

AGENDA

BEDFORD COUNTY BOARD OF SUPERVISORS

JANUARY 8, 2001

7:30 P.M.

WELCOME

- a. Call to Order
- b. Moment of Silence
- c. Pledge of Allegiance

(1) ORGANIZATION OF THE BOARD

- a. Selection of Chairman
- b. Selection of Vice-Chairman
- c. Establishment of Meeting Calendar

(2) APPROVAL OF AGENDA

(3) APPROVAL OF CONSENT AGENDA

(4) APPROVAL OF MINUTES – OCT 18, NOV 15, NOV 27 AND DEC 11, 2000

(5) PUBLIC HEARINGS/PUBLIC APPEARANCES

- a. Public Hearing—Ordinance To Amend Section 4-30(b) Of The Bedford County Code In Order To Add Beechwood West To The Area Of Bedford County Within Which Dogs May Not Run At Large
- b. Public Hearing—Ordinance To Amend Section 4-30(b) Of The Bedford County Code In Order To Add Mountain View To The Area Of Bedford County Within Which Dogs May Not Run At Large
- c. Joint Public Hearing With Bedford County Planning Commission On Rezoning Application #RZ010001, Greg K. Kuhn And Teresa Lynn Hancock—Request Change Of Zoning From R-1 (Low Density Residential) To AR (Agricultural Residential)
- d. Joint Public Hearing With Bedford County Planning Commission On Zoning Ordinance Text Changes
- e. Barbara Bennett, Project Services Coordinator, Region 2000 Regional Commission—Discussion Of Regional Industrial Park Proposal
- f. Jack Mills, Citizen—Discussion Of Racism In The Bedford County Public Library System
- g. Charles Walker, Secretary, Bedford County Electoral Board—Proposed Resolution Regarding An Improvement In The Conduct Of Elections In The County

(6) ACTION ITEMS

- a. Authorization To Declare Vehicle Surplus; Authorization To Donate Surplus Vehicle; Authorization To Increase The Vehicle Fleet By One Vehicle
- b. Determination Of Sole Source Provider For Construction Management Services; Authorization To Approve A Contract For Construction Management Services
- c. Request To Submit Internet Crimes Against Children Grant For Third Year

- d. Request from Bedford County Recreation Commission to transfer CIP monies {moved from consent agenda}

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

- a. Pollard - Recreation Commission*

(8) APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

- a. Planning Commission – Dist. 2
- b. Industrial Development Authority – Dist. 5
- c. Tri-County Lake Administrative Commission (TLAC)
- d. Regional Library Board
- e. Regional Disability Services Board

(9) COUNTY ATTORNEY REPORTS, REQUESTS AND RECOMMENDATIONS

- a. ~~Closed Session 2.1-344.A.1 - Potential Reorganization Of The Bedford County Recreation Department {Deleted}~~ & 2.1-344.A.5 – Discussion Concerning A Perspective Business Industry Where No Previous Announcement Has Been Made Of The Business' Or Industry's Interest In Locating Its Facility In The Community

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

- a. Route 620 Bridge Improvements
- b. Letter From United States Department Of Agriculture, Forest Service, Proposing To Purchase A Tract Of Land In The Blue Ridge Mountains, Lying In Bedford And Botetourt Counties, For The Appalachian Trail
- c. Bedford County Planning Commission Minutes – October 2, 2000
- d. Bedford Public Library System Board Of Trustees Minutes – November 16, 2000
- e. Bedford County Welfare Board Minutes – November 16, 2000

(11) PENDING MATTERS

- a. Special Use Permit Applications – Crown Castle International

8-2000 (Abbott property)

9-2000 (Croft property)

10-2000 (Johnson property)

* Added at meeting

Board of Supervisors:

Lucille H. Boggess, Chair - Dist. 7, Kirby E. Richardson, Vice-Chair - Dist. 2, Dale C. Wheeler - Dist. 1, Roger W. Cheek - Dist. 3, Robert L. Bashore - Dist. 4, E. Anthony Ware, II, - Dist. 5 and Bobby G. Pollard - Dist. 6

Planning Commission:

C. Gurnie Feazell, Vice-Chair - Dist. 2, Rick Crockett - Dist. 1, Tony Sprouse - Dist. 5, Harry Stevens - Dist. 6 and Lin Batten - Dist. 7

: Absent :

Dick Sterne, Chair - Dist. 4, Steve Wilkerson, - Dist 3

Staff present: William C. Rolfe, Kathleen D. Guzi, Mike Dorsey, J. G. Overstreet, Philip Thompson, Gina DeSantis, Patricia Robinson, Sue Gilbert, Bill Hoy, Johnny Dooley and Pam Bohon

2000 Chairman Richardson called the meeting to order; a moment of silence was held and the Pledge of Allegiance was said. Mr. Richardson turned the floor over to the County Administrator for selection of a Chairman for 2001.

