

AGENDA

BEDFORD COUNTY BOARD OF SUPERVISORS

OCTOBER 9, 2001

7:30 P.M.

WELCOME

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

(1) APPROVAL OF AGENDA

(2) APPROVAL OF CONSENT AGENDA

(3) APPROVAL OF MINUTES – MAY 1, MAY 10 & SEPT 10, 2001

(4) FIFTEEN MINUTE CITIZEN COMMENT PERIOD
(For Items On This Agenda)

(5) PUBLIC HEARINGS/PUBLIC APPEARANCES

- a. Rona Adams, Citizen---Discussion Regarding The Deterioration Of Bedford County Schools
- b. ~~Bill Gillespie, Executive Director, Region 2000 Regional Commission---Overview Of The Regional Commission's Organization, The Services Provided, And Its Goals {Deleted}~~
- c. ~~Jack Mills, Citizen---Discussion Regarding The Bedford County Welfare Board {Deleted}~~
- d. Alan Adler, The Healthcare Collaborative---Update On Building Options Identified For Bedford County Nursing Home {Board Members - Bring Project Scope Analysis}

(6) ACTION ITEMS

- a. Consideration Of A Financial Policy Clarification As A Result Of The Implementation Of Governmental Accounting Standards Board (GASB) Statement No. 33
- b. Authorization To Advertise A Public Hearing On A Proposed Ordinance To Amend And Readopt Chapter 17, Article VIII, Transient Occupancy Tax, Section 17-99, Imposed Amount, Of The Code Of The County Of Bedford, Virginia
- c. Consideration Of A Resolution Recognizing The Bedford County Association Of Volunteer Rescue Squads
- d. Authorization To Approve The Transportation Enhancement Program Agreement For Project Development And Administration For The Bedford City/County Tourist And Visitors Center
- e. Authorization To Award A Contract To Replace The Pump Station At The Bedford County Landfill
- f. Authorization To Purchase An Option To Acquire Property To Provide Additional Buffer At The Bedford County Landfill
- g. Designation Of A Representative To Cast Votes At The Annual Business Meeting Of The Virginia Association Of Counties
- h. Intergovernmental Transfer Of Medicaid Funds Program*

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

(8) APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

- a. Supervisor Bashore—School Construction Committee*

(9) COUNTY ATTORNEY REPORTS, REQUESTS AND RECOMMENDATIONS

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

- a. **Closed Session – Section 2.2-3711.A.1 – Discussion Regarding Personnel Matters**
- b. **Region 2000 Regional Commission Fall Dinner Meeting**
- c. **Bi-Weekly Departmental Update**
- d. **Bedford County Welfare Board Minutes – August 16, 2001**

(11) PENDING MATTERS

- a. **Special Use Permit Applications – Crown Castle International**
 - # 8-2000 (Abbott property)**
 - # 9-2000 (Croft property)**
 - #SU010001 (Eagle Eyrie)**
 - #SU010002 (Whorley property)**
- b. **Special Use Permit Application – American Tower L.P.**
 - # SU010010 (Cheek property)**

(12) UPCOMING MEETINGS

- ?? **October 15, 2001 – Joint Meeting With Bedford County Public Service Authority**
- ?? **October 22, 2001 – Regular Meeting**
- ?? **October 29, 2001 – Work Session With VDOT On Six Year Road Plan**

* Items 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

Staff present: William C. Rolfe, Kathleen D. Guzi, Mike Dorsey, J. G. Overstreet, Susan Crawford, Bill Hoy, Jack Jones, Jr., and Pam Bohon

Chair Boggess called the meeting to order; a moment of silence was held and the Pledge of allegiance was said.

