



MINUTES

**BEDFORD COUNTY BOARD OF SUPERVISORS**

**BOARD OF SUPERVISORS MEETING ROOM  
BEDFORD COUNTY ADMINISTRATION BUILDING**

**JANUARY 26, 2015**

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**5:00 P.M. WORK SESSION**

- a.** Joint Work Session with the Bedford County School Board regarding the following topics:
- Update on the New Liberty Zone Middle School Project
  - School division CIP items, including the Moneta sewer project
  - Disposition of Consolidated Schools
  - Facility Master Planning (School Efficiency Review Recommendation)
  - FY 2016 Budget
  - Virginia Retirement System (VRS) information

**6:45 P.M. RECESS FOR DINNER - BOARD OF SUPERVISORS**

**7:30 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 Commonwealth Attorney's Office to accept a Virginia Domestic Violence Victim Fund Grant in the amount of \$20,000.00, and authorization of a Supplemental Appropriation in the amount of \$20,000.00 for fiscal year 2014-15. (*Resolution #R012615-01*)
  - b.** Consideration of a request from the Department of Social Services to accept the V-Stop Grant in the amount of \$16,788.00, and to authorize a Supplemental

- Appropriation in the amount of \$1,134.00 (851.00 in additional grant revenue and \$283.00 for local donations received. (*Resolution #R012615-02*)
- c. VPSA Bond Refunding (*Resolution #R012615-03*) (*Documentation to follow under separate cover*)
  - d. Request from the Department of Public Works to advertise for bids to resurface the Transfer Station Floor. (*Resolution #R012615-05*)
- (7) Approval of Minutes – no sets are ready for approval at this time**
- (8) Public Hearings & Presentations**
- (9) Action & Discussion Items**
- a. Re-adoption of the Board of Supervisors Amended Bylaws and Rules of Procedure for Calendar Year 2015 (*Resolution #R012615-04*)
    - *Staff Presentation: Mark Reeter, County Administrator & Carl Boggess, County Attorney*
- (10) Board Committee Reports**
- (11) Board Member Comments**
- (12) Board Appointments**
- a. An Appointment is needed to the Bedford County Planning Commission representing District 7 to fill the remainder of an unexpired term ending December 31, 2015
- (13) County Attorney Report**
- (14) County Administrator Report**
- (15) Board Information**
- a. Library Board of Trustees Meeting Minutes - December 2, 2014
  - b. Welcome Center's Visitor Log Information - December 2014 and Year End
  - c. Bedford E-911 Communications Report - December 2014
  - d. Community Development's Building Report - December 2014
  - e. Planning Commission Meeting Minutes - December 2, 2014
- (16) Board Calendar & Reminders**
- February 9 – Regular Meeting at 7:30 p.m. (Work Session 5:00 - 6:00 p.m., followed by the Extension Office's Annual Report & Dinner at 6:00 in the Main Floor Meeting Room)
  - February 23 – Regular meeting at 7:00 p.m. (Work Session 5:00 – 6:00 p.m.)
  - March 2 – Budget Work Session at 5:00 p.m.
- (17) Adjourn**

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**5:00 P.M. – WORK SESSION**

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

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**School Board:** Gary Hostutler, Chairman – District 4; Julie Bennington, Vice-Chairman – District 5; Richard Downey – District 1; Jason Johnson – District 2; John Hicks, Jr. – District 3; Kelly Harmony – District 6; Kevin Willis – District 7

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**County Staff Present:** County Administrator Mark Reeter, County Attorney Carl Boggess, Fiscal Management Director Susan Crawford, Public Works Director Sheldon Cash and Executive Assistant Brigitte Lockett

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**School Staff Present:** School Superintendent Dr. Doug Schuch, Chief Financial Officer Randy Hagler and School Board Clerk Sherry Ratliff

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Chairman Hostutler requested approval of the agenda; a motion was made by Mr. Downey and seconded by Mrs. Harmony to approve the agenda as presented. The motion was carried unanimously by the School Board.

Chairman Parker called for a motion to approve the work session agenda as presented; the motion was made by Vice-Chairman Wilkerson and passed by acclamation. Chairman Parker then turned the meeting over to Chairman Hostutler.

Chairman Hostutler welcomed those in attendance and began his review of the M. B. Khan proposal for the new Liberty Zone Middle School. He said the School Board has unanimously voted to recommend Option 3 (New Property and High School Campus) at an estimated borrow amount of \$47,700,000.00, and gave a brief overview of the process that led to his Board's decision. He said the School Board is at a point where they need to hire an architect or construction management firm to move this project to the next level, which will require a significant investment. He also touched on the middle school rent to the Town of Bedford, and the 15 versus 25 year amortization of the borrow rate.

In response to a question from Chairman Parker, Chairman Hostutler confirmed that Option 3 includes a gym for the middle school. There followed a brief discussion between the two Boards regarding a variety of school construction issues including costs for furniture, technology, and project contingencies; the anticipated time frame to borrow the funds and lock in a rate; the possibility of

adapting school design plans from another locality; and the soft costs for design, testing, construction management, procurement, bond council, etc.

Mr. Hagler noted he could recalculate the amortization rate for 20 years if those are figures the two Boards would like to see.

Mr. Willis asked what the next steps would be to move this project forward. Mr. Graham, representative with M. B. Khan, said first it would need to be determined how much funding is available to move forward, and then an architect would need to be hired (even if another localities plans are used). Cost estimates would then be needed to verify the project is within budget.

