utility Activities – 37.
- December 2013: Issued 3 Private Entrance Permits/Letters for non-state maintained routes, 5 Private Entrance Land Use Permits, and 3 Land Use Permits for Utility Activities.
- January 2014 to date: Issued 3 Private Entrance Permits/Letters for non-state maintained routes and 1 Land Use Permit for Utility activities.

Possible Rural Additions:

- Deer Creek Drive – Huntington Wood Estates.
- Indian Ridge Drive – Village East Subdivision.

- Woodbrook Lane – Woodbrook Subdivision.

Plat/Plan Reviews:

- December 2013: 10 Plats/Site Plans reviewed.
- January 2014 to date: 4 Plats/Site Plans reviewed.

Special Studies:

- Route 24 STARS Project (Strategically Targeted Affordable Roadway Solutions) – The project study area extends from Route 886 (Drewry’s Hill Road) to Route 819 (Old Country Road). The purpose of the study is to identify common crash factors and to propose intermediate and long-term projects to improve safety. The study results will be used to develop projects that can be funded through HSIP and other traffic operations funding sources. Team field visit along corridor conducted December 12, 2013.
- Route 221 Safety Improvement Study – This study is lead by the Region 2000 Local Government Council / Central Virginia MPO in cooperation with Bedford County and the City of Lynchburg. The study will commence at Route 1483 (Cloverhill Boulevard) and will terminate in the City of Lynchburg at Forest Brook Road. Community meeting to be held on January 30, 2014 at Graves Mill Center.
- Route 644 (Old Cifax Road) – Through Truck Restriction #1: The through tractor truck and trailer or semi-trailer combination restriction is proposed of Route 644 (Old Cifax Road), beginning at the East Intersection of Route 643 (Cifax Road), and ending at the intersection of Route 663 (Perrowville Road), with the termini to termini distance equaling approximately 3.98 miles. Board resolution passed October 28, 2013 and study is under review by VDOT Salem District Traffic Engineering.
- Route 644 (Coffee Road) – Through Truck Restriction #2: The through tractor truck and trailer or semi-trailer combination restriction is proposed of Route 644 (Coffee Road), beginning at the intersection of Route 663 (Perrowville Road) and ending at the Lynchburg City Limits, with the termini to termini distance equaling approximately 5.66 miles. Board resolution passed October 28, 2013 and study is under review by VDOT Salem District Traffic Engineering.
- Route 695 (Goose Creek Valley Road) – Through Truck Restriction from Route 43 (Botetourt County) to Route 460 (West Lynchburg Salem Turnpike) – Commonwealth Transportation Board approved the Restriction at its December 4th meeting. (Primaries require CTB approval). Signs will be installed by Spring of 2014.
- Route 1240 (Lake Vista Drive) – The Lake Vista and Forest Lakes Homeowner’s Associations are pursuing a Traffic Calming study to mitigate speeding. Bedford County Administration has taken the lead on this with VDOT and a preliminary meeting was held on December 5, 2013 to discuss

the process.

Speed Studies:

- Route 43 (Virginia Byway) – Request speed study from Bedford Town limit to Route 722 (Five Forks Road). Study is under review. Current speed limit is 40 mph.
- Route 616 (Saunders Road) – From Route 653 (Masons Lane) to Route 619 (Jordantown Road). Study is under review. Speed limit posting and guardrail are not warranted. Winding Road signs and a School Bus Stop Ahead sign were installed.
- Route 621 (Cottontown Road) – Speed and Safety Guardrail Review - From Route 662 (Hooper Road) to Route 1240 (Lake Vista Drive). Study is under review. Current speed is 40 mph.
- Route 643 (Otterville Road) – From Route 122 (Big Island Highway) to Route 644 (Old Cifax Road). Study is under review. Speed limit is currently unposted.
- Route 654 (Morgans Church) – From Route 805 (Stone Mountain) south to Route 122 (Moneta Road). Study is under review. Speed limit is currently unposted.
- Route 658 (Walnut Hollow Road) – Verify two existing 25 mph zones from Route 624 (Indered Farm Road) to Route 1030 (Meadowridge Drive) and Route 1016 (Saddlerock Road) to the Lynchburg City Limits. Missing signage to be replaced per request of Virginia State Police to aid in speed enforcement. Study is under review. Speed limit varies and is not documented.
- Route 662 (Hooper Road) – From Route 663 (Perrowville Road) to Route 621 (Cottontown Road). Speed Limit Study. Current speed limit is 40 mph.
- Route 671 (Centerville Road) – From Route 221 (Forest Road) to 0.3 mile east of Route 644 (Lankford Mill Road). Study is under review. Speed limit is currently unposted.
- Route 675 (Keytown Road) – From Route 643 (Jopling Road) to Route 122 (Big Island Highway). Speed limit is currently unposted. Results from field review and crash analysis conclude the roadway will remain unposted. Warning/Advisory Signage will be installed and vegetation management to increase visibility of existing signs.
- Route 686 (Taylor Mountain Road) – From Route 688 (Buffalo Run) to Route 692 (Cool Springs Road). Study is under review. Speed limit is currently unposted.
- Route 702 (Prophet Road) – From Route 668 (Goode Road) to Dead End. Study is under review. Speed limit is currently unposted.
- Route 709 (New London Road) – From Route 24 (Wyatts Way) to Route 811 (Evington Road). Study is under review. Current speed limit is 45 mph.
- Route 805 (Stone Mountain Road) – From Route 654 (Morgans Church Road) to Route 626 (Smith Mountain Lake Parkway). Study is under review. Speed limit is currently unposted.
- Route 805 (Morgans Church Road) – From Route 122 (Moneta Road) to Route 805 (Stone