Chair Boggess welcomed everyone to the meeting and noted the following changes to the agenda:

- ?? Delete items 5b. & 5c.
- ?? Add Action Item 6h.--Intergovernmental Transfer of Medicaid Funds program
- ?? Add Committee Report from Supervisor Bashore on School Construction Committee

(1) Supervisor Bashore 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

OCTOBER 9, 2001

ITEM 1 DEPARTMENTAL REPORTS

- a. Animal Warden

ACTION: Report(s) received

ITEM 2 RESOLUTIONS/MOTIONS

- a. Request from Bedford County School Board for a supplemental appropriation to the major category of Instruction for the Career and Technical Federal Perkins Act
- b. Request from Bedford County School Board for a supplemental appropriation to the major category of Instruction for the Title I Improving America's Schools Act
- c. Request from Virginia Department of Transportation to add 0.36 mile of Rivermont Academy Road to the Secondary System of State Highways
- d. Request from Virginia Department of Transportation to add 0.37 mile of Rivermont Academy Road to the Secondary System of State Highways
- e. Request from Virginia Department of Transportation to add 0.43 mile of Patriot Place Road to the Secondary System of State Highways
- f. Request from Virginia Department of Transportation to add 0.11 mile of New London School Road to the Secondary System of State Highways
- g. Request from Virginia Department of Transportation to add 0.22 mile of Scholar Lane Road to the Secondary System of State Highways
- h. Consideration of a resolution in support of the Founders of America Communities Program

ACTION: Approve resolutions/motions as presented.

ITEM 3 REFUNDS

- a. Adele B. Kline
Refund: \$129.49
- b. Shirley M. Maxey
Refund: \$52.45
- c. Johan H. Orest
Refund: \$42.05
- d. Kathy L. Palmer
Refund: \$8.01
- e. Chad E. Rigney
Refund: \$285.36
- f. Larry E. & April Seay
Refund: \$71.08

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

(2) Supervisor Pollard made a motion to approve the consent agenda as presented.

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

Voting no: None.

Adopted Unanimously.

(3) APPROVAL OF MINUTES:

Supervisor Richardson made a motion to approve the minutes of May 1, May 10 and September 10, 2001 as presented.

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

Voting no: None.

Adopted Unanimously.

(4) FIFTEEN MINUTE CITIZEN COMMENT PERIOD:

No citizens wished to address the Board.

(5) PUBLIC HEARINGS/PUBLIC APPEARANCES:

(5a.) Rona Adams, citizen, appeared before the Board; her topic for discussion was deterioration of Bedford County schools. Ms. Adams referred to a newspaper article regarding the Board of Supervisors wanting to attract industry to the county; Ms. Adams commented that she thought it was a good idea to attract industry to the county and that it would be a good way to help offset real estate taxes; she also felt that the addition of new industry in the county would bring additional children into the county's school system. Ms. Adams went on to talk about the condition of various buildings in the county (i.e., courthouse building & the schools), teacher salaries and roads in the county. Ms. Adams felt that Bedford County had a "reputation" and commented that if Bedford County was to grow and prosper, the county needed to overcome and get rid of its "reputation".

Ms. Adams requested all Board members resign their positions because she felt that the Board members had failed miserably in their responsibilities to improve the county.

Several Board members responded with comments ranging from the amount of increase in funding the Board has given to the schools over the past years, to the fact that the Board has very little control over road upgrades in the county.

(5b.) (deleted)

(5c.) (deleted)

(5d.) Bob Gerndt, Director, Bedford County Nursing Home, appeared before the Board and reported that the Nursing Home Committee has met and reviewed the results of the architectural study which was presented to the Board a few meetings back; the committee agrees that the preferred path to proceed with is to build a new free-standing 92 bed facility based on the need in the county for additional beds, and also feels that financially, this option is the most viable.

Alan Adler with the Healthcare Collaborative, appeared before the Board to answer questions based on the committee's recommendation; there followed a question and answer session among members of the Board, staff and Mr. Adler.

The County Administrator noted that if the Board chooses to participate in the Intergovernmental Transfer of funds from the state for the Medicaid program the money which is netted could be used towards the Nursing Home project.

