



MINUTES
BEDFORD COUNTY BOARD OF SUPERVISORS
BEDFORD COUNTY ADMINISTRATION BUILDING
JULY 13, 2015

5:00 P.M. WORK SESSION

- a. VDOT Update on Road Issues and Projects
 - *Presentation by Todd Daniel and Brian Casella, VDOT Residency Office*
- b. Discussion regarding House Bill 2
 - *Presentation by Michael Gray, District Planning Manager*

6:15 P.M. Break for Dinner

6:45 P.M. BROADBAND AUTHORITY MEETING

- (1) Call to Order & Welcome
- (2) Consideration of a Resolution to approve the execution of a Memorandum of Understanding with Mid-Atlantic Broadband Communications Corporation. *(Resolution #R071315-01 BA)*
- (3) Consideration of a Resolution authorizing the execution of a Ground Lease with Mid-Atlantic Broadband Communications Corporation. *(Resolution #R071315-02 BA)*
- (4) Consideration of a Resolution for authorization to commence a Special Use Application for a Communications Tower on property owned by the County at the intersection of US Route 460 and State Secondary Route 695. *(Resolution #R071315-03 BA)*
- (5) Adjourn

7:00 P.M. REGULAR MEETING

- (1) **Call to Order & Welcome**
- (2) **Moment of Silence**
- (3) **Pledge of Allegiance**

- (4) **Approval of Agenda**
- (5) **Citizen Comments** (15 Minutes)
- (6) **Consent Agenda**
- a. Consideration of a request from the E-911 Communications Center for a Supplemental Appropriation in the amount of \$2,000.00 from the Virginia E-911 Services Board Grant. (The funds will be used for training expenses; no local match was required). (*Resolution #R071315-03*)
 - b. Consideration of a request from the Sheriff's Office to submit a grant application to the Department of Justice for the OJJDP FY2015 Internet Crimes Against Children Task Force Grant for Federal funding in the amount of \$365,745.00 to cover expenses for required travel, rent, equipment, forensic software and overtime. (*Resolution #R 071315-11*)
- (7) **Approval of Minutes** – *no sets are ready for approval at this time*
- (8) **Public Hearings & Presentations**
- a. Public Appearance - Proclamation in Recognition of James Douglas "J. D." Scott
 - b. Public Hearing – Consideration of a request to change the patient day rate at the Bedford County Nursing Home. (*Ordinance #O 071315-05*)
 - *Staff Presentation by Interim County Administrator Carl Boggess*
 - c. Public Hearing – Consideration of a request to Amend and Readopt the Bedford County Zoning Ordinance by changing the Zoning District Designation of Property Identified as Tax Map #87C-1-5F (*Ordinance #O 071315-06*)
 - *Staff Presentation by Planner Brad Robinson*
 - d. Public Hearing – Consideration of a request to approve a Special Use Permit to Establish Industry Type III on Property Identified as Tax Map #87C-1-5F (*Resolution #R071315-07*)
 - *Staff Presentation by Planner Brad Robinson*
 - e. Public Hearing – Ordinance amending select provisions of the Bedford County Zoning Ordinance; specifically, 'Agritourism Definition' (*Ordinance #O 071315-08*)
 - *Presentation by Community Development Director Gregg Zody*

(9) Action & Discussion Items

- a. Fiscal Year 2015 Year End Adjustments (to follow under separate cover)
(*Resolution #R071315-09*)
 - *Staff Presentation: Fiscal Management Director Susan Crawford*
- b. Consideration of a request to relocate the Department of Fire and Rescue to the former Group Home Administration/Classroom building. (*Resolution #R071315-10*)
 - *Staff Presentation: Public Works Director Sheldon Cash*
- c. Consideration of a request from the Department of Public Works to issue a Request for Proposals (RFP) for Engineering Services to conduct assessments of various County-owned buildings. (*Resolution #R071315-04*)
 - *Staff Presentation: Public Works Director Sheldon Cash*
- d. Consideration of a request to convey land owned by the Bedford County Board of Supervisors to the Bedford County Broadband Authority. (*Resolution #R071315-01*)
 - *Staff Presentation: Interim County Administrator Carl Boggess*

(10) Board Committee Reports

- a. Public Works Committee
- b. Finance Committee

(11) Board Member Comments

(12) Board Appointments

(13) County Attorney Report

(14) County Administrator Report

(15) Board Information

- a. Bedford Regional Water Authority Board of Directors meeting minutes from May 19, 2015
- b. Tri-County Lake Administrative Commission, Navigation Committee meeting minutes from April 15, 2015
- c. Tri-County Lakes Administrative Commission Board meeting minutes from February 10 and April 14, 2015
- d. Bedford E-911 Communications Center report for June 2015
- e. Bedford Public Library System Board of Trustees Organizational Meeting Agenda for July 7, 2015

(16) Board Calendar & Reminders

- August 10th – Regular Meeting at 7:00 p.m. (Work Session from 5:00 – 6:30 p.m.)
- September 14th – Regular Meeting at 7:00 p.m. (Work Session from 5:00 – 6:30 p.m.)
- September 28th – Regular Meeting at 7:00 p.m.