(1) ORGANIZATION OF THE BOARD:

(a.) Selection of Chairman:

The County Administrator opened the floor for nominations for Chair.

Supervisor Richardson nominated Supervisor Boggess for Chair.

Supervisor Ware made a motion to close nominations.

**Voting yes: Mr. Wheeler, Mr. Richardson, Mr. Cheek, Mr. Bashore,
Mr. Ware, Mr. Pollard and Mrs. Boggess**

Voting no: None.

Adopted Unanimously.

Supervisor Ware made a motion that Supervisor Boggess be appointed Chair for 2001 by acclamation.

**Voting yes: Mr. Wheeler, Mr. Richardson, Mr. Cheek, Mr. Bashore,
Mr. Ware, Mr. Pollard and Mrs. Boggess**

Voting no: None.

Adopted Unanimously.

(b.) Selection of Vice-Chairman:

Supervisor Wheeler nominated Supervisor Richardson for Vice-Chair.

Supervisor Ware made a motion that nominations be closed and that Supervisor Richardson be appointed Vice-Chair for 2001 by acclamation.

**Voting yes: Mr. Wheeler, Mr. Richardson, Mr. Cheek, Mr. Bashore,
Mr. Ware, Mr. Pollard and Mrs. Boggess**

Voting no: None.

Adopted Unanimously.

(c.) Establishment of Meeting Calendar:

The following meeting calendar was presented for the Board's consideration:

January

- 8 Regular Meeting (Organizational Meeting)
- 18 CIP Work Session (Thursday)
- 22 Regular Meeting
- 25 Wireless Communication Workshop (Thursday)

February

- 12 Regular Meeting
- 15 Budget Work Session (Thursday)
- 26 Regular Meeting
- 27 Budget Work Session; 1st Quarterly Joint Meeting with the School Board Presentation of School Budget(Tuesday)

March

- 5 Budget Work Session
- 12 Regular Meeting
- 26 Regular Meeting

	29	Budget Work Session (Thursday)
April		
	2	Budget Public Hearing (Bedford Science and Technology Center)
	5	Budget Work Session (Thursday)
	9	Regular Meeting
	23	Regular Meeting
May		
	14	Regular Meeting
	21	2 nd Quarterly Joint Meeting with the School Board
	29	Regular Meeting (Tuesday, Monday is a holiday)
June		
	4	Joint Meeting with the Recreation Commission
	11	Regular Meeting
	18	Work Session on Board's Goals for FY 2001-2002
	25	Regular Meeting
July		
	9	Regular Meeting
	16	Joint Meeting with the IDA
	23	Regular Meeting
August		
	6	Public Hearing on the Six Year Secondary Road Plan
	15	Regular Meeting (Wednesday, LGOC is August 12, 13 and 14)
	16	3 rd Quarterly Joint Meeting with the School Board (Thursday at Bedford Science and Technology Center)
	27	Regular Meeting
September		
	10	Regular Meeting
	17	Work Session with VDOT on the Six Year Secondary Road Plan (VDOT Bedford Residency Office, Route 460)
	24	Regular Meeting
October		
	9	Regular Meeting (Tuesday, Monday the 9 th is a holiday)
	15	Joint Meeting with the PSA
	22	Regular Meeting
November		
	1	4 th Quarterly Joint Meeting with the School Board (Thursday at the Bedford Science and Technology Center)
	14	Regular Meeting (Wednesday, VACO Annual Conference is November 11, 12 and 13)
	26	Regular Meeting
December		
	3	Work Session with the Planning Commission on the CIP
	10	Regular Meeting

Note: All dates for meetings are on Mondays unless noted otherwise and the location for all meetings is the County Administration Building unless noted otherwise. All meetings will start at 7:30 p.m.

Supervisor Ware made a motion to adopt the meeting calendar of the Bedford County Board of Supervisors as presented.

**Voting yes: Mr. Wheeler, Mr. Richardson, Mr. Cheek, Mr. Bashore,
Mr. Ware, Mr. Pollard and Mrs. Boggess**

Voting no: None.

Adopted Unanimously.