Mountain Road). Study is under review. Speed limit is currently unposted.

- Route 1425 (Graves Mill Road) – From Route 221 (Forest Road) to Lynchburg City Limits. Request is result of Fatal Accident – Current speed limit is 35 mph.

Safety Studies:

- Route 122 (Big Island Highway) – North of Route 782 (Waughs Ferry Road). Guardrail request as result of Fatal Accident.
- Route 221 (Forest Road) – Signal Request – Citizen request for a traffic signal at the intersection of Route 1474 (Maple Hills Drive) and Route 1475 (Woodberry Lane). Study is under review.
- Route 622 (Everett Road) – Review existing Passing Zone at intersection of Route 1515 (Merrywood Drive). Pavement markings modifying passing zone and No Passing Zone signs installed.
- Route 754 (Saunders Grove Drive) – Request for guardrail. Due to geometric conditions of roadway and shoulders, there is insufficient room to construct guardrail. Edge Delineators (ED-2) will be placed 100–150 feet apart beginning at address #3567 and extending South approximately 900 feet. In response to a question from Supervisor Sharp, Mr. Casella noted that this signs would be made of a reflective material.
- Route 757 (Goodview Road) – Result of district wide pavement and signs review contract. Adding 24” x 30” chevron advisory signs and 48” x 48” curve advisory signs in the curve 0.25 mile North of Route 1535 (Hemlock Shores Drive). To be complete by May 2014.

Project Status

- Route 43 (Peaks Road) – Bridge over Stoney Creek – UPC 97225 – Consultant is preparing an alignment study for review by VDOT. Tentative construction in 2020.
- Route 43 (Peaks Road) – Bridge over Big Otter River – UPC 94722 – Consultant prepared an alignment study for review by VDOT Bridge section. Tentative construction in 2017.
- Route 221 (Forest Road) – Left turn lanes at Route 668 (Goode Station Road) – (UPC 97043) – Project in preliminary engineering phase. Public information meeting was held March 12, 2013 to receive community input following plan revision from previous community input. Tentative construction in May 2020.
- Route 221/460 (West Lynchburg-Salem Turnpike) – Bridge over North Fork of Goose Creek – UPC 104181 – VDOT performing pre-scoping activities to provide to consultant for design. Project is in Preliminary Engineering scoping phase with no dates set.
- Route 460 (West Lynchburg-Salem Turnpike) - UPC 67529 – Safety improvement WBL grade changes near State Police office-In preliminary engineering. Construction Advertisement date is December 10, 2013. Bids to be received on January 22, 2014.

- Route 460 (West Lynchburg-Salem Turnpike) – S-Curves – UPC 76643 – Preliminary Engineering investigation to straighten Route 460 eastbound lanes to parallel westbound lanes. Project in Preliminary Engineering scoping phase with no dates set. Design team site visit was held on November 6, 2013.
- Route 460 (East Lynchburg Salem Turnpike) – Request for Right Turn Lane at Route 825 (Twin Lake Drive). Inquiry from citizen, but no study underway.
- Route 668 (Goode Station Road) - UPC 51916 – Bridge over Norfolk Southern Railroad – Project in Preliminary Engineering phase. Proposed construction in 2017.
- Route 755 (Simmons Mill Road) – UPC 103189 – Rural Rustic – Planned advertisement January 28, 2014. Construction completion in June 2014.
- Route 774 (Wooldridge Road) UPC 98951 – Rural Rustic Road –Base stone placed for surface treatment. Placed 50% of prime coat on Friday, November 22, 2013.
- Route 1110 (Woodhaven Drive) – UPC 101263 – Locally administered Revenue Sharing project to realign Woodhaven Drive to Field Road. Notice of contract award on September 24, 2013. Project is substantially complete and opened to traffic on December 31, 2013. Supervisor Sharp noted the funds that were saved by completing this project by December 31.