(17) Adjourn

5:00 P.M. – WORK SESSION

Board of Supervisors: Tammy Parker, Chairman, District 7; Bill Thomasson, District 1; Curry Martin, District 2; John Sharp, District 4; and Steve Arrington, District 5 (*arrived at 5:50 p.m.*)

Absent: Steve Wilkerson, Vice-Chairman, District 3 and Annie Pollard, District 6

Staff Present: County Attorney Carl Boggess, Senior Assistant County Attorney Patrick Skelley, Community Development Director Gregg Zody, Planner Brad Robinson, Planner Jordan Mitchell and Executive Assistant Brigitte Luckett

Chairman Parker called the meeting to order, welcomed everyone in attendance, and then turned the meeting over to Mr. Todd Daniel from the VDOT Residency Office.

Mr. Daniel gave a brief update on VDOT projects throughout the County, the entirety of which is given below:

Maintenance Activities for Previous 30 Days:

- Ordinary Maintenance – Gravel Road Repair, Brush Removal, Shoulder Repair, Pavement Patching.
- Plant mix overlay of Various Secondary Routes.
- Route 460 (West Lynchburg-Salem Turnpike) from Route 691, Quarterwood Road, to Route 690, Nester Road – Latex Overlay – Complete. (District 6 – Pollard)
- Route 621 (Cottontown Road) from Route 1240, Lake Vista Drive, to Route 644, Coffee Road - Slurry Seal Overlay – Complete. (District 5 – Arrington)
- Route 682 (Kelso Mill Road) – Repair Drainage issue at intersection Route 43, Peaks Road – Complete. (District 7 – Parker)
- Route 680 (Patterson Mill Rd) – Pipe Replacement, multiple locations – Complete. (District 7 – Parker)

Maintenance Activities for Next 60 Days:

- Ordinary Maintenance – Gravel Road Repair, Shoulder Repair, Ditching, Patching on Various Secondary and Primary Routes. Mowing 2nd cycle primary routes beginning in August.

- Various Routes – Surface Treatment Contract – Tentative Start Date: Late July- Early August.
- Various Routes – Regional Guardrail Contract is ongoing and guardrail repairs are in progress countywide.
- Route 24 (Stewartsville Road) from 1.30 Miles East of 635, Spradlin Road, to 653, Mill Iron Road – Mill and Plant mix overlay - Tentative Start Date: Late July or August. (District 1 – Thomasson)
- Route 460 WBL (East Lynchburg-Salem Turnpike) 0.40 Miles West of Route 668, Goode Road, to 0.73 Miles West of Route 784, Triggs Road – Mill and Plant mix overlay. (District 3 – Wilkerson)
- Route 666 (Elkton Farm Road) – Pipe Replacement - 1.650 MI South of RTE 221, Forest Road Tentative Start Date: Awaiting environmental clearance. (District 4 – Sharp)
- Route 699 (Bore Auger Road) – Pipe Replacement – 1.308 MI West of RTE 619, Jordantown Road Tentative Start Date: Awaiting environmental clearance. (District 6 – Pollard)
- Route 691 (Thaxton Mountain Road) – Replace Low Water Structure – Work began February 11, 2015. Tentative completion: Fall 2015. (District 6 – Pollard)
- Route 727 (Crab Orchard Road) – Box Culvert Replacement – 0.45 MI North of RTE 626, Road closure planned for August 10 thru October 2, 2015. (District 3 – Wilkerson)

Private Entrances & Land Use Permits:

- March 2015: Land Use Permits: Issued 7 Private Entrance Permits for new entrances and 1 Temporary Construction entrance, and 5 Utility Activities Permits.
- March 2015: Private (non-state maintained): 5 Entrance Permits, 2 Existing Entrance Permits, and 1 private road letter.
- April 2015: Land Use Permits: Issued 9 Private Entrance Permits, and 1 Commercial Entrance.
- April 2015: Private (non-state maintained): 4 Private Entrance Permits and 3 private road letters.
- May 2015: Land Use Permits: Issued 9 Private Entrance Permits for new entrances.
- May 2015: Private (non-state maintained): 3 Entrance Permits and 1 Existing Entrance Permit.
- June 2015: Land Use Permits: Issued 10 Private Entrance Permits for new entrances, 1 Commercial Entrance, 1 Temporary Construction Entrance on state maintained routes, and 4 Utility Activities Permits.
- June 2015: Private (non-state maintained): 2 Existing Entrance Permits.
- July 1 - 13: Land Use Permits: Issued 5 Private Entrance Permits and 1 Utility Activities Permit.
- July 1 - 13: Private (non-state maintained): 1 Private Entrance Permit.

Plat/Plan Reviews:

- March 2015: 8 Plats/Site Plans reviewed.
- April 2015: 14 Plats/Site Plans received for review.

- May 2015: 12 Plats/Site Plans received for review.
- June 2015: 15 Plats/Site Plans received for review.
- July 1 – 13: 4 Plats/Site Plans received for review.