Chair Boggess expressed her appreciation to her fellow Board members for selecting her Chair for 2001 and asked for their support throughout the year.

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

Voting yes: Mr. Wheeler, Mr. Richardson, Mr. Cheek, Mr. Bashore,
Mr. Ware, Mr. Pollard and Mrs. Boggess

Voting no: None.

Adopted Unanimously.

(2) Supervisor Richardson made a motion to approve the agenda as amended.

Voting yes: Mr. Wheeler, Mr. Richardson, Mr. Cheek, Mr. Bashore,
Mr. Ware, Mr. Pollard and Mrs. Boggess

Voting no: None.

Adopted Unanimously.

CONSENT AGENDA

BEDFORD COUNTY BOARD OF SUPERVISORS

JANUARY 8, 2001

ITEM 1 DEPARTMENTAL REPORTS

- a. Animal Warden
- b. Bedford Communications & Warrant Division EMS Call Reports
- c. Bedford Communications & Warrant Division Fire Call Reports
- d. Building Inspections & Planning Department

ACTION: Report(s) received

ITEM 2 RESOLUTIONS/MOTIONS

- a. ~~Request from Bedford County Recreation Commission to transfer CIP monies {moved to regular agenda}~~
- b. Consideration of a resolution proclaiming February 2nd, Bedford's Forgotten Airmen Day
- c. Request from Bedford County Public Schools for a supplemental appropriation for the Advertising Campaign with Sam Moore Furniture
- d. Request from Bedford County Public Schools for a supplemental appropriation for the Title VI-B Silver Grant

ACTION: Approve resolutions/motions as presented.

ITEM 3 REFUNDS

- a. Judith M. Bing
Refund: \$6.25

b. Frederick A. & Janet D. Binger
Refund: \$43.73

c. Melvin W. Burnette
Refund: \$76.52

d. Allen P. & Florence Cherry
Refund: \$15.00

e. Wilber L. Cowlbeck
Refund: \$62.48

f. D. Dillion Deward
Refund: \$10.85

g. Dorss Family Trust
Refund: \$106.96

h. First General Leasing Co.
Refund: \$26.34

i. First Union Leasing Group, Inc.
Refund: \$149.29

j. First Union National Bank
Refund: \$136.33

k. First Union National Bank
Refund: \$1,753.19

l. First Union National Bank
Refund: \$152.82

m. First Union National Bank
Refund: \$609.03

n. Gregg P. Glausen, Sr.
Refund: \$128.67

o. Richard L. & Carole E. Grachan
Refund: \$2.80

p. Haller Clock
Refund: \$345.06

q. Hillsman Auto Sales
Refund: \$20.10

r. Mary S. Jones
Refund: \$135.22

s. Anna L. Lazarus
Refund: \$413.19

t. Lease Plan USA Inc.
Refund: \$331.25

u. Louis E. Lloyd
Refund: \$79.05

v. Ronald M. Martin
Refund: \$1,147.22

w. Donna B. Metcalf
Refund: \$18.71

x. Robert & Sandra P. Monsour
Refund: \$42.65

y. Jeffrey E. & Lori M. Moyer
Refund: \$27.08

z. Gilbert T. & Teresa Newman
Refund: \$446.23

aa. Robert J. & Jill M. Nicholls
Refund: \$14.14

bb. Dorwin M. Owens
Refund: \$21.03

cc. Douglas & Holly Parker
Refund: \$485.05

dd. Frank J. Phillips
Refund: \$79.90

ee. Charles D. Ragland
Refund: \$23.43

ff. James F. & Shirley F. Schmitt
Refund: \$66.43

gg. Gordon W. Skinnell
Refund: \$25.41

hh. Susan T. Timmons
Refund: \$153.07

ii. Dickie W. & Gail D. Witt
Refund: \$171.19

jj. Lloyd W. Zerfoss & Judy M. Bing
Refund: \$14.61

kk. Proration Refunds
Refund: \$974.40

ACTION: Authorize and direct Fiscal Management to make refunds as presented.

(3) Supervisor Cheek made a motion to move item 2 a. on the Consent Agenda to the regular agenda.

Voting yes: Mr. Wheeler, Mr. Richardson, Mr. Cheek, Mr. Bashore,
Mr. Ware, Mr. Pollard and Mrs. Boggess

Voting no: None.

Adopted Unanimously.

Supervisor Richardson made a motion to approve the consent agenda as amended.