Supervisor Arrington asked if this would be a traditional bid/build or if the Schools were considering going the PPEA route instead. Chairman Hostutler responded that they have not discussed this in great detail yet, but there seems to be very little interest in PPEA.

Chairman Hostutler said they would like feedback from the Board of Supervisors on what has been proposed this evening, and will then move forward with working out a schedule for borrowing the funds, hiring an architect, etc.

The meeting was then turned over to Mr. Willis for a review of the impact of the Virginia Retirement System (VRS) mandatory cost increases to the School Division. Mr. Willis noted the increases have impacted their budget by \$3.1 million between 2011-12 and 2013-2014. He said the School Division has used their additional State funds and laid off teachers to meet these increases. There followed a discussion between the Supervisors and the School Board regarding the effect on their budgets from the VRS cost of moving employees over to the 5% mandatory employee contribution. Mr. Hostutler explained that of the \$6 million in reversion funds, approximately half went to cover the VRS costs and a large portion of the rest went to raises for staff since they hadn't had a raise in years. Supervisor Pollard said the reversion funds were never meant to cover operations, and she is concerned that the School Division could lose this funding if it is not properly utilized. Chairman Hostutler said the funds are being used for education and are going back into the classroom; building a new middle school is more of an agreement between the Town and the County, and not necessarily a condition for receiving the reversion funds.

Mr. Downey then gave a short overview of the Schools Capital Improvement Plan, noting that back in 2012 in a joint meeting both public bodies had discussed combining some of their improvement projects and jointly borrowing funds. However, this did not happen and some of the Schools projects from 2012 are still waiting to be accomplished. Mr. Downey said that the Supervisors had given the Schools \$1 million in cash about a year ago to get some of these projects completed, but there are still many things that need to be worked on. He noted that a locality's school system is a benefit to its economic development, and was one of the first things families and companies look at before locating to

an area. Mr. Downey stated that Staunton River High School still needs air conditioning, as well as an elevator, and urged the Board to help fund these projects. He commented that the School Division's maintenance fund is completely spent down, so if a roof starts leaking or there's an HVAC problem they aren't sure where the funds will come from at this point. Chairman Parker noted the increased costs of several projects (from previously estimated costs), and asked if the School Board was still planning to put an addition on Bedford Elementary School. Mr. Downey responded that the addition is delayed for now and will dependent upon whether enrollment increases in the future. Chairman Parker said she had read in the newspaper that enrollment was expected to drop by almost 1,000 students, and asked why the School Board is proposing to do additions to certain schools. Mr. Willis explained that the schools which would be losing students are already over-crowded, and will still be over capacity even with the anticipated loss of students. Supervisor Arrington said he wanted to clarify that if the School Division encounters an immediate maintenance need, the Supervisors were of course going to take care of it.

Supervisor Martin asked why the schools can't be rezoned (students redistributed) to the schools that are anticipated to lose students over the next few years instead of building a new school. Chairman Hostutler said there's no place to move them to since the overcrowded schools aren't located near other schools with more capacity. He said the School Board has looked at this as an option, but there simply is no place to move students to at time.

Mr. Johnson gave the Supervisors a status on the Moneta School sewer project. He gave a brief history of the problem at the site, noting that connecting to the Bedford water/sewer line (as proposed) is significantly cheaper than reconstructing the sewer system at the school. He said a bid for the project of \$260,174 had been accepted by the Water Authority in November 2014, and that the School Board is respectfully requesting \$100,000 from the County for assistance to pay for this project. Mr. Johnson said this new sewer connection is actually an economic development investment, as it will also benefit families and businesses, as well as the fire department and rescue squad, in that area. He noted that this connection will also assist in revitalizing the older downtown Moneta area, which may in turn grow tourism.

Chairman Hostutler then gave a disposition on the Body Camp and Thaxton Elementary Schools, noting that they do not want the schools to sit empty after they are closed. He said they are hoping to sell the schools or find some other use for the properties. He said they are expecting to be out of these buildings shortly after May, and will be looking to dispose of the properties as soon as possible. Supervisor Martin commented that he has been contacted by a party very interested in the Body Camp property, and asked that the process be moved along as quickly as possible so that the buildings don't sit empty. Chairman Hostutler agreed that they didn't want to sit on the empty properties, but needed to be sure the process used to dispose of the properties was legal and fair.

Supervisor Arrington asked that the School Board and the County Administrator have a meeting with Economic Development to see how we may be able to use or repurpose these buildings. He also suggested reaching out to other localities to see what they have done to with their former school buildings.

Supervisor Pollard asked why these two elementary schools are being closed. Chairman Hostutler said the School Division will save \$800,000, per school per year, indefinitely. She said these schools mean a lot to the communities they serve. Chairman Hostutler said this was a difficult decision, but it was based on finances, maintenance needs and declining enrollment. He said that keeping open schools that had been noted in the State efficiency study as inefficient could risk the School's receipt of the yearly reversion funding. He said the students that are being moved will ultimately benefit from the change, as they will have access to full-time resources they didn't have access to before. In response to a question from Supervisor Pollard, Chairman Hostutler stated that the classrooms would not be crowded with more children after the move – the student-to-teacher ratio will stay the same. Also, the teachers will be moved as well so they are not losing their jobs. The savings will be found in paying for less utilities, maintenance, custodians, principal and support staff, etc. Supervisor Pollard said these buildings may need maintenance but they are paid for, and it seems to her it would be better to keep the schools open; Supervisor Martin concurred. Chairman Hostutler noted that the remaining elementary schools are running below capacity and will be able to accommodate the moved students and teachers. He reiterated that moving the children will also give them access to full-time nurses, librarians, and other resources whereas they currently only have part-time access. Additionally, closing these schools helps the School Division's chances of continuing to receive the reversion funding.