Secondary Additions:

- Farmington Subdivision, Sections 8 & 15 – Roadways were accepted into the secondary system for maintenance on June 22, 2015. (District 4 – Sharp)
- Great Oaks Subdivision – Punch list generated by VDOT and developer is addressing deficiencies. (District 3 – Wilkerson)
- Mayberry Hills Subdivision – Punch list generated by VDOT and developer is addressing deficiencies. (District 2 – Martin)
- Sunset Cay Subdivision – Roadways were accepted into the secondary system for maintenance on June 22, 2015. (District 2 – Martin)

Speed/Safety Studies:

- Route 122 (Moneta Road) – From Route 805, Morgans Church Road, to Route 654, Morgans Church Road. Study complete. No speed limit change recommended. Watch for Turning Vehicle sign will be added for southbound traffic. (District 2 – Martin)
- 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 complete. No signal recommended at either intersection. (District 4 – Sharp)
- Route 621 (Cottontown Road) – From Route 221, Forest Road, to Route 660, Hawkins Mill Road. Study complete. Speed limit is currently 35 MPH. No increase in speed limit recommended. (District 4 – Sharp)
- Route 621 (Cottontown Road) – At the intersection of Route 662 (Hooper Road). Intersection study review underway. (District 5 – Arrington)
- Route 622 (Everett Road) – Speed Study Request. From route 646 to 1.99 miles east of route 646. Study complete. Speed Limit is currently posted at 45 MPH. No changes recommended. (District 7 – Parker)
- Route 634 (Hardy Road) – From Franklin County Line to Roanoke County Line. Study under review. Speed Limit is currently 45 MPH. (District 1 – Thomasson)
- Route 635 (Beagle Club Road) – From Route 634, Hardy Road, to Route 24, Stewartville Road. Guardrail review complete. Approximately 1100’ of guardrail will be installed from 1.21 to 1.42 miles south of route 24 in fiscal year 2016. (District 1 – Thomasson)

- Route 691 (Blankenship Road) – Speed Study Request. Study under review. From route 24 to dead end. Study under review. Speed Limit is currently unposted from route 24 to 0.20 mile east of route 24 and 35 MPH from 0.20 mile east of route 24 to dead end. (District 1 – Thomasson)
- Route 755 (Morgans Mill Road) – Speed study complete. Speed limit will be reduced to 35 MPH from route 757 to route 24. (District 1 – Thomasson)

Project Status:

- Route 43 (Peaks Road) – Bridge over Stoney Creek – UPC 97225 – VDOT approved a bridge alignment on February 26, 2015. Consultant is preparing preliminary engineering plans. Tentative advertisement on March 13, 2018. (District 5 – Arrington)
- Route 43 (Peaks Road) – Bridge over Big Otter River – UPC 94722 – Consultant prepared an alignment study for review by VDOT Bridge section. VDOT posted signs for willingness to hold a public hearing on March 17, 2015. Tentative advertisement date is March 14, 2017. (District 5 – Arrington / District 7 – Parker)
- Route 122 (Moneta Road) – Bridges over Goose and Stony Fork Creeks – UPC 00673 – Scope is currently revised to replace only the Goose Creek Bridge at Route 801 (Stony Fork Road) on the existing roadway alignment. Project is in the Preliminary Engineering Phase with construction tentatively planned for 2019. CTB member is discussing the project scope with the Commissioner and anticipate project direction by July 2015. (District 2 – Martin)
- Route 221 (Forest Road) – Left turn lanes at Route 668 (Goode Station Road) – UPC 97043 – Project in preliminary engineering phase. Tentative construction in May 2020. (District 7 – Parker)
- 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. (District 6 – Pollard)
- 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. Consultant kickoff meeting held on March 17, 2014 for preliminary scoping and engineering. (District 6 – Pollard)
- Route 634 (Hardy Road) – UPC 62650 – Bridge replacement project. Project is in Preliminary Engineering phase with a Tentative Advertisement date in April of 2017. Community meeting was held at the Hardy Fire Department on January 22, 2015. (District 1 – Thomasson)
- Route 668 (Goode Station Road) – Bridge over Norfolk Southern Railroad – UPC 51916 – Project in Preliminary Engineering phase. VDOT held an informational meeting on February 10, 2015 on two design alternatives. Based upon citizen input and county concurrence, VDOT is pursuing Design Option A which replaces the existing bridge and realigns Route 668 through tax parcel 113-A-47 and

removes the sharp curves north of the existing bridge. Proposed construction advertisement in 2017.
(District 7 – Parker)

- Route 872 (Roach Road) – Rural Rustic Unpaved Road Project – UPC 103190 – Environmental review underway. Tentative construction start date is late summer 2015. (District 2 – Martin)

Possible Rural Additions:

- Rolling Meadow Drive – Rolling Meadow Subdivision – Route 691 (Quarles Road.) Homeowners to discuss dedication of road right-of-way. (District 6 – Pollard)

Mr. Daniel noted that VDOT has received several requests for guardrail on Route 122 near Hunting Creek Baptist Church; this will be installed if funding becomes available, but it is not a high priority.

Mr. Daniel then introduced Mr. Michael Gray, who gave an overview of House Bill 2 and its potential benefits and impacts to road projects in Bedford County. He stressed that VDOT’s future focus for funding road projects will be on identified needs; growth areas, economic development and safety needs will be given priority in project approvals for rural areas like Bedford. Mr. Gray noted the funds for revenue sharing projects are shrinking significantly beginning next year, as these monies will be used for to fund this new program. He said keeping ‘village plans’ (also known as ‘UDAs’) in the Comprehensive Plan will enable Bedford to more easily qualify for project funding. Throughout the presentation, Board members asked questions clarifying various aspects of the bill and how the funding will be applied.

There being no further discussion, the Board adjourned for dinner at 6:14 p.m.