Voting yes: Mr. Wheeler, Mr. Richardson, Mr. Cheek, Mr. Bashore,
Mr. Ware, Mr. Pollard and Mrs. Boggess

Voting no: None.

Adopted Unanimously.

(4) APPROVAL OF MINUTES:

Supervisor Pollard made a motion to approve the minutes of October 18, November 15, November 27 and December 11, 2000 as presented.

Supervisor Cheek commented that he had a question regarding an item on the December 11th agenda when the Board went in closed session on a matter regarding a landfill employee. He said he thought there was some action taken in closed session, but the Board did not vote in open session. Mr. Cheek commented that he was not sure that was proper.

Chair Boggess commented that a motion was not made in closed session. Supervisor Cheek commented that action was taken in closed session, but the Board did not vote in open session.

Supervisor Bashore commented that the matter was a personnel matter which would fall under personnel.

Supervisor Pollard commented that the matter was handled administratively, not through the Board.

The County Attorney commented that action can only be taken by the Board in open session. He said he recalls that it was the consensus of the Board to give the County Administrator some direction administratively how to handle the situation, and said it was purely an administrative item and action of the Board was not necessary.

Supervisor Cheek felt that action was taken because the employee was paid his salary until the Board met in closed session at that meeting and then he wasn't paid.

Supervisor Bashore commented that administrative issues were a function which falls under the County Administrator's duties.

The County Attorney commented that it was his understanding that the County Administrator could handle administrative issues without the Board's approval. He said the County Administrator was advising the Board of the situation before he took action.

**Voting yes: Mr. Wheeler, Mr. Richardson, Mr. Cheek, Mr. Bashore,
Mr. Ware, Mr. Pollard and Mrs. Boggess**

Voting no: Cheek

Adopted.

Chairman Feazell called the Planning Commission to order; he then turned the floor back over to Chair Boggess.

The County Administrator commented that he would like to announce, for the sake of all of the residents from the Montvale area who were present in the audience, that the issue of the proposed industrial park in Montvale is not on the Board's agenda or the Planning Commission's agenda tonight and commented that there would not be any discussion on that matter tonight. He said a joint public hearing between the Board of Supervisors and the Planning Commission is scheduled for January 22, 2001.

(5) PUBLIC HEARINGS/PUBLIC APPEARANCES:

(5a.) A public hearing was held on an ordinance to amend Section 4-30(b) of the Bedford County Code in order to add Beechwood West to the area of Bedford County within which dogs may not run at large.

The public hearing was opened; there was one person who registered to speak which was Ron Barrett; there being no one else requesting to speak, the public hearing was closed. The Board will consider a proposed ordinance at their next regular meeting.

(5b.) A public hearing was held on an ordinance to amend Section 4-30 (b) of the Bedford County Code in order to add Mountain View to the area of Bedford County within which dogs may not run at large.

The public hearing was opened; no one registered to speak; the public hearing was closed. The Board will consider a proposed ordinance at their next regular meeting.

(5c.) A joint public hearing was held with the Bedford County Planning Commission on rezoning application # RZ10001, Greg K. Kuhn and Teresa Lynn Hancock for a request for a change of zoning from R-1 (low density residential) to AR (agricultural residential).

Philip Thompson, Director of Planning appeared before the Board to give a brief overview of the staff report on the proposed project.

Teresa Hancock, property owner, appeared before the Board and made a few brief comments on the proposed project.

The public hearing was opened; there was one person who registered to speak which was H. E. Culp; there being no one else desiring to speak, the public hearing was closed.

The Board will await the Planning Commission's recommendation on the proposed project.

(5d.) A joint public hearing was held with the Bedford County Planning Commission on Zoning Ordinance Text Changes.

The public hearing was opened; the following people registered to speak: Albert Sloss, Sam Taylor, Mark Martin, George Ferrell (provided handouts on changes he would recommend to the zoning ordinance). During the public hearing the County Administrator offered clarification on some of the comments made by Mr. Sloss and the County Attorney offered some comments in regard to some of the comments made by Mr. Martin.

There being no one else desiring to speak, the public hearing was closed. The Board will await the Planning Commission's recommendation on the proposed zoning ordinance text changes.

(5e.) Barbara Bennett, Project Service Coordinator, Region 2000 Regional Commission, appeared before the Board to give a presentation on a Regional Industrial Park proposal; the proposed site is located in Bedford County. Ms. Bennett introduced the new director of the Regional Commission, Bill Gillispie; Mr. Gillispie appeared before the Board and made a few brief remarks.