Secondary Additions:

- Autumn Run Subdivision – Punch list generated, awaiting fees and surety from developer.
- Farmington Subdivision, Sections 8 & 15 – Punch list generated by VDOT and developer is addressing deficiencies.
- Great Oaks Subdivision – Punch list generated by VDOT and developer is addressing deficiencies.
- Mayberry Hills Subdivision – Punch list generated by VDOT and developer is addressing deficiencies.

Carl Boggess, County Attorney, reviewed the Board’s updated By-laws and Rules of Procedures. Attorney Boggess stated that, in the past, the Board’s rules were not looked at during the Organizational meeting every year. He and County Administrator Mark Reeter feel that it would be best to have an annual review and approval of the rules, noting that a large portion of the rules are dictated by State Code.

Attorney Boggess noted that the portions of the rules pertaining to the ‘Order of Business’ and ‘Public Appearances’ may need to be reworked, especially since the Board recently changed the citizen comment period to allow anyone to speak on any topic.

There followed a very brief discussion between members of the Board regarding the merits of the current rules, with Attorney Boggess commenting that the Board can amend their rules at any time.

Mark K. Reeter, County Administrator, demonstrated for the Board a tablet computer that could be used in the future if the Board elects to switch from paper to electronic agendas. There followed a discussion between Mr. Reeter and members of the Board, with the Supervisors leaning towards using laptops instead of tablets due to the difficult of reading the agendas on the smaller tablet screen.

Supervisor Thomasson asked for clarification on how budget requests are presented to the Board, and suggested that perhaps the department directors and managers could each present their requests to the Board in a summary. There followed a brief discussion between the Board members and Mr. Reeter on the merits of a variety of options for presenting budget requests.

There being no further discussion, the Board moved into the conference room for dinner at 6:40 p.m.

7:30 P.M.

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

Staff Present: Mark K. Reeter, Carl Boggess, Brian Key, Mike Miller and Brigitte Petersen

Supervisor Arrington welcomed everyone to the meeting; a moment of silence was held and the Pledge of Allegiance was said.

The meeting was then turned over to Mark Reeter, County Administrator, for the organization of the Board.

ORGANIZATION OF THE BOARD

(1a) Supervisor Sharp asked to handle the selection of Vice-Chair first, and nominated Supervisor Parker; Supervisor Pollard moved that the nominations be closed.

WHEREAS, in accordance with the Bedford County Board of Supervisors' Rules of Procedure the Board's Organizational Meeting was held on January 13, 2014; and

WHEREAS, Supervisor Sharp made a motion nominating Supervisor Parker for the position of Vice-Chairman of the Board, and

WHEREAS, no other nominations were submitted, the following resolution was adopted and carried by a vote of 7-0.

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors does hereby name Tammy Parker, Vice-Chairman for Calendar Year 2014.

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

Voting no: None

Motion passed.

(1b) Supervisor Pollard made a motion to nominate Supervisor Sharp for the position of Chairman; Vice-Chairman Parker moved that the nominations be closed.

WHEREAS, in accordance with the Bedford County Board of Supervisors' Rules of Procedure the Board's Organizational Meeting was held on January 13, 2014; and

WHEREAS, pursuant to those Rules of Procedure, Supervisor Sharp was nominated by Vice-Chairman Parker for the position of Chairman; and

WHEREAS, no other nominations were submitted, the following resolution was adopted and carried by a vote of 7-0.

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors does hereby name John Sharp, Chairman for Calendar Year 2014.

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

Voting no: None

Motion passed.

(1c) Supervisor Arrington made a motion to approve Resolution #R011314-03; motion passed by acclamation.

2014 Board of Supervisors Meeting Schedule:

January	13 th	Regular Meeting (Work Session 5:00 to 6:45 P.M.)
	27 th	Regular Meeting (Work Session 5:00 to 6:45 P.M.)
	30 th	Joint Meeting with the School Board (6:00 P.M. at the School Board Office)
February	3 rd	Budget Work Session – 5:00 P.M.
	10 th	Regular Meeting (Work Session – 5:00 to 6:00 P.M.) <i>(Annual report and Dinner w/Extension Office at 6:00 p.m. following the work session)</i>
	24 th	Regular Meeting (Work Session – 5:00 to 6:45 P.M.)
March	3 rd	Budget Work Session (at 5:00 P.M.)