6:45 P.M. – BROADBAND ADVISORY MEETING

Board of Supervisors: Tammy Parker, Chairman, District 7; Bill Thomasson, District 1; Curry Martin, District 2; John Sharp, District 4; and Steve Arrington, District 5

Absent: Steve Wilkerson, Vice-Chairman, District 3 and Annie Pollard, District 6

Staff Present: County Attorney Carl Boggess, Community Development Director Gregg Zody, Planner Brad Robinson, Planner Jordan Mitchell, Senior Assistant County Attorney Patrick Skelley, Nursing Home Administrator Toni Pierce, Fiscal Management Director Susan Crawford, Fire and Rescue Chief Jack Jones, Jr., Extension Agent Scott Baker, Public Works Director Sheldon Cash, and Executive Assistant Brigitte Luckett

Chairman Parker called the meeting to order, welcomed everyone in attendance, and then turned the meeting over to Attorney Boggess, who then handed the meeting to Mr. Allen Boaz.

Allen Boaz, Chairman of the Bedford Broadband Technical Advisory Group (BTAG), addressed the Board with a brief history of the BTAG's efforts to improve broadband access in the County. Mr. Boaz reiterated the importance of this new tower and its significance to the areas citizens, and thanked the Board for their support.

Supervisor Arrington made a motion to approve Resolution #R071315-01 BA.

WHEREAS, by resolution passed the 13th day of July 2009, the Bedford County Board of Supervisors formed the Bedford County Broadband Authority with the express purpose of fostering economic development, improving educational opportunities and access to quality health care, ensuring public safety and enhancing the overall quality of life of the citizens of the County; and

WHEREAS, Mid-Atlantic Broadband Communities Corporation was formed and tasked to design, build, operate, manage and maintain a state of the art, carrier-class fiber optic network that enabled retail private sector telecommunications providers to serve the region; and

WHEREAS, by Memorandum of Agreement dated July 13, 2015, the Bedford County Broadband Authority and Mid-Atlantic Broadband Communities Corporation have agreed to erect a communications tower to provide expanded broadband service in the Montvale area; and

WHEREAS, the Bedford County Board of Supervisors has conveyed a parcel of land owned by Bedford County for this purpose located at the intersection of Route 460 and State Secondary Route 695;

NOW, THEREFORE, BE IT RESOLVED, that the Interim County Administrator is authorized to execute the Memorandum of Understanding between the Bedford County Broadband Authority and Mid-Atlantic Broadband Communities Corporation.

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

Voting no: None

Absent: Mr. Wilkerson and Mrs. Pollard

Motion passed.

Supervisor Thomasson made a motion to approve Resolution #R071315-02 BA.

WHEREAS, by resolution passed the 13th day of July 2009, the Bedford County Board of Supervisors formed the Bedford County Broadband Authority with the express purpose of fostering economic development, improving educational opportunities and access to quality health care, ensuring public safety and enhancing the overall quality of life of the citizens of the County; and

WHEREAS, in keeping with their respective missions, the parties are entering into this Agreement to initially work towards providing broadband coverage for the greater Montvale Community, including Goose Creek Valley, and secondly, the hope that the parties can collaborate towards the goal of providing broadband service for more underserved communities in the County; and

WHEREAS, the Bedford County Broadband Authority is the owner of a 0.083 acre tract of land located at the intersection of Route 460 and State Secondary Route 695, and identified as Tax Map #87-A-47 on a plat drawn by Shrader Engineering and Land Surveying on April 3, 2015; and

WHEREAS, this tract of land is adequate for the proposed and beneficial use of a communications tower location;

NOW, THEREFORE, BE IT RESOLVED, that the Interim County Administrator is authorized to execute the Ground Lease between the Bedford County Broadband Authority and Mid-Atlantic Broadband Communities Corporation.

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

Voting no: None

Absent: Mr. Wilkerson and Mrs. Pollard

Motion passed.

Supervisor Sharp made a motion to approve Resolution #R071315-03 BA.

WHEREAS, by resolution passed the 13th day of July 2015, the Bedford County Board of Supervisors conveyed to the Bedford County Broadband Authority a 0.083 acre tract of land identified as Tax Map #87-A-47 for a communications tower site; and

WHEREAS, a Memorandum of Understanding between the Bedford County Broadband Authority and Mid-Atlantic Broadband Communities Corporation was executed on the 13th day of July, 2015 to initially work towards providing broadband coverage for the greater Montvale Community, including Goose Creek Valley, and secondly, the hope that the parties can collaborate towards the goal of providing broadband service for more underserved communities in the County; and

WHEREAS, a Special Use Permit will be required for the placement and construction of this tower in accordance with §30-87 of Bedford County's Zoning Ordinance;

NOW, THEREFORE, BE IT RESOLVED, that the Bedford County Board of Supervisors authorizes the Interim County Administrator to submit an application to the Community Development Department for a Special Use Permit on behalf the Bedford County Broadband Authority for the construction of a wireless communications tower.

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

Voting no: None

Absent: Mr. Wilkerson and Mrs. Pollard

Motion passed.

There being no further business for the Broadband Authority, Supervisor Thomasson made a motion to adjourn the meeting at 6:55 p.m.

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

Voting no: None

Absent: Mr. Wilkerson and Mrs. Pollard

Motion passed.

7:00 P.M.

Board of Supervisors: Tammy Parker, Chairman, District 7; Bill Thomasson, District 1; Curry Martin, District 2; John Sharp, District 4; and Steve Arrington, District 5

Absent: Steve Wilkerson, Vice-Chairman, District 3 and Annie Pollard, District 6

Staff Present: Interim County Administrator/County Attorney Carl Boggess, Senior Assistant County Attorney Patrick Skelley, Community Development Director Gregg Zody, Fire and Rescue Chief Jack Jones, Jr., Nursing Home Administrator Toni Pierce, Director of Public Works Sheldon Cash, Planner Brad Robinson, Fiscal Management Director Susan Crawford and Executive Assistant Brigitte Lockett

REGULAR MEETING

(1) Chairman Parker called the meeting to order and welcomed those in attendance.