Sue Gilbert, Economic Development Coordinator for Bedford County, who also serves on the Region 2000 Marketing Committee, appeared before the Board and made some brief comments regarding the proposed project.

Ms. Bennett appeared and provided a Power Point presentation on the regional industrial park proposal (Little Otter Park). Topics covered included working regionally; organizing regional projects; solving long-term challenges; selection of a site; share holders for the Regional Industrial Park; investment opportunities; calculating costs with regard to expenses, share and efficient management; purchase options; share holder commitment, benefits and roles and options; return on investment.

Ms. Bennett noted that they are offering each locality in Region 2000 an opportunity to purchase 100 shares of 1,000 shares available. Ms. Bennett said they are requesting that each locality make a decision whether they will be participating, and if so, at what level, by the end of February.

(5f.) Jack Mills, citizen, appeared before the Board to discuss racism in the Bedford County Public Library System.

Chair Boggess said she would like to point out that the Board of Supervisors has nothing to do with who the Library hires.

Mr. Mills commented that the Board of Supervisors does appoint members to serve on the Library Board and said that he objects to the fact that no black persons serve on that Board. Mr. Mills proceeded to discuss different instances regarding different individuals who had went to, or applied at the Library and how he felt like they were discriminated against because of their race. He

said it was time to change the racism in the library system and commented that he doesn't think government has the right to discriminate and thinks the matter should be corrected.

(5g.) Charles Walker, Secretary, Bedford County Electoral Board, appeared before the Board to present a proposed resolution urging the Board to move forward with using some of the county schools as election precincts and closing the schools on Election Day.

Supervisor Bashore questioned if he had approached the school board. Marie Batten, Registrar, was present in the audience and commented that they had contacted the School Superintendent last year, but the matter did not get resolved.

The following resolution was presented:

WHEREAS, the supervisors of the County of Bedford will be charged with the task of redistricting its political districts and precincts in 2001, and

WHEREAS, the supervisors of the County of Bedford has expended funds for establishing sixteen accessible elementary and high school facilities throughout the county that could serve as polling locations, and

WHEREAS, the supervisors of the County of Bedford encourages and promotes the overall sense of community in all areas throughout the county, and

WHEREAS, the supervisors of the County of Bedford are aware of the needs of the Electoral Board of Bedford County to establish accessible voting precincts, and

WHEREAS, the supervisors of the County of Bedford endorses the opportunity for and encourages all eligible citizens to participate in casting their ballots on election day with ease and comfort,

THEREFORE, BE IT RESOLVED, on this 8th day of January, in the year 2001, that the supervisors of Bedford County requests the Bedford County School Board to close for classes, the Bedford County Schools on each Election Day, beginning with the November General Election in the calendar year 2001.

Supervisor Ware made a motion to approve the resolution.

**Voting yes: Mr. Wheeler, Mr. Richardson, Mr. Cheek, Mr. Bashore,
Mr. Ware, Mr. Pollard and Mrs. Boggess**

Voting no: None.

Adopted Unanimously.

The Planning Commission adjourned to the Ground Floor Training Room; the Board took a five minute recess; the Board reconvened.

(6) ACTION ITEMS:

(6a.) Hardy Volunteer Fire Company has become the recipient of an old 1953 Dodge ¾ton military surplus pickup the County acquired from the Federal Emergency Management Agency (FEMA) in 1985. The vehicle is in need of a motor replacement and Hardy Fire Company is interested in making the repair and using the vehicle, but is reluctant to investing money in a vehicle that is not titled to them. It was recommended the Board declare the vehicle surplus, and donate it to the Hardy Fire Co.

Supervisor Wheeler made a motion to declare the 1953 Dodge ¾ton military pickup surplus and to also authorize the donation of the pickup to the Hardy Volunteer Fire Company.

**Voting yes: Mr. Wheeler, Mr. Richardson, Mr. Cheek, Mr. Bashore,
Mr. Ware, Mr. Pollard and Mrs. Boggess**

Voting no: None.

Adopted Unanimously.

Johnny Dooley, Manager, General Properties, appeared before the Board and reported that a request was received from Leighton Langford, Director, Bedford County Social Services, regarding vehicles for the group homes. Social Services currently has two sedans and a 15-passenger van assigned to the group homes. Mr. Langford feels the group homes would be better served by having three sedans, and having the van available as needed through the fleet pool. In order to accommodate Mr. Langford's request the Board needs to authorize the increase of the vehicle fleet by one vehicle, which would be assigned to the Central Garage.