Mr. Johnson suggested holding a public hearing to receive public input on disposal of these properties before moving forward with selling or auctioning them.

Chairman Hostutler finished up the joint meeting by briefly reviewing the facility master plan recommendations from the State's efficiency study and the School Board's FY2016 budget adoption calendar. Chairman Parker said the School Board needs to calculate everything out and have plans in place for their projects and proposals.

Supervisor Arrington thanked everyone for their attendance, and asked the School Board to let the Supervisors know what their budget will be as soon as possible.

There being no further discussion, Chairman Parker recessed the joint meeting at 6:51 p.m.

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**7:30 P.M.**

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

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**Staff Present:** County Administrator Mark K. Reeter, County Attorney Carl Boggess, Community Development Director Greg Zody, I.T. Director Eric Rice, Sheriff Mike Brown, Captain Kevin Adams and Executive Assistant Brigitte Lockett

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**REGULAR MEETING**

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**(1) Call to Order and Welcome**

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**

Mr. Reeter read the changes to the agenda as follows:

- Corrections to The Resolution for Agenda Item #6b: – lists two Supervisors as ‘Chairman’; should just show Tammy Parker with that designation.
- Additional Documentation for Agenda Item #6c: Under ‘Consent Agenda’ – VPSA Bond Refunding
- Deletion of Agenda Item #7: Under ‘Approval of Minutes’ – no sets are ready for approval at this time.
- Corrections to Agenda Item #9a: Under ‘Action & Discussion Items’ – Changes to Proposed Bylaws are as follows (see highlighted text in attached copy):
  - On page 5, lines 201 through 204, the order of the agenda has been corrected (and is in the order of tonight’s agenda)
  - On page 13, line 509, ‘E-911 Center has been added to the County departments that fall under the "Public Safety Committee"
  - Insertion of the word ‘at’ on page 14, line 577
- Additional Documentation for Agenda Item #15b: Tourism summary for 2014.

- Correction to Agenda Item #16: Under ‘Board Calendar and Reminders’ – the start time for the regular meeting should be 7:00 p.m., not 7:30 p.m.

**Supervisor Thomasson made a motion to approve the agenda as amended.**

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

**Voting no: None**

**Motion passed.**

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**(5) Citizen Comments**

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

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**(6) Consent Agenda**

Mr. Reeter read the Consent Agenda for the benefit of those in attendance.

**Supervisor Pollard made a motion to approve the consent agenda:**

- a. Consideration of a request from the Commonwealth Attorney’s Office to accept a Virginia Domestic Violence Victim Fund Grant in the amount of \$20,000.00, and authorization of a Supplemental Appropriation in the amount of \$20,000.00 for fiscal year 2014-15. *(Resolution #R012615-01)*
- b. Consideration of a request from the Department of Social Services to accept the V-Stop Grant in the amount of \$16,788.00, and to authorize a Supplemental Appropriation in the amount of \$1,134.00 (851.00 in additional grant revenue and \$283.00 for local donations received). *(Resolution #R012615-02)*
- c. VPSA Bond Refunding *(Resolution #R012615-03) (Documentation to follow under separate cover)*
- d. Request from the Department of Public Works to advertise for bids to resurface the Transfer Station Floor. *(Resolution #R012615-05)*

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

**Voting no: None**

**Motion passed.**

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**(7) Approval of Minutes – *There were no sets of minutes ready for approval***

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**(8) Public Hearings & Presentations – *There were no public hearings or presentations***

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**(9) Action & Discussion Items**

**(9a)** Mr. Reeter addressed the Board with a request to re-adopt the amended Bylaws and Rules of Procedure for Calendar Year 2015. He stated that several of the changes, such as the structure and definition of the Board Committees, were discussed by the Board at their retreat in January. He noted that he had already distributed the proposed committee changes to the Board and that the changes are also listed below in the resolution and bylaws. Mr. Reeter briefly touched on a few other minor changes, such as the restructuring of the order of business for regular meetings and the addition of committee reports.

Attorney Boggess noted that clarifications have been made as to who serves as Chairman at the first meeting prior to the vote for Chairman, abstentions, and public appearances.

Supervisor Pollard stated that employees should not address the Board with budgets issues during the Citizen Comment period of the meeting; these issues should be addressed during budget work sessions. Chairman Parker asked Attorney Boggess if this is possible; he responded that legislating it would be difficult and advised leaving it the way it is. Supervisor Arrington noted that the meeting is run by the Chairman, and that while historically no one has been denied the right to speak, it is ultimately up to the Chairman to decide whether to rule a speaker out of order; Supervisor Martin concurred.

**Supervisor Sharp made a motion to approve Resolution #R012615-04.**

**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.

**2015 BYLAWS AND RULES OF PROCEDURES  
BEDFORD COUNTY BOARD OF SUPERVISORS**

**SECTION A: MEETINGS**  
**Regular Meetings**

**(a)** All regular meetings of the Board shall be open to the public, except certain specific exempt topics identified in Section 2.2- 3711 of the Virginia Code.

(b) The Board shall hold regular meetings on such days as may be prescribed by resolution at the annual organizational meeting in January of each year, but which shall not be less frequent than once a month. The Board shall give notice of the date, time, and location of its meetings by placing a notice in a public location at which notices are regularly posted or in the office of the Clerk to the Board. The Clerk may publish meeting notices by electronic means. The notice shall be posted at least three working days prior to the meeting. Beginning with the regular meeting of February 23, 2015, all regular meetings of the Board shall begin at 7:00 p.m.