	10 th	Regular Meeting (Work Session – 5:00 to 6:45 P.M.)
	17 th	Budget Work Session (5:00 P.M.)
	20 th	Budget Work Session (5:00 P.M.) (<i>Thursday</i>)
	24 th	Regular Meeting (Work Session – 5:00 to 6:45 P.M.)
April	7 th	Meeting (Work Session – 5:00 to 6:45 P.M., Public Hearing on Budget @ 7:30 PM at the County Administration Office
	14 th	Regular Meeting (7:30 P.M.) (Budget Adoption)
	28 th	Regular Meeting
May	12 th	Regular Meeting (Work Session 5:00 to 6:45 P.M.)
	27 th	Regular Meeting (<i>Tuesday</i>)
June	9 th	Regular Meeting (Work Session 5:00 to 6:45 P.M.)
	23 th	Regular Meeting
July	14 th	Regular Meeting (Work Session 5:00 to 6:45 P.M.)
	28 th	Regular Meeting
August	11 th	Regular Meeting (Work Session 5:00 to 6:45 P.M.)
	25 th	Regular Meeting
September	8 th	Regular Meeting (Work Session 5:00 to 6:45 P.M.)
	22 nd	Regular Meeting
October	14 th	Regular Meeting (Work Session 5:00 to 6:45 P.M.) (<i>Tuesday</i>)
	27 th	Regular Meeting
November	12 th	Regular Meeting (Work Session 5:00 to 6:45 P.M.) (<i>Wednesday</i>)
	24 th	Regular Meeting (Work Session 5:00 to 6:45 P.M.)
December	8 th	Regular Meeting (Work Session 5:00 to 6:45 P.M.)

Regular Board Meetings: Held in the Boardroom at the Bedford County Administration Office on the 2nd Monday @ 5:00 p.m., and the 4th Monday @ 7:30 p.m. (unless otherwise noted).

(1d) Mark Reeter, County Administrator, briefly explained the Inclement Weather policy for the benefit of those in attendance; he noted that this has been the Board’s standard policy for some time.

Supervisor Thomasson made a motion to approve Resolution #R011314-04; motion passed by acclamation.

WHEREAS, §15.2-1416 of the Virginia Code grants the Board of Supervisors the authority at its annual organizational meeting to fix the day or days to which a regular meeting shall be continued if the chairman, or vice-chairman, if the chairman is unable to act, finds and declares that weather or other conditions are such that it is hazardous for members to attend the regular meeting.

NOW THEREFORE, BE IT RESOLVED, that if the Chairman (or the Vice-Chairman if the Chairman is unable to act) finds and declares that weather or other conditions are such that it is hazardous for Board members to attend a regular meeting, the regular meeting shall be continued until the next regularly scheduled meeting, with the exception of holidays, following the date of the regularly scheduled meeting. Such continuation shall be communicated to the members of the Board and the press as promptly as possible. All hearings and other matters previously advertised shall be conducted at the continued meeting and no further advertisement is required.

(1e) Mark Reeter, County Administrator, stated that based upon discussion during the work session and previous meetings with the Board, staff would like to recommend that the Rules of Procedure be annually reviewed and adopted at the Board's organization meeting.

Supervisor Thomasson made a motion to approve resolution #R011314-05; motion passed by acclamation.

WHEREAS, it has been the past practice of the Bedford County Board of Supervisors to establish Rules of Procedure; and

WHEREAS, the purpose of the rules are to help the Board conduct affairs in a timely and efficient manner by incorporating the general principles of parliamentary procedure found in Robert's Rules of Order's in Small Boards and applicable Virginia laws; and

WHEREAS, at this, the organizational meeting of the Board of Supervisors, the Board is readopting and reaffirming the Bylaws and Rules of Procedure of the Bedford County Board of Supervisors.

THEREFORE, BE IT RESOLVED, that the attached Bylaws and Rules of Procedures are hereby adopted as presented.

REGULAR MEETING

(1) APPROVAL OF AGENDA

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

- **Deletion:** Agenda Item #4 – Minutes for December 9th will not be ready for Board review until their meeting on January 27th.
- **Action Item:** Agenda Item #6d – Consideration and Review of Planning Commission Recommendation as to initiating resolutions from the Board of Supervisors dated October 15 and 28, 2013.
- **Amended Resolution:** Agenda Item #8a – Appointments have been added for TLAC.

- **Legislation of Interest:** Agenda Item #10b under County Administrator Reports - Legislation of Interest, 2014 General Assembly Session.