Supervisor Pollard made a motion to increase the vehicle fleet by one vehicle at the Central Garage.

**Voting yes: Mr. Wheeler, Mr. Richardson, Mr. Cheek, Mr. Bashore,
Mr. Ware, Mr. Pollard and Mrs. Boggess**

Voting no: None.

Adopted Unanimously.

(6b.) The County Administrator reported that Scott Glass, Construction Superintendent, resigned from his position at the end of December. He said in order to maintain the continuity of the Courthouse Project it was suggested that that county contract with Mr. Glass, who is a professional architect, to provide construction management services for the remainder of the Courthouse Project. He said if the Board is interested in pursuing this, a determination would need to be made that sole source procurement would be in the best interest of the county, due to Mr. Glass' experience and knowledge of the project.

There followed a discussion among members of the Board and the County Administrator regarding the responsibility of the architect. It was noted that currently the relationship with the architect was not good due to a dispute on a change order which went to arbitration; the county felt that the architect made some mistakes and they should be held financially responsible, which they have not agreed to at this time.

One Board member commented that he felt when a person resigns from their position they're gone, and that person shouldn't be hired back; he questioned if the city building inspectors could handle the services. It was noted that city building inspectors do not inspect county projects located in the city; the county has an agreement with the city that the county's building inspectors inspect county projects located in the city.

It was also noted that the project was approximately 60% complete and was approximately six months ahead of schedule; also the project will probably be completed under the budgeted amount. It was felt that this was all possible due to Mr. Glass overseeing the project.

Supervisor Pollard made a motion that the Board of Supervisors determines that only one source is practicably available for construction management services for the Courthouse project and that Scott Glass is the sole source available for these services due to the following:

The Courthouse project is the largest construction project undertaken by the Board of Supervisors and has been progressing from a conceptual idea to actual construction for the last ten years. The project involves the Board of Supervisors as owners, a design team composed of architectural and engineering firms, a construction contractor and numerous subcontractors, material suppliers, special testing firms, the City of Bedford and several adjoining property owners. Mr. Glass, in his duties as Construction Superintendent, has developed an excellent working relationship with all the parties involved in this project and has, as the owners representative,

insured that the project stay on budget and on schedule. In fact, the project is anticipated to be completed approximately six months ahead of schedule. Because of the complexity of the renovations and additions to both the Courthouse and the Burk-Scott building, someone who has worked with the design and construction teams from the project's early stages can only reasonably and timely provide the coordination and scheduling necessary to complete the project. Since Mr. Glass has been intimately involved in the project for the past three years, from the early design stages through its present construction stage of sixty percent complete, the Board would benefit from the continuity of decisions that have been made on behalf of the County. In his capacity as the owner's representative, Mr. Glass would be responsible for ensuring that the interests of the County continue to be upheld with his in-depth knowledge of the project working drawings and familiarity of the construction progress on-site.

Supervisor Cheek commented that he felt the project was six months ahead of schedule due to the good weather we have been experiencing and commented that this was not a good idea.

The County Attorney commented in regard to the proposed contract he would like to see some changes in the wording regarding fees for Mr. Glass' services and said that he would work on clarifying that.

**Voting yes: Mr. Wheeler, Mr. Richardson, Mr. Bashore, Mr. Ware,
Mr. Pollard and Mrs. Boggess**

Voting No: Mr. Cheek

Adopted.

Supervisor Pollard made a motion to approve a contract with Scott Glass for construction management services and authorize the County Administrator to execute the contract on behalf of the County upon approval of the agreement by the County Attorney with the changes he recommended.

**Voting yes: Mr. Wheeler, Mr. Richardson, Mr. Bashore, Mr. Ware,
Mr. Pollard and Mrs. Boggess**

Voting No: Mr. Cheek

Adopted.

(6c.) The County Administrator reported that the Sheriff's Office has prepared an application to apply for third year funding from the U. S. Department of Justice for an Internet Crimes Against Children Grant in the amount of \$197,612.27. They are requesting \$100,000 in federal funds and \$97,612.27 in local funds for the time period December 1, 2000 to November 30, 2001.

There followed a discussion among members of the Board and Kathleen Guzi, Deputy County Administrator. Supervisor Cheek commented that it appears the county is picking up larger portions of local funding for these grants and it is getting to be expensive.

Supervisor Richardson made a motion authorizing the Sheriff's office to submit an Internet Crimes Against Children Grant to the U. S. Department of Justice in the total amount of \$197,612.27; \$100,000.00 in federal funds and \$97,612.27 in local funds for the time period December 1, 2000 to November 30, 2001.