(2) Chairman Parker asked the room to observe a moment of silence.

(3) Chairman Parker led the room in the pledge of allegiance.

(4) Approval of Agenda

Attorney Boggess noted the following additions to the agenda:

- Additional Documentation for Agenda Item #9a: Documentation for FY2015 Year End Adjustments.
- Added Closed Session for Agenda Item #13a - Closed Session pursuant to Sections 2.2-3711 (A) (7) for consultation with legal counsel pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body.
- Action Item for the wireless tower Special Use Permit application (from the Broadband meeting earlier)
- Supervisor Martin noted that he would have remarks under 'Board Comments'

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

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

Voting no: None

Absent: Mr. Wilkerson and Mrs. Pollard

Motion passed.

(5) Citizen Comments

- Theresa Boyes, citizen from Lynch Station, addressed the Board with her concerns regarding the negative effects from the spread of bio-solids on the properties adjoining the land where they are spread. She described how awful the stench is, and how it is nearly impossible to live in an area where they are being used. Mrs. Boyes also expressed her concern at the potential health issues, the impact to ground water, and the negative effect the use of bio-solids have on surrounding property values.
- Shawn Houck, citizen from Vinton, addressed the Board with the serious need in the County for high speed internet/broadband access, and the need for more internet suppliers outside of Comcast.

Attorney Boggess said there is nothing the County can do to force Comcast to expand their service, but we are taking steps to expand broadband on our own.

(6) Consent Agenda

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

Supervisor Arrington made a motion to approve the consent agenda.

- a. Consideration of a request from the E-911 Communications Center for a Supplemental Appropriation in the amount of \$2,000.00 from the Virginia E-911 Services Board Grant. (The funds will be used for training expenses; no local match was required). (*Resolution #R071315-03*)
- b. Consideration of a request from the Sheriff's Office to submit a grant application to the Department of Justice for the OJJDP FY2015 Internet Crimes Against Children Task Force Grant for Federal funding in the amount of \$365,745.00 to cover expenses for required travel, rent, equipment, forensic software and overtime. (*Resolution #R 071315-11*)

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

Voting no: None

Absent: Mr. Wilkerson and Mrs. Pollard

Motion passed.

(7) Approval of Minutes - no minutes were ready for approval at this time

(8) Public Hearings & Presentations

(8a) Chairman Parker presented the following Proclamation to the Scott family on behalf of the Board of Supervisors:

PROCLAMATION IN RECOGNITION OF JAMES DOUGLAS “J. D.” SCOTT

WHEREAS, James Douglas “J. D.” Scott was a lifelong Bedford County resident and farmer; and

WHEREAS, J. D. Scott served his country during the Vietnam Conflict; and

WHEREAS, J. D. Scott served the industry of agriculture through his service on many boards and committees; and

WHEREAS, J. D. Scott was dedicated to caring for his land and animals by good management and a strong work ethic; and

WHEREAS, J. D. Scott was a man of integrity who demonstrated ongoing generosity to his community; and

WHEREAS, his farming operation provided food and enjoyment to thousands of Bedford residents for several decades.

NOW THEREFORE, BE IT PROCLAIMED by the Board of Supervisors of Bedford County that James Douglas Scott is hereby honored for his life and contribution to the farming community of Bedford County.

(8b) Interim County Administrator Carl Boggess addressed the Board with a request to change the patient per day rate at the Bedford County Nursing Home. Attorney Boggess briefly reviewed the process that led to this evening’s request, noting this adjustment will bring the County in line with current Medicaid rates.

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

Supervisor Sharp made a motion to approve Ordinance #O 071315-05.

WHEREAS, the Bedford County Board of Supervisors did previously establish the per day rate for patient care at the Bedford County Nursing Home at (1) Non-Private Room - \$190.00, (2) Private Room w/Shared Bathroom – \$195.00, and (3) Private Room - \$200.00; and

WHEREAS, the current patient per day rates do not offset the expenses of the operations of the Bedford County Nursing Home nor maximize reimbursement; and

WHEREAS, staff and the contracted Nursing Home Cost Analyst have recommended a rate increase to offset the anticipated losses;

NOW, THEREFORE, BE IT ORDAINED, that the patient per day rate be established as follows:

For Non-Private Rooms	\$200.00
For Private Room w/Shared Bathroom	\$205.00

For Private Room

\$210.00

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

Voting no: None

Absent: Mr. Wilkerson and Mrs. Pollard

Motion passed.

(8c) Planner Brad Robinson addressed the Board with a request to amend and readopt the Bedford County Zoning Ordinance by changing the Zoning District Designation of Property Identified as Tax Map #87C-1-5F. Mr. Robinson noted this request was made on behalf of the owner, Henry J. Brabham Living Trust (Foster Fuels is the contract purchaser), and would rezone 7.24 acres from C-2 (General Commercial District) and I-1 (Low Intensity Industrial) to I-2 (Higher Intensity Industrial) to establish an 'Industry Type III' (following the approval of a special use permit).