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

(2) FIFTEEN MINUTE CITIZEN COMMENT PERIOD

- Jackie Davis, citizen from Thaxton, addressed the Board with a prayer.
- Ruby Dooley, citizen from Montvale, addressed the Board with her concerns regarding the Smith Mountain Lake water project. Mrs. Dooley stated the Brian Key, Director of the Bedford Area Water Authority is an excellent employee, but she does not agree with this project, and said the water is not suitable for drinking. Mrs. Dooley also stated that the \$6,000.00 fee to hook up to the Town water line is not affordable for most people if their wells go dry. She said the County is already in too much debt, and doesn't need this sewage in the County. She commented that the citizens don't have any idea how they would pay for this project.

(3) APPROVAL OF CONSENT AGENDA

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

- a. Consideration of a request to transfer \$50,000.00 from the Contingency Fund for the Bedford Boys Homage Sculpture at the National D-Day Memorial, as directed by the Board of Supervisors. (*Resolution #R011314-06*)
- b. Consideration of a request from the Clerk of the Circuit Court for acceptance and Supplemental Appropriation of a Library of Virginia grant in the amount of \$11,291.00 to fund the conservation of Order Books; no local match is required. (*Resolution #R011314-07*)

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

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

Voting no: None

Motion passed.

(4) APPROVAL OF MINUTES

There were no minutes ready to approve at this time; the minutes for December 9 and January 13 will be ready for approval at the January 27 meeting.

(5) PUBLIC HEARINGS / PUBLIC APPEARANCES

There were no public appearances or hearings.

(6) ACTION ITEMS

(6a) Mark K. Reeter, County Administrator, addressed the Board with a request for approval of the revised Organizational Cooperative Agreement for the Tri-County Lake Administrative Commission (TLAC). Mr. Reeter stated that TLAC has been working to incorporate 12 miles of lake area in Campbell County, as well as financial obligations for Campbell, in the agreement. To that end, a revised agreement is before the Board this evening to solidify Campbell's inclusion in TLAC.

Supervisor Thomasson made a motion to approve Resolution #R011314-08.

WHEREAS, the purpose of the Tri-County Lakes Administrative Commission (TLAC) is to serve as an administrative department for the four counties surrounding Smith Mountain Lake and Leesville Lake, and is established to carry out lake planning duties as may be assigned by the respective Boards of Supervisors of Bedford, Campbell, Franklin and Pittsylvania Counties under the provisions of Section 15.2.1300 of the Code of Virginia; and

WHEREAS, the admission of Campbell County and its 12 miles of shoreline on Leesville Lake as a member jurisdiction within TLAC necessitates a revision to the TLAC Organizational Cooperative Agreement currently in place among Bedford, Franklin and Pittsylvania Counties; and

WHEREAS, a proposed Revised Organizational Cooperative Agreement has been prepared and approved by the TLAC Board and is being distributed for consideration and approval by the governing bodies of the four member jurisdictions;

NOW, THEREFORE, BE IT RESOLVED, by the Bedford County Board of Supervisors that the Board hereby approves the Revised Organizational Cooperative Agreement for the Tri-County Lakes Administrative Commission dated December, 2013 and authorizes the Chairman of the Bedford County Board of Supervisors to execute same on behalf of Bedford County.

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

Voting no: None

Motion passed.

(6b) Mark K. Reeter, County Administrator, addressed the Board with a request for approval of the Fire Funding Formula. Mr. Reeter reminded the Board that this formula was approved in principle at the Board's December 9, 2013 work session. This action tonight will simply officially codify this formula.

Mr. Reeter then briefly reviewed the points of the formula for those in attendance. He noted that this policy will not be effective until July 1.

Supervisor Pollard stated that she feels that this formula will hurt some of the departments, as it cuts funding. She noted that some agencies do their own lease/purchase and rely on this money. Supervisor Pollard acknowledged that some agencies run more calls and should be compensated for that, but she does not wish to reduce the funding that any agency currently receives.

Supervisor Thomasson made a motion to approve Resolution #R011314-09.

WHEREAS, the *Voluntary Settlement of Transition to Town Status and Other Related Issues Between The City of Bedford and the County of Bedford* (Voluntary Settlement Agreement) calls for a revised funding policy for all officially authorized, volunteer-based fire protection agencies operating within Bedford County; and

WHEREAS, in accordance with that requirement, the Board of Supervisors of Bedford County (Board) has developed a annual funding formula methodology for fire protection agencies which calculates annual County financial support for budgeting purposes in three (3) categories; specifically, (1) base funding to maintain and operate a main fire station facility; (2) a per-call reimbursement based upon the actual calls responded to by a County fire protection agency as officially reported by Bedford County E-911 Communications Center; and (3) funding for fire substation facilities maintained and operated by such agencies with the approval of the Board; and

WHEREAS, the Board (as a whole or through a committee thereof) shall review and assess this "Fire Funding Formula" methodology and its continued practicality after the first six months of implementation and no less than every other year thereafter, to include consideration of input from the Bedford County Fire Commission; and

WHEREAS, the Board warrants that from year to year actual funding made available to support this Fire Funding Formula shall be determined during development of the annual County operating budget and may change in response to public safety needs, budgetary constraints, or for other unforeseen reasons, and is ultimately subject to final budgetary approval and appropriation by the Board;

NOW, THEREFORE, BE IT RESOLVED, by the Bedford County Board of Supervisors that the Board does hereby adopt a new Fire Funding Formula methodology as generally described herein effective for Fiscal Year 2014-2015 that provides base funding, per-call reimbursement and substation funding support to each fire protection agency in Bedford County.