(c) If the Chairman (or the Vice-Chairman if the Chairman is unable to act) finds and declares that the weather or other conditions are such that it is hazardous for the Board members to attend a regular meeting, the regular meeting shall be continued until the next regularly scheduled meeting. Such conditions 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.

(d) All regular meetings of the Board shall be held in the Board Meeting Room of the County Administration Building, unless otherwise noted.

(e) The Board may by resolution, when necessary, change the time and place of the regular meeting. The resolution shall set forth the circumstances necessitating such change. Notice of such change shall be posted in a public location at which notices are regularly posted or in the office of the Clerk to the Board at least three working days prior to the meeting to be held pursuant to the change. Three working days prior to the meeting to be held pursuant to such change, the County Clerk shall give each Board member written notice, personally or by registered mail, of any change from the regular meeting days established by this section.

(f) Except for properly called Closed Meetings as permitted by Virginia law, all regular meetings of the County Board and official committees of the Board shall be open to the media, freely subject to recording by radio, television and photography at any time, provided that such arrangements do not interfere with the orderly conduct of the meetings under such rules as the Board may prescribe.

### **Special Meetings**

(a) The Chair or two members of the Board may call special meetings of the Board whenever in their opinion the public business may require it.

(b) Whenever a special meeting shall be called, notice in writing signed by the Chair of the Board or two members of the Board shall be filed with the Clerk and delivered upon each member of the Board either in person or by electronic mail or facsimile, stating the date and hour of the meeting and the purpose for which such meeting is called, and no business shall be transacted at the meeting except such as is stated in the notice.

(c) The notice may be waived if all members of the governing body attend the special meeting or sign a waiver.

(d) Notice to the public of a special meeting shall be given contemporaneously with the notice provided members of the Board.

### **Work Sessions**

The Board may meet informally in work sessions which shall be open to the general public, at the call of the County Administrator or of any member of the Board, to review forthcoming programs of the County, receive progress reports on current programs or projects, or receive other similar information from the County Administrator, provided that all discussions and conclusions thereon shall be informal.

### **Closed Meetings**

Closed meetings may be held in accordance with the provisions of the Virginia Freedom of Information Act. Closed meetings may be placed in the Order of Business of a regular or special Meeting Agenda as deemed appropriate by the Clerk of the Board, or as the Meeting Agenda may be amended by the Board to include or to re-order. A consensus of a majority of the Board present at a work session meeting preceding a regular meeting at which a Closed Meeting has been placed on the Meeting Agenda may convene the Closed Meeting as part of the work session.

### **Minutes**

(a) Minutes of all regular and special meetings and work sessions shall be recorded. Such minutes shall be maintained in the office of the Clerk of the Board of Supervisors. The minutes shall reflect:

1. The date, time and place of the meeting or session;
2. The members recorded as either present or absent;
3. A general description of all matters proposed, discussed or decided; and
4. Record of any votes taken.

(b) Approval of Minutes of all but Closed Meetings shall be considered at a regular Board meeting. It shall not be necessary to read the Minutes prior to approval. Prior to approval, any member may, through the Chair, request the privilege of amending or correcting the Minutes to accurately reflect the substance of the prior meeting. If objection is made by any Board member to such amendment or correction, a majority vote of the Board shall be necessary for adoption of the correction or amendment. The Chair shall sign the adopted Minutes.

## **SECTION B: OFFICERS**

### **Election and Term of Chairman and Vice-Chairman**

At the annual or organizational meeting of the Board of Supervisors, the Board shall elect from its membership a Chairman and Vice-Chairman, each of whom shall serve a term for one year. The Chair

and Vice-Chair shall serve until their respective successors are elected. In the case of the absence of the Chairman, the Vice-Chairman shall preside at the meeting. In the absence of both the Chairman and the Vice-Chairman, the members present shall choose one of its members as Chairman pro tem.

### **Clerk**

The Clerk of the Board of Supervisors shall be the County Administrator, whose duties and responsibilities shall be those set forth in State law and as delegated and directed by the Board of Supervisors. The Clerk may assign or delegate certain administrative duties and responsibilities in this regard to one (1) or more County employees in the capacity of Recording Clerk(s) to the Board.

### **Parliamentarian**

The County Attorney shall serve as the Parliamentarian to the Board.

## **SECTION C: QUORUM AND MANNER OF VOTING**

A majority of the Board shall constitute a quorum and be necessary for the transaction of business. If a quorum is not present, those in attendance shall adjourn to a later time when a quorum is present to transact business.

All questions submitted to the Board for decision shall be determined by a roll call vote. Procedural matters may acted upon by a voice vote.

No ordinance, nor resolution, appropriating money exceeding \$500.00, imposing taxes or authorizing borrowing money shall be passed except by a recorded affirmative vote of a majority of all of the members of the Board.

Each member of the Board who is present at a meeting shall be required to vote upon all issues presented for decision unless prohibited from doing so by the Virginia Conflict of Interests act. A member who wishes to be excused from voting shall state his or her reasons for abstaining and shall not participate in the discussion on such issue or question.

## **SECTION D: RULES OF ORDER**

The proceedings of the Board, except as otherwise provided within these Rules of Procedure and applicable State law, shall be governed by Robert's Rules Of Order, Newly Revised and more specifically, the provisions which pertain to conducting business for small boards, except that the section indicating that the minutes are accessible only to Board members is hereby deleted.