Supervisor Bashore requested a copy of the report which shows funds which were unexpended at the end of the fiscal year.

**Voting yes: Mr. Wheeler, Mr. Richardson, Mr. Bashore, Mr. Ware,
Mr. Pollard and Mrs. Boggess**

Voting no: Mr. Cheek

Adopted.

(6d.) Andy Dooley, Recreation Director, appeared before the Board and reported that back in November, 1999 the Bedford County Recreation Commission and himself reviewed their CIP Budget for the closing of the previous year and determined that there was approximately \$12,000 remaining in some items where the work had been completed. He said the Recreation Commission took action in November, 1999 to transfer approximately \$12,000 to Montvale to put concrete in the dugouts and to do some fencework at the Montvale Recreation Club and at the new Montvale Elementary School. He said the Recreation Commission authorized him to make the request and he cannot find it in his records that he ever made the request, therefore, those funds were never transferred.

The Baseball Field Lighting Project CIP monies have a remaining balance of \$17,996.80. Mr. Dooley requested that \$16,967.50 be transferred from the Lighting Project into the Montvale Account to offset the negative balance.

There followed a brief discussion among members of the Board, the County Administrator, the Deputy County Administrator and Mr. Dooley.

Supervisor Richardson made a motion to authorize the TRANSFER of \$16,967.50 from CIP Department 33-9750-001, Lighting Project, to CIP Department 33-9747, Montvale

**Voting yes: Mr. Wheeler, Mr. Richardson, Mr. Bashore, Mr. Ware,
Mr. Pollard and Mrs. Boggess**

Voting no: Mr. Cheek

Adopted.

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

Supervisor Pollard reported that he met with the Recreation Commission at their last meeting. He said there was some discussion regarding the Recreation Commission's duties as far as the direction of parks and recreation. He said the Board of Supervisors has discussed this issue as well and have mentioned the possibility of a committee to study the issue. He said that the Recreation Commission has expressed that they feel it is their duty to determine the matter and said that they would be willing to discuss the direction of the Parks & Recreation Department without the Board appointing a committee to study such.

Mr. Pollard said he requested the Recreation Commission to accept that challenge and report back to the Board of Supervisors as to the direction they plan for the Department of Parks & Recreation to take in the future. He said he had seen some of the projects they are working on and commented that they are doing an excellent job and diligently working to improve the parks and recreation of Bedford County.

Supervisor Wheeler said that he would like to add that he thinks the Recreation Commission is doing a fine job in directing the Department of Parks & Recreation.

(8) APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES:

Supervisor Richardson made a motion to reappoint Clarence Fezell to the Bedford County Planning Commission with the term expiring January, 2005.

**Voting yes: Mr. Wheeler, Mr. Richardson, Mr. Cheek, Mr. Bashore,
Mr. Ware, Mr. Pollard and Mrs. Boggess**

Voting no: None.

Adopted Unanimously.

Supervisor Ware made a motion to reappoint Bob Waugh to the Bedford County Industrial Development Authority to represent District 5 with the term expiring January, 2005.

**Voting yes: Mr. Wheeler, Mr. Richardson, Mr. Cheek, Mr. Bashore,
Mr. Ware, Mr. Pollard and Mrs. Boggess**

Voting no: None.

Adopted Unanimously.

Supervisor Richardson made a motion to appoint Ken Dugan to the Tri-County Lake Administrative Commission (TLAC) for a one year term beginning February 1, 2001.

Supervisor Cheek recommended Richard Murphy be appointed to the Tri-County Lake Administrative Commission (TLAC).

There followed a discussion among members of the Board. It was noted that this was an annual appointment and that next year someone else could possibly be appointed.

**Voting yes: Mr. Wheeler, Mr. Richardson, Mr. Bashore, Mr. Ware,
Mr. Pollard and Mrs. Boggess**

Voting No: Mr. Cheek

Adopted.

Supervisor Bashore made a motion to appoint Terry Arnold to fill the unexpired term of Marjorie Cooper on the Regional Library Board with the term expiring June, 2001.

**Voting yes: Mr. Wheeler, Mr. Richardson, Mr. Cheek, Mr. Bashore,
Mr. Ware, Mr. Pollard and Mrs. Boggess**

Voting no: None.

Adopted Unanimously.