Mr. Robinson displayed a variety of maps and photographs, as well as a concept plan, illustrating the property in its current and proposed use. He reviewed those portions of the Comprehensive Plan that applied to this request, as well as anticipated transportation, utility, public facility, and visual impacts from the development of the proposed project. He stated that the Planning Commission had approved this request with a 6-0 vote at their meeting on June 16, 2015. Mr. Robinson noted that there were no dissenting citizens present to speak at that meeting.

Wyatt Foster, from Foster Fuels, addressed the Board to thank them for their consideration of this request.

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

Supervisor Arrington made a motion to approve Ordinance #O 071315-06.

WHEREAS, Foster Fuels has submitted application #RZ150003 to rezone Tax Map Number 87C-1-5F designated C-2, General Commercial District and I-1, Low Intensity Industrial District to I-2, Higher Intensity Industrial District in its entirety; and

WHEREAS, the application has been submitted pursuant to Section 30-14 of the Zoning Ordinance; and

WHEREAS, the Board of Supervisors has carefully considered the public record, the public testimony, and the recommendation of the Planning Commission; and

WHEREAS, the Board has determined that the requested rezoning meets the goals and objectives of the Comprehensive Plan and the purposes of the Zoning Ordinance; and

WHEREAS, the Board finds that the public necessity, convenience, general welfare, and good zoning practice requires adoption of an ordinance to amend the zoning district designation of the subject property; and

WHEREAS, no proffers have been voluntarily offered by the applicant for acceptance by the Board of Supervisors; and

NOW, THEREFORE, BE IT ORDAINED, by the Bedford County Board of Supervisors on this the 13th day of July, 2015, that the Bedford County Zoning Ordinance be and it hereby is amended and readopted by changing the zoning district designation for property identified as TM #87C-1-5F from C-2, General Commercial District and I-1, Low Intensity Industrial District to I-2, Higher Intensity Industrial District in its entirety.

NOW, THEREFORE, 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. Thomasson, Mr. Martin, Mr. Sharp, Mr. Arrington and Mrs. Parker

Voting no: None

Absent: Mr. Wilkerson and Mrs. Pollard

Motion passed.

(8d) Planner Brad Robinson addressed the Board with a request for approval of Special Use Permit to establish ‘Industry Type III’ on property identified as Tax Map #87C-1-5F. Mr. Robinson gave an overview the proposed use, which includes the storage and distribution of petroleum products, and displayed a variety of maps and photographs illustrating the intended future use of the property. He also briefly reviewed anticipated transportation, utility, public facility, and visual impacts from the development of this project

Mr. Robinson stated that the Planning had recommended approval of this request with a 6-0 vote at their meeting on June 16, 2015 with the conditions listed in the resolution below.

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

Supervisor Arrington made a motion to approve Resolution #R071215-07.

WHEREAS, Foster Fuels has submitted application #SU150008 requesting a Special Use Permit to establish an “Industry Type III” use in an I-2 (Higher Intensity Industrial) District on property identified as Tax Map Number 87C-1-5F; and

WHEREAS, the application has been submitted pursuant to Section 30-79-2 of the Zoning Ordinance, which allows “Industry Type III” in the I-2 Zoning District after a Special Use Permit has been approved in accordance with Section 30-19 of the Zoning Ordinance; and

WHEREAS, the Board of Supervisors has carefully considered the public record, the public testimony, and the recommendation of the Planning Commission; and

WHEREAS, the Board finds that the request meets the goals and objectives of the Comprehensive Plan and the purposes of the Zoning Ordinance for issuance of a Special Use Permit; and

NOW, THEREFORE, BE IT RESOLVED, by the Bedford County Board of Supervisors on this the 13th day of July, 2015, that a Special Use Permit pursuant to application #SU150008 is approved subject to the following conditions:

1. The site shall be developed in general conformance with the concept plan dated May 29, 2015 as prepared by Perkins & Orrison Inc.
2. All fuel and propane storage shall comply with applicable state and federal laws.

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

Voting no: None

Absent: Mr. Wilkerson and Mrs. Pollard

Motion passed.

(8e) Community Development Director Gregg Zody addressed the Board with an Ordinance amending select provisions of the Bedford Zoning Ordinance specific to the 'Agritourism Definition'. Mr. Zody gave a brief history of the process that led to this request, noting that the intent is to protect certain usual and customary activities traditionally associated with farming and other agricultural uses.

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

Supervisor Arrington made a motion to approve Ordinance #O 071315-08.

BE IT HEREBY ORDAINED by the Board of Supervisors of Bedford County, Virginia, that after having conducted a duly advertised public hearing and upon receiving the recommendation forwarded by the Bedford County Planning Commission, that the regulations of the Bedford County Zoning Ordinance be amended and readopted as follows:

PART I. AGRITOURISM DEFINITION

That *Section 30-28, Definitions*, be amended to add and define the use classification *Agritourism* as follows:

"Agritourism activity" means any activity carried out on a farm or ranch that allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy rural activities, including farming, wineries, ranching, historical, cultural, harvest-your-own activities, or natural activities and attractions. An activity is an agritourism activity whether or not the participant paid to participate in the activity.

PART II. PERMITTED USE TABLE

That *Section 30-79-2, Permitted Use Table*, be amended to list the use classification *Agritourism* under Agricultural and Forestry Uses as follows:

Permit as a use by right (R) in the AP and AR districts.

USES	AP	AR	AV	R-1	R-2	R-3	R-4	PRD	RMH	C-1	C-2	NC	PCD	I-1	I-2	PID	EP
Agricultural and Forestry Uses																	
Agritourism	R	R	R														

PART III.