(6) ACTION ITEMS:

(6a.) Kathleen Guzi, Deputy County Administrator, appeared before the Board and reported at the last meeting the Board was presented with Governmental Accounting Standards Board (GASB) Statement No. 33. The County Attorney requested the matter be deferred until tonight's meeting in order to allow him additional time to review.

Supervisor Bashore made a motion that the following policy be adopted and included in the budget document:

It is the Policy of Bedford County that the taxes collected from December 5th of one calendar year and June 5th of the following calendar year, are utilized to fund the fiscal year ending subsequent to June 5th. The June 5th tax collection is to be shown as designated fund balance in the County's Comprehensive Annual Financial Report to be utilized to fund the next fiscal year's budget.

**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 one of the Board of Supervisors' top legislative issues last year was to solicit authorization from the General Assembly to increase the transient occupancy tax in Bedford from two percent to five percent. He noted that legislation was passed and the county now has the authority to increase the transient occupancy tax from two percent to five percent, provided that the revenue generated from a rate in excess of two percent be dedicated to tourism efforts.

In order to implement an increase in the transient occupancy tax rate, Section 17-99 of the Bedford County Code must be amended through the normal process of holding a public hearing and the Board adopting an ordinance officially amending the rate.

Supervisor Richardson made a motion to hold a public hearing on Wednesday, November 14th on the proposed ordinance to amend Section 17-99 of the Bedford County Code by increasing the transient occupancy tax rate from two percent to five percent.

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

Voting no: None.

Adopted Unanimously.

(6c.) Jack Jones, Director of Fire & Rescue Services, appeared before the Board and reported that previously Missy Wade, President, Bedford County Association of Volunteer Rescue Squads, appeared before the Board and presented a resolution recognizing the rescue association. The Board did not take action at that meeting due to concerns with the wording of the resolution; the resolution was modified and was presented for the Board's consideration as follows.

RESOLUTION

WHEREAS, the mission of the Bedford County Association of Volunteer Rescue Squads is to support the delivery of Emergency Medical Services (EMS) to all citizens, visitors, travelers, employees, and businesses of Bedford County; and,

WHEREAS, the Association represents every Rescue Squad in the County and has been a viable, dedicated, and responsible organization for the County Rescue Squads for 19 years; and,

WHEREAS, the Association has been a united voice, expressing concerns, assisting with the development of County-wide policies and procedures for all County Rescue Squads since inception; and,

WHEREAS, the Board of Supervisors has recognized the Association in past years, allowing for budget requests, the development of policies and procedures, and soliciting the Association's advice on matters concerning the Rescue Squads; and,

WHEREAS, each County Rescue Squad is licensed and governed by the Commonwealth of Virginia; and,

WHEREAS, the Association has been supportive of the organization and delivery of EMS training for the County Rescue Squads; and,

WHEREAS, the Association has been accountable for all EMS training monies allocated by the Board; and,

WHEREAS, the Association has been member governed and successfully functioning as a County Rescue Squad Association.

NOW, THEREFORE BE IT RESOLVED, that the Bedford County Association of Volunteer Rescue Squads hereby requests Recognition by the Board of Supervisors.

Supervisor Bashore 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.

(6d.) The County Administrator reported that the county and the city were awarded a \$100,000 Transportation Enhancement Grant (TEA-21) from the Virginia Department of Transportation to help with the new joint visitor's center. He noted that the county would be serving as financial agent for the project.

Supervisor Pollard made a motion to approve the Transportation Enhancement Program Grant Agreement and to also authorize the County Administrator to sign the agreement on behalf of the county.

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

Voting no: None.

Adopted Unanimously.

(6e.) Mike Dorsey, Assistant County Administrator, appeared before the Board and reported that at the February 14, 2000 meeting, the Board authorized a contract with Dewberry Davis to provide engineering services, and to advertise an Invitation to Bid for the construction of a new leachate pump station at the open landfill since the original pump station had failed twice.

Two bids were received from the following companies: 1.) Mid-States Construction Co. (\$57,385) and Montvale Construction Co. (\$63,000). The bids exceeded available funds for the project; per Virginia procurement regulations, Dewberry & Davis was directed to negotiate a revised bid price with the low bidder; funds for the new leachate pump station are available in the Landfill Enterprise Fund.