## **SECTION E: MEETING AGENDA AND ORDER OF BUSINESS**

### **Meeting Agenda**

The Clerk shall prepare the Meeting Agenda for each regular meeting of the Board conforming with the Order of Business format set out herein. The County Administrator as Clerk of the Board is authorized to establish deadlines for the submission of Items of Business and supporting materials to his/her Office so as to accommodate compilation of such materials into a Meeting Agenda Packet for distribution to the Board no later than 5:00 PM on the Wednesday before each regular Board meeting. In the event such a Wednesday is a legal holiday, distribution may occur on Tuesday of that week but no later than 5:00 PM on Thursday.

Board members may choose from two (2) formats for receiving Meeting Agenda Packet materials: (1) electronically via email or computer download as a document in Printable Document Format (PDF), or (2) photocopied on paper and bound.

It is recognized that from time to time matters shall arise after the deadline established for Items of Business to be placed on the Meeting Agenda. In such cases, Items may be added to the Meeting Agenda if the matter is identified on an Amended Meeting Agenda and any supporting materials pertaining thereto delivered electronically via email or by paper hardcopy (including fax) by the Clerk to each Board member not later than 5:00 PM on the last working day prior to the day of the meeting. No matters may be added to the Meeting Agenda after such time by any Board member or staff, unless the Board approves such addition(s) to the Meeting Agenda by unanimous vote of the Board present at such meeting at the time of Approval of the Meeting Agenda.

The Clerk or Recording Clerk shall release publicly and distribute electronically by email to all Board members a copy of a preliminary Meeting Agenda listing all anticipated Items of Business for each regular monthly meeting no later than noon on Monday one (1) week prior to a regular Board meeting. This preliminary Meeting Agenda is for the Board's general information, and may change with additions or deletions of Items of Business prior to the distribution of the complete, final Meeting Agenda Packet later that same week as provided for herein. Ordinances, resolutions, contract documents or other matters requiring action by the Board shall be submitted to the County Attorney for preparation or review, in adequate time prior to the Board meeting.

### **Order of Business**

The normal order of Items of Business for the Meeting Agenda of a regular Board of Supervisors monthly meeting shall be as follows:

Call to Order & Welcome

Moment of Silence

Pledge of Allegiance  
Approval of Agenda  
Citizen Comments  
Approval of Consent Agenda  
Approval of Minutes  
Public Hearings & Presentations  
Action & Discussion Items  
Board Committee Reports  
Board Member Comments  
Board Appointments  
County Attorney Report  
County Administrator Report  
Board Information  
Board Calendar & Reminders  
Adjourn

Deviation from this normal order is permitted at the discretion of the County Administrator as Clerk of the Board or as directed by the Board Chair to facilitate a more logical or orderly handling of the business matters before the Board at any given regular meeting.

### **Consent Agenda**

The Consent Agenda shall consist of a listing of various items to be considered by the Board as a block or one single item and to be approved by one vote rather than specific votes on each item.

Characteristics of items placed on the Consent Agenda are:

- Routine items that appear monthly such as departmental reports, requests for refunds, resolutions and motions authorizing the submission of applications for grants that require no local match, or grants for which the Board has previously approved the local match, requests for supplemental appropriations that meet the Board's policy
- Requests to advertise public hearings, advertising for bids and proposals, resolutions of appreciation, proclamations and resolutions of respect and accommodation
- Items of a non-controversial nature that could be classified as housekeeping items of a technical, non-policy nature, end of year department transfers, resolutions dealing with the acceptance of grants from the State of Federal governments requiring no local match or grants for which the Board has previously approved the local match, and items that have received prior unanimous approval of the Board.

There shall be no debate or discussion by any member of the Board or the public regarding any item on the Consent Agenda, beyond asking questions for simple clarification.

Any item on the Consent Agenda shall be removed from the Consent Agenda at the request of any Board member prior to the vote on the Consent Agenda. Items removed from the Consent Agenda shall be considered by the Board individually in the order in which they were removed from the Consent Agenda immediately following consideration of the Consent Agenda.

Approval of the motion to approve the Consent Agenda shall constitute approval, adoption, or enactment of each motion, resolution ordinance, or other item of business thereon, exactly as if each had been acted upon individually.

#### Citizen Comments

At each regular meeting of the month of the Board, there is hereby established a citizen comment period of no less than fifteen (15) minutes, or such longer period as the Board by consensus may allow. During the citizen comment period, speakers wishing to address the Board shall clearly state their name and address and shall be subject to such time limitations as the Chairman at his/her discretion may impose in view of the number of speakers present, not to exceed three (3) minutes per speaker. The Chairman shall allocate the time among the speakers in an equitable manner. Speakers are prohibited from addressing issues subject to public hearing scheduled for later during the Board meeting or to address issues subject to a public hearing that has been previously heard and closed. Individuals who have previously spoken on a subject at a public hearing shall not be allowed to readdress the Board on that same subject during the citizens comment period. Specific questions should be resolved prior to the meeting by contacting a Board member or the appropriate staff member. Questions shall be directed to the Chairman, who will, at his/her discretion, solicit the response from the appropriate person.

The provisions of the above subsection shall be stated on the Public Comment sign-up sheet to be made available prior to the beginning of each regular meeting. Speakers shall acknowledge their understanding and agreement to abide by these provisions by registering to speak.