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.

This ordinance shall become effective immediately upon its adoption.

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

Voting no: None

Absent: Mr. Wilkerson and Mrs. Pollard

Motion passed.

(9) Action & Discussion Items

(9a) Fiscal Management Director Susan Crawford addressed the Board with the FY2015 Year End Adjustments.

Supervisor Arrington made a motion to approve Resolution #R071315-09.

WHEREAS, Staff has reviewed the projected year end balances for departments within the General Fund and made recommended transfers; and

WHEREAS, the Board of Supervisors has reviewed the recommended supplemental appropriations and transfers; now therefore

BE IT RESOLVED, that the Bedford County Board of Supervisors authorizes the supplemental appropriation and transfer of funds for yearend budget adjustments as follows:

3335 Juvenile Secure Detention	3330 VJCCCA	\$38,686.00
Supplemental	3120 Sheriff	\$73,705.00

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

Voting no: None

Absent: Mr. Wilkerson and Mrs. Pollard

Motion passed.

(9b) Public Works Director Sheldon Cash addressed the Board with a request to relocate the Department of Fire & Rescue to the former Group Home Administration/Classroom building. Mr. Cash noted this is a follow-up to the request from November 2014, and reviewed the process that led to tonight's request. He noted that the Fire and Rescue Department's current facility is inadequate for their needs, and this move will provide a short-term move until a more permanent solution is available. He stated that the paving request has been removed to conserve funds. Mr. Cash noted that EMS funds would be used to cover debt service, and that the departments existing mobile structures will be disposed of as surplus.

There followed a brief discussion between Mr. Cash, Mrs. Crawford, Chief Jones and members of the Board, during which a consensus was reached to not utilize EMS funds to pay the debt service. The Board felt these funds would be better used for the construction of the future Fire and Rescue Building.

Supervisor Thomasson made a motion to approve Resolution #R071315-10.

WHEREAS, the current office space and facilities assigned to the Bedford County Department of Fire & Rescue (hereinafter the Department) located along Falling Creek Road have long been deemed unsatisfactory, consisting of aging modular temporary office building units with inadequate office, meeting room and training space having poor heating, cooling and plumbing systems, and

WHEREAS, the Administration Building (hereinafter Building) of the former Bedford County Group Home complex (hereinafter Group Home) located at 1185 Turning Point Road is presently vacant and has been identified as being well-suited for reuse as administrative office and public safety educational/training space for the Department, as well as a location for the County Emergency Operations Center (EOC), and

WHEREAS, the bulk of the Group Home complex consisting of four residential group cottages has recently been leased and reoccupied, leaving only the Building and gymnasium remaining, with the gymnasium presently in use by the Bedford County Department of Parks & Recreation, and

WHEREAS, County administrative staff have evaluated and cost-estimated the needs of the Building and associated parking area and have developed plans for the necessary site work, interior remodeling of the Building necessary for adaptive reuse of the Building for the Department, and

WHEREAS, the Public Works Committee of the Bedford County Board of Supervisors has reviewed the staff's recommendations and cost estimates and concur that the proposal to relocate the Department to the Building is in keeping with the Department's facility needs and would be an appropriate reuse of the Building, and

WHEREAS, the County Department of Fiscal Management has developed an apportionment of costs for both the necessary site work and remodeling of the Building;

NOW, THEREFORE, BE IT RESOLVED by the Bedford County Board of Supervisors (hereinafter Board) that the Board does hereby assign as office space and authorize the relocation of the Bedford County Department of Fire and Rescue to the former Bedford County Group Home Administration Building, 1185 Turning Point Road.

BE IT FURTHER RESOLVED, that the Board does hereby transfer & appropriate \$68,750 of CIP County Building Funds and transfer & appropriate \$109,120 of EMS Reserve Funds to a new CIP Project- Fire & Rescue Department Relocation (hereinafter Project).

BE IT FURTHER RESOLVED, that the Board does hereby authorize the surplus sale and removal or demolition and disposal, as appropriate, of the modular office buildings currently assigned to the County Department of Fire & Rescue upon relocation of the Department to the Building, including any needed site restoration.

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

Voting no: None

Absent: Mr. Wilkerson and Mrs. Pollard

Motion passed.

(9c) Public Works Director Sheldon Cash addressed the Board for approval to issue a Request for Proposals (RFP) for Engineering Services to conduct assessments of various County-owned buildings. Mr. Cash stated that the need to evaluate all the County's buildings was originally addressed during this year's earlier budget process. To that end, he is requesting to move forward with this RFP so that a plan may be put in place to address any anticipated issues.

Supervisor Arrington made a motion to approve Resolution #R071315-04.

WHEREAS, Bedford County owns numerous buildings of various age and condition;

WHEREAS, a long term plan is needed to best allocate financial resources toward future capital improvements of these structures;

WHEREAS, to facilitate this planning process a detailed engineering assessment is necessary;

WHEREAS, staff has developed a Request for Proposals for procurement of engineering services with an emphasis placed on structural, mechanical, and electrical engineering services;

NOW, THEREFORE, BE IT RESOLVED, by the Bedford County Board of Supervisors that the Board does hereby authorize staff to issue a Request for Proposals for engineering consulting services in an effort to fully assess the current condition of various County owned buildings.

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

Voting no: None

Absent: Mr. Wilkerson and Mrs. Pollard

Motion passed.