Supervisor Richardson made a motion to award a contract to Mid-States Construction Company for \$45,924.22 to replace the existing pump station at the county landfill.

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

Voting no: None.

Adopted Unanimously.

(6f.) Mike Dorsey, Assistant County Administrator, appeared before the Board to request authorization to purchase an option to acquire property on Route 43. The property is adjacent to the current landfill and is located immediately to the north and contains 80 acres; this additional acreage would increase the forest buffer on the north side of the landfill between operations and neighbors. The property also includes an old farmhouse and outbuildings; Mr. Dorsey suggested

if the Board approves the purchase of the property, that the farmhouse and outbuildings be listed and sold to help offset the expense.

There followed a discussion among members of the Board, the County Attorney, and staff.

Supervisor Bashore made a motion to authorize the Chair of the Board of Supervisors, subject to review and approval of the County Attorney, to purchase an option for \$2,000 to acquire 80 acres of land from Cauthorn and Valoyce Walker to provide additional buffer to the county landfill.

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

Voting no: None.

Adopted Unanimously.

(6g.) A memo was received from the Virginia Association of Counties (VACo) requesting each county designate a Board member to represent their locality at the annual business meeting scheduled for Tuesday, November 13, 2001.

Supervisor Bashore made a motion to designate Chair Boggess to represent the county at VACo's annual business meeting.

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

Voting no: None.

Adopted Unanimously.

(6h.) The County Administrator reported in regard to the intergovernmental transfer of medical funds program. The Commonwealth expects to close on November 15th. He noted if the county was going to participate in the intergovernmental transfer of medicaid fund program, the Board needs to conduct a public hearing to amend the Bedford County FY 2001-2002 budget.

Supervisor Richardson made a motion to authorize the advertisement of a public hearing on October 22, 2001 to amend the Bedford County FY 2001-2002 budget in the amount of \$35,000,000 in order to provide for an intergovernmental transfer of funds to the Commonwealth from Bedford County in order to qualify the Bedford County Nursing Home for receipt of enhanced payments for services provided to Medicaid-eligible residents.

There followed a discussion among members of the Board and staff. Several Board members expressed skepticism on this matter and questioned the ethics of the program; several Board members indicated that the only way they would support the program was if the money went to the Bedford County Nursing Home.

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

Voting no: Mr. Cheek and Mr. Ware

Adopted.

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

Supervisor Bashore reported that he and Mr. Wheeler met with School Board representatives (Gordon & Earle) to discuss the school's capital outlay projects for the year and the funding which would be needed. He noted that the committee recommends the funding of these capital requests and commented that a formal request would be forthcoming.

(8) APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES:

None

(9) COUNTY ATTORNEY REPORTS, REQUESTS AND RECOMMENDATIONS:

None

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

The County Administrator reminded everyone of the Fall Regional Dinner Meeting on October 17, 2001 at Sweet Briar College.

The County Administrator reminded everyone of the Annual NAACP Banquet scheduled for October 13, 2001.

Supervisor Bashore made a motion to go into Closed Session, Section - 2.2-3711.A.1 for a discussion regarding personnel matters.

**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 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 2.2-3712.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.

(10b.) The Board received a copy of a notice of the Region 2000 Regional Commission Fall Dinner Meeting.

(10c.) The Board received a copy of the Bi-Weekly Departmental Update.

(10d.) The Board received a copy of the Bedford County Welfare Board minutes dated August 16, 2001.

(11) PENDING MATTERS:

a. Special Use Permit Applications – Crown Castle International

8-2000 (Abbott property)

9-2000 (Croft property)

#SU010001 (Eagle Eyrie)

#SU010002 (Whorley property)

b. Special Use Permit Application – American Tower L.P.

SU010010 (Cheek property)

Supervisor Bashore made a motion to adjourn the meeting at 9:10 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