#### **Public Appearances**

The purpose of Public Appearances section of the regular Meeting Agenda is to receive updates on matters from governmental agencies, non-governmental agencies or organizations or from citizens. Anyone desiring to appear before the Board at any regular meeting shall contact the County Administrator as Clerk of the Board at least ten (10) days before the Board meeting. When requesting time to appear on the Meeting Agenda, the requestor shall give the County Administrator a description of what the topic will be, the speaker's full legal name and address and home and business phone numbers. Speakers must speak on the subject identified when registering to appear before the Board and failure to stay on the topic will be deemed to render the speaker out of order and will result in forfeiture of the

remaining time that had been allotted to the speaker. The Clerk is granted the discretion to determine if the subject matter is germane to the business of the Board. If it is not germane, the Clerk shall advise the requestor that he or she is entitled to speak under Citizen Comment. In the alternative, the requestor may contact a Board member and request time to speak under Public Appearances. The requestor will be allowed to speak under Public Appearances if the subject is sanctioned by a Board member. The sanctioning Board member shall be identified on the Meeting Agenda.

### **Public Hearings**

It is the purpose and objective of the Board of Supervisors to give each citizen an opportunity to express his/her views during the Public Appearances and Citizen Comments sections of regular Meeting Agendas and on the issue(s) at hand at public hearings and to give all speakers equal treatment and courtesy. While it is often necessary to have a presentation by the applicant and staff, it is the desire of the Board to hear from the public, and therefore, the applicant and staff presentations will be as brief as possible. In order to accomplish this objective, it is necessary that certain rules of order prevail at all hearings of the Board of Supervisors, as follows:

- The order of business for consideration of a matter on the Board's public hearing agenda shall be as follows:
  1. Staff presentation;
  2. Questions from Board members (and Planning Commissioners if present);
  3. Applicant's presentation (if applicable, for land use matters);
  4. Comments, statements or presentations from members of the public; and
  5. Board discussion, at which time the Chairman may entertain a motion to place the matter on future Meeting Agenda for action, to refer the matter to a committee, or bring the matter to a vote.
- Staff presentation will be brief, concise summaries for the public's information and understanding. When written information has been provided prior to the hearing only summary and/or new information should be presented.
- On land use matters a reasonable and sufficient time will be afforded the applicant to properly and fairly present the subject matter. Ten (10) minutes shall be allocated to the applicant's presentation. The applicant may allocate the time between presentation and rebuttal. If additional time is believed to be necessary, the applicant should contact the County Administrator prior to the Public Hearing. Any member of the Board may ask the applicant to respond to specific questions.
- Each speaker will have up to five (5) minutes available whether speaking as an individual or a representative of any group or organization. However, should the number of speakers

registered to speak on any item exceed ten (10), the time will be adjusted to three (3) minutes for each speaker. Unless instructed by a majority of the Board present and voting to do otherwise, the Chairman shall enforce the time limits, as appropriate.

- Order of speakers will be determined on first to register, first to speak basis.
- Registration will be taken by County staff and will be submitted on the registration form provided, which will include the name, address and election district of the speaker.
- Speakers will be limited to a presentation of their points of view except that the Chairman may entertain questions of clarification.
- Debate is prohibited.
- All comments will be directed to the Board of Supervisors as a body.
- Decorum will be maintained. This includes a common courtesy from the audience, the staff and Board to the speaker and from the speaker to the audience, the Board and the staff. Statements, which are demeaning or inappropriate, shall be ruled out of order.
- In the event of a large number of speakers resulting in the continuation of the hearing, any persons not heard at the initial Public Hearing will be the first to speak at the continued hearing.
- A timer-controlled lighting system will be implemented in full view of the speaker. When four minutes are up, an amber light will come on which will indicate that the speaker has one minute to conclude his/her comments. At the end of that one (1) minute period (completion of the five (5) minute period), a blinking red light will come on that will indicate that the speaker must relinquish the podium to the next speaker. Staff will notify the Chairman that the speaker's time has expired. Speakers continuing after the time allotted shall be ruled out of order by the Chairman.
- Speakers are requested to leave written statements and/or comments with the County Administrator.
- The Board shall have the discretion to act on a matter appearing on a public hearing; or the Board, by majority vote, may defer the matter to the next regular meeting of the Board. It shall be the policy of the Board to leave the record open to receive written comments following a public hearing up until the time that a vote is taken.

### **Board Comments**

This time is generally used for individual Board members to share information with other members of the Board and public. Items presented under this heading requiring action will be for a future meeting agenda or to request additional information from staff members. No matter presented under this

Meeting Agenda section shall be acted upon at the meeting at which the matter is presented unless it is the unanimous consensus of the Board that the matter be put on the floor for action. Prior to the Meeting Agenda being prepared, members of the Board are encouraged to contact the County Administrator and have their matter included (set out) under this section on the Meeting Agenda. The County Administrator shall prepare a memorandum and/or provide supporting information when possible that will inform other members of the Board of the particulars pertaining to the matter.

### **Board Information, Calendar & Reminders**

These sections of the Meeting Agenda are intended for the distribution of various types of information, including but not limited to announcements, reports, correspondence, meeting minutes, documents and other printed material of general interest to the Board, and for presentation and review of the schedule of upcoming Board meetings and other events. Board members, County Administrator and County Attorney may draw attention to and/or address questions concerning such informational materials.

### **Adjournment of Meetings**

Regular meetings of the Board shall adjourn no later than 10:30 p.m. If the Board desires to extend a regular meeting, a motion unanimously adopted by the members present shall be required. Any items not acted on prior to the 10:30 deadline shall be deferred to the next regular meeting of the Board. No time limit shall apply to special meetings of the Board.