(9d) Interim County Administrator Carl Boggess addressed the Board with a request to convey land owned by the Bedford County Board of Supervisors to the Bedford County Broadband Authority. Attorney Boggess stated this was discussed in the earlier Broadband Authority meeting, and will convey the property so that it may then be leased to Mid Atlantic Broadband for the construction of a wireless tower.

Supervisor Arrington made a motion to approve Resolution #R071315-01.

WHEREAS, by resolution passed the 13th day of July 2009, the Bedford County Board of Supervisors formed the Bedford County Broadband Authority with the express purpose of fostering economic development, improving educational opportunities and access to quality health care, ensuring public safety and enhancing the overall quality of life of the citizens of the County; and

WHEREAS, the Bedford County Board of Supervisors is the owner of a tract of land containing approximately 9.5 acres located at the intersection of Route 460 and State Secondary Route 695; and

WHEREAS, it has been proposed that the Bedford County Board of Supervisors convey this parcel of land containing 0.083 acre and identified as Tax Map #87-A-47 on a plat drawn by Shrader Engineering and Land Surveying on April 3, 2015, together with right-of-way easement to Goose Creek Valley Road, to the Bedford County Broadband Authority.

NOW, THEREFORE, BE IT RESOLVED, that Bedford County Board of Supervisors authorizes its Chairman to execute the Deed conveying ownership of this parcel to the Bedford County Broadband Authority.

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

Voting no: None

Absent: Mr. Wilkerson and Mrs. Pollard

Motion passed.

(9e) As discussed in the work session, Attorney Boggess addressed the Board with a resolution authorizing staff to file an application (after September 1, 2015) with the Commonwealth Transportation Board wherein Bedford's project would be the section of Route 460 known as the 'S' curves.

Supervisor Thomasson made a motion to approve Resolution #R071315-12.

WHEREAS, the Bedford County Board of Supervisors has previously determined that the "S Curves" in the Montvale area of the County is the County's top priority for primary road construction; and

WHEREAS, prioritization of primary road projects has dramatically changed in the Commonwealth with the passage of House Bill 2 and House Bill 1887; and

WHEREAS, in accordance with the new guidelines, it is necessary to file a road project application with the Commonwealth Transportation Board; and

WHEREAS, this is a project on a corridor of statewide significance and will require a resolution from Region 2000.

NOW, THEREFORE, BE IT RESOLVED, that the Bedford County Board of Supervisors directs the Interim County Administrator to file the necessary application with the Commonwealth Transportation Board as a locally submitted application and further directs the Interim County Administrator to obtain a resolution of support from Region 2000.

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

Voting no: None

Absent: Mr. Wilkerson and Mrs. Pollard

Motion passed.

(10) Board Committee Reports

(10a) The Board was given a copy of the Public Works Committee report for review.

(10b) The Board was given a copy of the Finance Committee report for review.

(11) Board Member Comments

Supervisor Martin stated that on August 3rd a Wounded Warriors group will be trained on the Sheriff's ICAC (Internet Crimes Against Children) program, and will then work across the country in this area of law enforcement. He said that on August 15th at 2:00 p.m. he will be holding a cookout at his house for this group and the Sheriff's office, as well as other Board members and residents from the County.

(12) Board Appointments – there were no appointments

(13) County Attorney Report

Supervisor Arrington made a motion to go into Closed Session pursuant to Sections 2.2-3711 (A) (7) for consultation with legal counsel pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body.

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

WHEREAS, the Bedford County Board of Supervisors has convened a Closed Meeting, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, §2.2-3712 of the Code of Virginia requires a certification by the Bedford County Board of Supervisors that such closed meeting was conducted in conformity with Virginia Law.

NOW, THEREFORE BE IT RESOLVED, that the Bedford County Board of Supervisors does hereby certify that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting was heard, discussed or considered by the Bedford County Board of Supervisors.

<u>MEMBERS:</u>	<u>VOTE:</u>
Tammy Parker, Chairman	Yes
Steve Wilkerson, Vice-Chairman	absent
Bill Thomasson	Yes
Curry W. Martin	Yes
John Sharp	Yes
Steve Arrington	Yes
Annie S. Pollard	absent

(14) County Administrator Report – *nothing to report*

(15) Board Information

- a.** The Board was given the Bedford Regional Water Authority Board of Directors meeting minutes from May 19, 2015 for review.
 - b.** The Board was given the Tri-County Lake Administrative Commission, Navigation Committee meeting minutes from April 15, 2015 for review.
 - c.** The Board was given the Tri-County Lakes Administrative Commission Board meeting minutes from February 10 and April 14, 2015 for review.
 - d.** The Board was given the Bedford E-911 Communications Center report for June 2015 for review.
 - e.** The Board was given the Bedford Public Library System Board of Trustees Organizational Meeting Agenda for July 7, 2015 for review.
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(16) Board Calendar & Reminders

Chairman Parker noted the Board's upcoming meetings as follows: July 16th – Closed Session on Personnel at 5:00 p.m.; August 10th – Regular Meeting at 7:00 p.m. (Work Session from 5:00 – 6:30 p.m.); September 14th – Regular Meeting at 7:00 p.m. (Work Session from 5:00 – 6:30 p.m.); September 28th – Regular Meeting at 7:00 p.m.

(17) Adjourn

Supervisor Martin made a motion to adjourn the meeting at 8:17 p.m.

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

Voting no: None

Absent: Mr. Wilkerson and Mrs. Pollard

Motion passed.