BE IT FURTHER RESOLVED, that for the Fiscal Year 2014-2015 annual County operating budget, the Fire Funding Formula shall be budgeted such that \$25,000 is provided to each fire protection agency as base funding; \$100 reimbursement is provided for each call officially responded to, and \$3,350 is provided for each fire substation facility approved by the Board.

BE IT FURTHER RESOLVED, that the County Administrator or his designee is hereby directed to develop administrative policies and procedures deemed necessary and appropriate to implement the Fire Funding Formula herein described.

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

Voting no: Mrs. Pollard

Motion passed.

(6c) Carl Boggess, County Attorney, addressed the Board with a request from the Bedford Regional Water Authority for a land transfer for the Smith Mountain Lake water treatment plant and waterlines. Attorney Boggess noted that the resolution before the Board this evening is to gauge the Board's intention to convey the property, and whether the Board would like the ads placed for the public hearing for the conveyance.

Brian Key, Director of the Bedford Regional Water Authority (BRWA), and Elmer Hodge, BRWA Board Chairman, then addressed the Board. Mr. Key noted that a study indicated the former Camp 24 site was the best location for this project, and the Board had previously given their approval of this use for the site. He noted that BRWA would like to move forward with the site plan design, so they need the land to be officially transferred.

Supervisor Thomasson asked if there were any plans to allow the Western Virginia Water Authority to eventually take over this site; Mr. Key answered in the negative. Supervisor Thomasson asked what the current relationship is with Lynchburg; Mr. Key replied that the numbers Lynchburg has offered are currently more expensive than any other option being considered. Mr. Key noted that the County water rates have dropped, while the Town rates have increased, due to language in the reversion agreement to equalize the rates between the County and Town residents over the next few years.

In response to a question from Supervisor Martin, Mr. Key stated that the Water Authority is interested in producing the water and constructing the plant in the most economical way possible. Any costs that are incurred in developing the project will be passed on to the customers, so they want to keep those costs minimal.

Supervisor Arrington spoke to the necessity to supply water to the town as outlined in the reversion agreement balanced with the need to keep the tax rates low.

Supervisor Wilkerson made a motion to approve Resolution #R011314-10.

WHEREAS, the Board of Supervisors of the County of Bedford, Virginia ("Bedford County") entered into a Consolidation Agreement ("Agreement") dated October 31, 2012 with the City Council of the City of Bedford, Virginia ("Bedford") and the Board of Directors of the Bedford County Public

Service Authority (“BCPSA”) whereby the Bedford Regional Water Authority (“Authority”) was established for the provision of Water and Wastewater Services for the County of Bedford and the Town of Bedford (“Town”); and,

WHEREAS, the Agreement stipulated that by December 31, 2016 the Authority will have made every reasonable effort to ensure interconnectivity of the water systems previously owned by Bedford and the BCPSA; and,

WHEREAS, the BCPSA and the Authority have performed multiple engineering studies which have shown that a water treatment plant at Smith Mountain Lake is the recommended option for a long term water supply for Bedford County and the Town, with the recommended location of water treatment plant being the property previously used by the Blue Ridge Regional Jail Authority for the operation of the prison known as Camp 24; and,

WHEREAS, the Board of Supervisors adopted Resolution R1011-140(R) on October 11, 2011 which concurred that the Camp 24 site was a suitable location for a water treatment plant, and further expressed the Board of Supervisor’s intent to transfer a portion of the Camp 24 property for the water treatment plant that is to be developed by the Authority; and,

WHEREAS, the Authority has requested by letter dated December 18, 2013 that the Board of Supervisors proceed with the transfer of approximately 69 acres of land containing the Camp 24 property as shown on the map titled “Camp 24 WTP Site” that was submitted with said letter such that the Authority can proceed with the development of the water treatment plant;

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors does hereby approve of the transfer of the land requested by the Authority as stated above; and,