### **SECTION F: RECONSIDERATION OF MOTIONS**

The Board may vote to reconsider its action on a matter. The motion to reconsider must be made no later than the next succeeding regular meeting of the Board and can only be made by a member who voted with the prevailing side. In the event of a tie vote on the original motion any Board member may introduce a motion to reconsider. The motion cannot interrupt deliberation on a pending matter but is in order when action on a pending matter concludes. A motion to reconsider may not be used in a land use decision involving a rezoning or a conditional use permit.

### **SECTION G: CONDUCT OF THE PUBLIC**

The efficient and dignified conduct of public business is the ultimate concern of the Board. Accordingly, it is the policy of the Board that its meetings be conducted with the highest degree of order and decorum. The Board's integrity and dignity will be established and maintained at all times during the conduct of public business, and the Board will permit no behavior which is not in keeping with this policy. Prohibited conduct at meetings shall include:

1. Campaigning for public office
2. Soliciting of funds

3. Promoting private business ventures
4. Using profanity, vulgar language or gestures
5. Using language which insults or demeans any person or which, when directed at a public official or employee is not related to his official duties
6. Making non-germane or frivolous statements
7. Discussions of a sectarian or partisan nature
8. Smoking or eating in the Board Room
9. Addressing question or statements to anyone other than the Chairman (Questions shall be presented to the Chairman, who will, at their discretion, solicit a response from the appropriate board or staff member.)
10. Standing in the back or side isles of the Board Room as long as there are sufficient seats available (except for law enforcement personnel).
11. Persons in attendance at the meeting addressing the Board while members of the Board are considering any motion, resolution or ordinance preliminary to a vote on the same, except at the discretion of the Chairman.
12. Any persons addressing comments or questions to someone other than the Chairman.
13. Wearing hats, caps or other types of headgear.
14. Applause is permitted only during presentation, awards, proclamations and special recognition periods.

The Chairman shall preserve order and decorum at all meetings. The Chairman may order the expulsion of any person for violation of these rules, disruptive behavior, or any words or action which incites violence or disorder, subject to appeal to the Board. Any person so expelled shall not be readmitted for the remainder of the meeting from which he was expelled. Any person who has been so expelled and who at a later meeting again engages in words or actions justifying expulsion may be barred from attendance at future meetings of the Board for a specified and reasonable period of time not to exceed six months or upon a still subsequent expulsion, a period not to exceed one year either by the Chairman, subject to appeal to the Board or by motion passed by the Board.

#### **SECTION H: BOARD COMMITTEES**

The Board reserves the right to establish committees, advisory boards and commissions pursuant to Section 15.2-1411 of the Code of Virginia. The standing committees of the Board shall be composed of two (2) Board members, as follows:

**'Community Services Committee'** - Responsible for review of and reporting to the Board on matters pertaining to the County's overall social, cultural and recreational needs and opportunities, including but not limited to parks, recreation, and public library services.

**'Economic Development Committee'** - Responsible for review of and reporting to the Board on matters pertaining to the County's general economic development, public utility services provided by the Bedford Regional Water Authority (BRWA), and intergovernmental relations between the Town of Bedford, City of Lynchburg and surrounding jurisdictions.

**'Finance Committee'** - Responsible for review of and reporting to the Board on matters pertaining to the County's general financial condition, audit (CAFR) issues, capital budget, debt and fiscal policies, Bedford County Nursing Home financial operations and non-tax revenue needs and opportunities (i.e., County-established fees and charges). Serves as the Board's liaison to the Bedford County School Board.

**'Personnel Committee'** - Responsible for review of and reporting to the Board on matters pertaining to staffing, compensation, employment benefits and personnel policies pertaining to County central government departments and employees under the Office of County Administrator and (where appropriate) employees of County Constitutional Offices. May fulfill other personnel-related responsibilities as specifically set out in the Bedford County Personnel Manual or by Board resolution.

**'Public Safety Committee'** - Responsible for review of and reporting to the Board on matters pertaining to career and volunteer firefighting, emergency medical services, emergency communications, animal shelter and law enforcement organizations and operations serving Bedford County.

**'Public Works Committee'** - Responsible for review of and reporting to the Board on matters concerning the construction, condition, needs and utilization of County-owned or -maintained buildings and real property assets and solid waste disposal operations of the Bedford County Department of Public Works.

Standing committees continue until dissolved by amendment of the Board Bylaws. The Board Chair shall annually appoint Board members to all standing committees no later than the regular Board meeting immediately following re-adoption of the Board Bylaws. Previous appointments to standing committees shall end at the time a new appointment is made. The Board Chair, at his/her discretion, may replace any Board member from a standing committee with an alternate appointment if conflicts arise with attendance.

The Board Chair at his/her discretion may form and appoint ad-hoc committees consisting of not less than two (2) nor more than three (3) Board members to review and report on matters clearly outside of the purview of the standing committees as set forth herein. The Chair shall publicly announce the formation of ad-hoc committees and appointments thereto at the next regular Board meeting. Ad-hoc

committees shall dissolve at such time as their final report to the Board is made, or otherwise be dissolved at the discretion of the Board Chair. In lieu of an ad-hoc committee, the Board by resolution may expand the scope of a standing committee to review and report on matters outside of its purview on a temporary basis, or may amend these Bylaws.