(9) COUNTY ATTORNEY REPORTS, REQUESTS AND RECOMMENDATIONS:

The County Attorney reported that he is required by the Code of Virginia to review the Conflict of Interest Act/Freedom of Information Act annually with the Board. He said he would like to request time to go over these two acts on an upcoming agenda and requested the County Administrator supply the Board with copies of the acts.

The County Attorney reported in regard to the matter of potential reorganization of the Recreation Department on the agenda for closed session, he doesn't believe it would be appropriate to discuss the matter in closed session unless the Board was going to discuss a specific employee or an office of the county; he said the matter of potential reorganization should be discussed in open session.

The Board concluded that the matter was a moot item and should not have been on the agenda.

Supervisor Bashore commented that there was an item in the agenda that was skipped over tonight when the Board held the public hearing on the Zoning Ordinance text changes regarding alternative discharging sewage systems.

The County Administrator commented that this was placed on the agenda for the Board to determine if they wanted to consider amending the Zoning Ordinance to allow for alternative sewage discharging systems for non-residential uses. The issue came about when representatives from the Blue Ridge Community Church met with the Health Department concerning the issuance of a septic permit to handle a larger congregation than had been previously applied for and approved by the

Health Department; the church was told that now the soil would not perk and denied their application to handle the larger congregation. The Health Department suggested the church apply for an alternative discharging sewage system; the county's Zoning Ordinance allows these systems through a special use permit, however, the intent of the ordinance was for existing residential homes where the existing sewage disposal system has failed, not for new construction or non-residential uses.

There followed a discussion among members of the Board, the County Attorney and the County Administrator. It was suggested that the matter be referred to the Planning Commission to insert the appropriate language regarding allowing alternative discharging sewage systems for non-residential uses.

Supervisor Richardson made a motion that the matter be referred to the Planning Commission in order that they may insert the appropriate language regarding allowing alternative discharging sewage systems for non-residential uses.

**Voting yes: Mr. Wheeler, Mr. Richardson, Mr. Cheek, Mr. Bashore,
Mr. Ware, Mr. Pollard and Mrs. Boggess**

Voting no: None.

Adopted Unanimously.

(9a.) Supervisor Richardson moved to go into Closed Session under Section 2.1-344.A.5 – Discussion concerning a prospective business industry where no previous announcement has been made of the business' or industry's interest in locating its facility in the community.

**Voting yes: Mr. Wheeler, Mr. Richardson, Mr. Cheek, Mr. Bashore,
Mr. Ware, Mr. Pollard and Mrs. Boggess**

Voting no: None.

Adopted Unanimously.

Supervisor Ware moved to go back into regular session.

**Voting yes: Mr. Wheeler, Mr. Richardson, Mr. Cheek, Mr. Bashore,
Mr. Ware, Mr. Pollard and Mrs. Boggess**

Voting no: None.

Adopted Unanimously.

Supervisor Richardson made a motion that in accordance with Section 2.1-344.1 D the Board certifies that to the best of each member's knowledge, only public business matters lawfully exempted from open meeting requirements under this chapter and only such public business matters as were identified in the motion by which the closed session was convened, were heard, discussed or considered in the closed session by the Board.

**Voting yes: Mr. Wheeler, Mr. Richardson, Mr. Cheek, Mr. Bashore,
Mr. Ware, Mr. Pollard and Mrs. Boggess**

Voting no: None.

Adopted Unanimously.

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

(10a.) The Board received a copy of a memo from the County Administrator regarding bridge improvements on Route 620.

(10b.) The Board received a copy of a letter from the United States Department of Agriculture, Forest Service, proposing to purchase a tract of land in the Blue Ridge Mountains, lying in Bedford and Botetourt Counties, for the Appalachian Trail.

(10c.) The Board received a copy of the Bedford County Planning Commission minutes dated October 2, 2000.

(10d.) The Board received a copy of the Bedford Public Library System Board of Trustees minutes dated November 16, 2000.

(10e.) The Board received a copy of the Bedford County Welfare Board minutes for November 16, 2000.

(11) PENDING MATTERS:

(11a.) Special Use Permit Applications – Crown Castle International

8-2000 (Abbott property)

9-2000 (Croft property)

10-2000 (Johnson property)

Supervisor Pollard made a motion to adjourn the meeting at 9:58 p.m.

**Voting yes: Mr. Wheeler, Mr. Richardson, Mr. Cheek, Mr. Bashore,
Mr. Ware, Mr. Pollard and Mrs. Boggess**

Voting no: None.

Adopted Unanimously.

Chairman