BE IT FURTHER RESOLVED, that upon the development of the water treatment plant, the Authority shall be responsible for reimbursing Bedford County for all of the expenditures incurred by the County related to the closure of the prison camp, including the demolition and environmental studies that were necessary to make the site suitable for said development. This reimbursement shall be made prior to the completion of the construction of the water treatment plant. All future expenses related to the transfer of this property from Bedford County to the Authority shall be borne by the Authority; and,

BE IT FURTHER RESOLVED, that this agreement is contingent upon the Authority receiving approval for its pending Special Review Project Applications and approval of its Special Use Application and all other federal, state and local regulatory approvals; and

BE IT FURTHER RESOLVED, that the ownership of the property shall revert to Bedford County if the water treatment plant is not developed within five years of the date of this resolution. Furthermore, after this initial five year period, if the Authority or its assignees should cease using the property for the purpose of providing water service then the ownership of the property shall revert to Bedford County.

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

Voting no: Mr. Martin

Abstained: Mr. Thomasson

Motion passed.

(6d) Carl Boggess, County Attorney, addressed the Board with a review of the Planning Commission's recommendation regarding initiating resolutions from the Board dated October 15 and 28, 2013. Attorney Boggess pointed out the changes the Planning Commission made to the Board's original initiating resolution, noting language was added for clarification of the intent of the Ordinance. A brief discussion followed, during which the Board decided to make a correction to the specifications of Item #c (as noted with a strikethrough in the resolution below).

Supervisor Arrington made a motion to approve Resolution #R011314-11 as amended.

WHEREAS, the Board of Supervisors, by initiating resolution adopted on the 15th day of October 2013, proposed amendments to the Bedford County Subdivision Ordinance; and

WHEREAS, the Planning Commission and the Board of Supervisors have conducted a public hearing and received public testimony; and

WHEREAS, the Planning Commission has carefully considered the initiating resolution and has suggested several modifications to the text.

NOW, THEREFORE, BE IT ORDAINED, by the Bedford County Board of Supervisors, this the 13th day of January 2014, that the Bedford County Subdivision Ordinance be amended by adding the following section:

31-424 In addition to the above waivers, the Board of Supervisors retains the sole right, to grant a waiver for the use of private streets under specific circumstances.

- a.** In those cases where the only legal means of access to a property is through a subdivision with a fifty foot platted right of way street created prior to October 1, 1989, an additional subdivision of land, consisting of no more than 10 lots may be allowed to be subdivided on a private street.
- b.** The lots must meet the development standards of the zoning district with the exception of the requirement of fronting on a public street and with the exception that the lots shall not be smaller in acreage than the average lot size of the lots in the existing subdivision. The new lots may not be re-subdivided.
- c.** The street must be built to the standards of the existing private street. At a minimum the street surface shall be **a width, equal to or greater than the width of the existing street** ~~20 feet in width~~, must have an appropriate base of compacted gravel, adequate shoulders and

adequate drainage, all in accordance with plans and specifications submitted by an engineer licensed in the Commonwealth of Virginia.

- d. Should there be a home owners association for the existing subdivision, owners of lots in the new subdivision shall be required to join the existing home owners association. If there is no existing association or if the new owners are not allowed to join the existing association, a new home owners association shall be created. Deeds to lots in the new development shall contain language as to the home owners association and shall be submitted to the County for approval, prior to a subdivision being approved for recordation.
- e. Before granting the request, the Board must give written notice by first class mail, not less than 10 days nor more than 30 days to all persons fronting on the existing street.
- f. Decisions by the Board of Supervisors shall be based upon the above criteria, taking into account the hardship of the landowner, the nature of the existing easement and the position of the landowners that front the existing street. If the Board grants a waiver, any damage caused to the existing street by the development and construction of the additional lots and roadway must be repaired by the developer and/or lot owners so that the existing road remains in the same or better condition following the completion of the work to the lots and the new roadway.

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

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

Voting no: None

Abstained: Mr. Thomasson

Motion passed.

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

Supervisor Arrington thanked the County Attorney, the Planning Commission and the Board for their hard work on the zoning ordinance. He also welcomed Supervisor Wilkerson to the Board, and congratulated Supervisor Sharp and Supervisor Parker on their nominations to the Chair and Vice-Chair positions.

Supervisor Pollard echoed Supervisor Arrington's comments, and thanked Supervisor Arrington for his service over the years.

Chairman Sharp also thanked Supervisor Arrington and welcomed Supervisor Wilkerson.