All standing and ad-ho committees of the Board shall be solely advisory in nature, having no authority to unilaterally act or decide upon any matter within its purview unless specifically authorized by the Board by resolution. Standing committees shall make regular reports concerning their meetings and activities for the preceding month at each first regular monthly Board meeting under the Board Committee Reports Meeting Agenda Item. A Board Committee Report Item may be presented either by a member of the committee or the County Administrator. In the event Board action is required on any matter in which a standing committee has been involved but has not yet reported on, that standing committee shall report to the Board as part of the Action Item on the Board's Meeting Agenda at any regular or special Board meeting.

All meetings of standing and ad-hoc committees shall be open to the public and public notices as to their meetings posted in accordance with Virginia law. Committees may convene in closed meeting to review certain matters in accordance with Virginia law under the advice of the County Attorney. The County Administrator, as Clerk of the Board or his/her designee, may call and shall be responsible for coordination and scheduling of all standing and ad-hoc committee meetings. Any standing or ad-hoc committee member may also call for a committee meeting by notifying the County Administrator; however both committee members must agree to the date and time. In the event only one (1) standing or ad-hoc committee member attends a committee meeting, matters before the committee may be reviewed and discussed but such shall not constitute a formal committee meeting.

## **SECTION I: MISCELLANEOUS**

### **Reserved Area**

Only members of the Board, the County Administrator, County Attorney, administrative staff and other persons expressly invited shall be entitled to enter the area behind the Board Dais and adjacent conference room used by the Board for committee meeting, Closed Meetings and the like.

### **Press**

Cameras from the press shall be limited to the west side of the boardroom adjacent to the record keeper. Members from the press shall not interview the public or staff in the Boardroom while meetings are in session.

### **Adoption and Amendment**

These Bylaws and Rules of Procedure shall be submitted by the Clerk to the Board for review and re-adoption at its annual or organizational meeting and may be amended by majority vote of the entire Board membership. No notice shall be required for the adoption of any amendments.

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

**Voting no: None**

**Motion passed.**

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**(10) Board Committee Reports**

Supervisor Arrington noted that he felt the earlier joint meeting with the School Board was productive. He requested that the County Administrator let the Board know the financial needs of the County as soon as possible so that they can be weighed against what is being requested in funding by the School Board.

Supervisor Wilkerson asked if a Board vote was needed regarding the School Board's choice of options and whether this would be on a future agenda. Supervisor Arrington replied that the Supervisors will vote whether or not they are willing to fund the School Board's request, but not on the actual design options.

Supervisor Martin asked if the County was still going to give the Schools \$100,000 as discussed last year for the Moneta sewer project, even though the project is being constructed in a manner different from the one proposed when the Board gave its consensus to donate the funds. There followed a brief discussion among the members of the Board. Chairman Parker asked Mr. Reeter to find out if the School Board intended to fund the sewer project with money that had been given to them last year by the Board for other projects or whether they still were requesting the \$100,000 as discussed last year. Supervisor Arrington stated that the Board made it clear in prior meetings that if this is a maintenance need, the Board would assist with funding.

Supervisor Sharp said he had made it clear to the Schools that, when this issue was first being discussed, the Schools had to take into account that it would cost \$400,000 to fix the sewer system and keep Moneta Elementary open (versus not having maintenance issues at Body Camp Elementary, which was being closed). He said at the time he had questioned whether the cost to fix the sewer system was worth the savings the Schools were anticipating by closing Body Camp. Supervisor Sharp said the Schools knew what the cost would be and he can't vote now to make that cost go away.

Supervisor Martin clarified that the Board never voted to finance the new sewer system. The vote was to give \$100,000 to the Economic Development Authority to assist with the cost of the project because it would benefit local businesses as well as the Moneta Elementary School.

More discussion on this issue followed, with the Chairman requesting Mr. Reeter come back to the Board with information regarding exactly how much the School Board is requesting before they move forward with consensus or a vote.

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**(11) Board Member Comments** – *there were no additional Board Member comments*

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**(12) Board Appointments**

**(12a) Chairman Parker made a motion to appoint Rodney D. Chrisman to the Bedford County Planning Commission to represent District 7 to fill the remainder of an unexpired term ending January 31, 2016.**

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

**Voting no:** None

**Motion passed.**

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**(13) County Attorney Report** - *The County Attorney had nothing to report.*

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**(14) County Administrator Report** – *The County Administrator had nothing to report.*

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**(15) Board Information**

- a. The Board was given a copy of the Library Board of Trustees Meeting Minutes from December 2, 2014 for review.
- b. The Board was given a copy of the Welcome Center’s Visitor Log Information from December 2014 and Year End for review.
- c. The Board was given a copy of the Bedford E-911 Communications Report from December 2014 for review.
- d. The Board was given a copy of the Community Development’s Building Report from December 2014 for review.
- e. The Board was given a copy of the Planning Commission Meeting Minutes from December 2, 2014 for review.

Chairman Parker also noted that there were several VDOT notices at the Supervisors stations regarding public meetings. Supervisor Thomasson commented that there was a good turnout at the public meeting for Hardy Road.

**(16) Board Calendar & Reminders**

Chairman Parker noted the Board's upcoming meetings as follows: February 9 – Regular Meeting at 7:30 p.m. (Work Session 5:00 - 6:00 p.m., followed by the Extension Office's Annual Report & Dinner at 6:00 in the Main Floor Meeting Room); February 23 – Regular meeting at 7:00 p.m. (Work Session 5:00 – 6:30 p.m.); March 2 – Budget Work Session at 5:00 p.m.

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**(17) Adjourn**

**Supervisor Sharp made a motion to adjourn the meeting at 8:10 p.m.**

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

**Voting no: None**

**Motion passed.**

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Tammy Parker, Chairman