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- (7a) The Board received information regarding the new playground equipment at Montvale Park for review.
 - (7b) The Board received a copy of the Agricultural Economic Development Advisory Board meeting minutes from October 2 and November 6, 2013 for review.
 - (7c) The Board received a copy of the Planning Commission meeting minutes from October 23, 2013 for review.
 - (7d) The Board received a copy of the Department of Community Development's Building Report for November 2013 for review.
 - (7e) The Board received a copy of the Communications Center reports for October and November 2013 for review.
 - (7f) The Board received a copy of the TLAC Environmental Committee meeting minutes from September 26, 2013 for review.
 - (7g) The Board received a copy of the Tri-County Lake Administrative Commission meeting minutes from October 8, 2013 for review.
 - (7h) The Board received a copy of the Bedford Regional Water Authority meeting minutes from November 19, 2013 for review.
 - (7i) The Board received a copy of the Library Board meeting minutes from November 12, 2013 for review.
 - (7j) The Board received information regarding Smith Mountain Lake Association's support for Short Term Rental Regulations for review.

(8) APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

Supervisor Martin made a motion to re-appoint Kenneth Palmer to the Agricultural Economic Development Advisory Board for District 2 for a term of four years, to end on January 31, 2018.

Supervisor Wilkerson made a motion to re-appoint Don Gardner to the Agricultural Economic Development Advisory Board for District 3 for a term of four years, to end on January 31, 2018.

Motions passed by acclamation.

Supervisor Martin made a motion to re-appoint Jeff Burdett to the Planning Commission for District 2 for a term of four years, to end on January 31, 2018.

Supervisor Wilkerson made a motion to appoint Harold Brown to the Planning Commission for District 3, to complete the remainder of Supervisor Wilkerson's term (from January 1, 2014 through January 31, 2014), and then for a following term of four years, to end on January 31, 2018.

Chairman Sharp made a motion to appoint Josiah Tillett to the Planning Commission for District 4 for a term of four years, to end on January 31, 2018.

Motions passed by acclamation.

Supervisor Wilkerson made a motion to appoint Bill Thomasson as the Supervisor Representative to the Tri-County Lake Administrative Commission for a one-year term beginning February 1, 2014 and ending on January 31, 2015.

Supervisor Arrington made a motion to appoint Curry Martin as the *Alternate* Supervisor Representative to the Tri-County Lake Administrative Commission for a one-year term beginning February 1, 2014 and ending on January 31, 2015.

Supervisor Thomasson made a motion to appoint Mark K. Reeter in his capacity as County Administrator to the Tri-County Lake Administrative Commission for a one-year term beginning February 1, 2014 and ending on January 31, 2015.

Supervisor Thomasson made a motion to re-appoint Ron Miller as the Citizen At-Large Representative to the Tri-County Lake Administrative Commission for a one-year term beginning February 1, 2014 and ending on January 31, 2015.

Motions passed by acclamation.

Chairman Sharp noted that committee assignments for the Supervisors are almost complete and will be distributed shortly.

(9) COUNTY ATTORNEY REPORTS, REQUESTS AND RECOMMENDATIONS

Carl Boggess, County Attorney, stated that bids were opened for the Economic Development Authority's New London substation project on Tuesday; L. J. Bays, Inc. (a Bedford County company) was the low bid at \$142,835.00 to prepare the site. He noted the contract will be signed within a few days.

Attorney Boggess also commented that he is now the President of the Local Government Attorneys Association in Virginia.

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

(10a) County Administration Mark K. Reeter noted the following upcoming VACo Events in February and asked that Supervisors interested in attending contact him as soon as possible:

- Rural Caucus Dinner (February 5)
- Legislative Day (February 6)
- Chairperson's Institute (February 6-8)

(10b) Mr. Reeter briefly reviewed upcoming legislation that he felt may be of interest to the Board. Specifically, House Bill No. 1010 (Certification and recertification of emergency medical service providers; appeals process); Senate Bill No. 523 and House Bill No. 633 (Estimates to be prepared for legislation affecting local government expenditures and revenues); House Bill No. 1080 (General powers and duties of Commission); and House Joint Resolution No. 118 (Requesting the Department of Conservation and Recreation to study changes to Virginia's Impounding Structure Regulations that may result in costs savings to owners of dams).

(11) PENDING MATTERS

(12) UPCOMING MEETINGS

Chairman Sharp noted the Board's upcoming meetings on January 27, which is a regular meeting at 7:30 p.m. with a work session at 5:00 p.m.; January 30 (Thursday), which is a joint meeting with the School Board at 6:00 p.m. at the School Board Office; February 3, which is a Budget Work Session at 5:00 p.m.; and February 10, which is a regular meeting at 7:30 p.m., with a work session from 5:00 – 6:00 p.m. (Extension Office Annual Report & Dinner at 6:00 p.m. in the Main Floor Meeting Room).

Supervisor Pollard made a motion to adjourn the meeting; motion passed by acclamation at 9:33 p.m.