

AGENDA

BEDFORD COUNTY BOARD OF SUPERVISORS

APRIL 23, 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 – JAN 25, FEB 15, MAR 5, APR 5 & APR 9, 2001

(4) FIFTEEN MINUTE CITIZEN COMMENT PERIOD

(5) PUBLIC HEARINGS/PUBLIC APPEARANCES

- a. Dave English, Resident Engineer, Virginia Department Of Transportation--Update On Road Matters
- b. Joint Public Hearing With Bedford County Planning Commission On Rezoning Application #RZ010004, David S. Wilson
- c. Joint Public Hearing With Bedford County Planning Commission On Rezoning Application #RZ010005, Smith Mountain Land & Lumber, Inc.

(6) ACTION ITEMS

- a. Zoning Interpretation For Mini-Cell Towers
- b. Redistricting Update
- c. Request From Christmas In April Of Bedford, Inc. To Waive Building Permit Fees And Landfill Tipping Fees
- d. Request For A Transfer From The Contingency Fund For Smith Mountain Arts Council Community Center Study
- e. Request To Add Vehicle To Vehicle Fleet For Geographic Information System (GIS) Coordinator
- f. Request To Add A Surplus School Bus To The Vehicle Fleet For Use By The City/County Museum As A Mobile Exhibit Unit
- g. Request From Bedford City/County Museum Mill Committee For County To Accept Donation Of Big Otter Mill Property
- h. Request For A Transfer From The Contingency Fund For Insurance Renewal For Fire & Rescue
- i. Authorization To Execute Work Authorizations For Repair And Maintenance Of Heating, Air Conditioning & Controls Equipment
- j. Authorization For Expenditure Of Funds To Construct The Stone Mountain Collection Site; Authorization To Close The Ridge Collection Site

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

(8) APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

(9) COUNTY ATTORNEY REPORTS, REQUESTS AND RECOMMENDATIONS

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

- a. **Update On Biosolids Committee Findings**
- b. **Update On Recreation Master Plan**
- c. **Update On Purchase Of Truck For Central Garage**
- d. **Geographic Information System (GIS) Coordinator On Board**

(11) PENDING MATTERS

- a. **Special Use Permit Applications – Crown Castle International**
 - # 8-2000 (Abbott property)
 - # 9-2000 (Croft property)
 - # 10-2000 (Johnson property)
 - #SU010001 (Eagle Eyrie)
 - #SU010002 (Whorley property)
- b. **Special Use Permit Application – American Tower L.P.**
 - # SU010010 (Cheek property)

(12) UPCOMING MEETINGS

- a. **May 1, 2001- Special Meeting – Joint Meeting With Bedford County Industrial Development Authority, Bedford County Planning Commission And Bedford County Public Service Authority**
- b. **May 14, 2001 – Regular Meeting**
- c. **May 21, 2001 - Quarterly Meeting With Bedford County School Board**

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:

Dick Sterne, Chairman - Dist. 4, C. Gurnie Feazell, Vice-Chairman - Dist. 2, Rick Crockett - Dist. 1, Steve Wilkerson - Dist 3, Tony Sprouse - Dist. 5, Harry Stevens - Dist. 6 and Lin Batten - Dist. 7

Staff present: William C. Rolfe, Kathleen D. Guzi, Mike Dorsey, J. G. Overstreet, Sue Gilbert, Bill Hoy, Philip Thompson, Alyson Andrews, Carl Levandoski, Cathy Johnson 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.

(1) Supervisor Richardson made a motion to approve the 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.

CONSENT AGENDA

BEDFORD COUNTY BOARD OF SUPERVISORS

APRIL 23, 2001

ITEM 1 DEPARTMENTAL REPORTS

- a. Animal Warden

ACTION: Report(s) received

ITEM 2 RESOLUTIONS/MOTIONS

- a. Request from Virginia Department of Transportation to add Trails End Road in Francis Point Subdivision to the Secondary System of State Highways
- b. Authorization to advertise Invitation to Bid for a heavy duty/commercial slope mower
- c. Authorization to advertise Request for Proposals for scalehouse and billing software and technical support services
- d. Authorization to advertise a public hearing for "No Dogs Running At Large Area" for Island Creek/World Community Subdivision
- e. Request from Victim/Witness Department to submit a Victim/Witness Grant *

ACTION: Approve resolutions/motions as presented.

ITEM 3 REFUNDS

- a. Brad A. & Sophie W. Lacy
Refund: \$39.72
- b. David L. McKinney
Refund: \$71.74
- c. Frank M. Tedder
Refund: \$28.89
- d. Toyota Motor Credit Corp.
Refund: \$337.05
- e. John W., II & Deliska A. Wood
Refund: \$7.46

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

ITEM 4 ANIMAL CLAIM(S)

- a. Animal Claim in the amount of \$141.00 from Barbara Sims for 24 chickens and 3 guineas killed by dogs not her own on April 2, 2001

ACTION: Animal Warden recommends payment of \$3.00 each for a total refund of \$81.00

* Added at meeting

(2) Supervisor Pollard 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.

(3) APPROVAL OF MINUTES:

Supervisor Bashore made a motion to approve the minutes of January 25, February 15, March 5, April 5 and April 9, 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.

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

(4) FIFTEEN MINUTE CITIZEN COMMENT PERIOD:

The following citizen addressed the Board:

- ?? Jack Mills – comments regarding his displeasure about a redistricting map which had the location of Board of Supervisor members and School Board members identified on it; noted that he didn't see the connection.

(5) PUBLIC HEARINGS/PUBLIC APPEARANCES:

(5a.) Bob Sutton, Assistant Resident Engineer, Virginia Department of Transportation, appeared before the Board and reported the following:

- ?? Route 755 from Route 616 for 1 ½ miles south is under construction; contractors have started clearing and grubbing last week; Fall completion date
- ?? Route 651 in the Coleman Falls area from Route 501 to Route 657; contractor working on; completion date June 30
- ?? Annual plant mix schedule has started in the Montvale area; ongoing until Fall of the year
- ?? Several overlay projects on secondary roads in the county (Route 626, Route 811, Route 711)
- ?? Route 460 Primary Road construction project on East Main Street in the City of Bedford; acquisition has started on the right-of-way; looking at an October advertisement date
- ?? Route 221 project in the Forest area; western section from Ventura Drive to Forest Middle School, all appraisals are in for right-of-ways and easements; advertisement date November 2001
- ?? Route 501 spot improvements from Lynchburg towards Big Island; working on signatures for right-of-way
- ?? Route 691 secondary road project from Route 746 to Route 747; working on preliminary engineering; advertisement date July 2001
- ?? Walmart crossover and turn lanes; plan on having traffic signal installed by first part of May
- ?? Route 460 turn lanes at Route 680 and Route 668; working on preliminary engineering plans and utility companies
- ?? Revenue Sharing Project at Liberty High School turn lane improvements; June advertisement date
- ?? Signal on Route 24 and Route 651 and Route 1033, currently in the Six Year Plan; in the design phase

- ?? Safety Awareness Day sponsored by the Bedford County Transportation Safety Commission was held on Saturday at the Walmart Shopping Center
- ?? Pre-allocation hearing; anticipates the date will be the first part of June
- ?? Progressing on the Route 460 corridor study from Bedford city limits to VDOT offices

Supervisor Wheeler commented that he had a letter regarding "Davis Lane", a small private road which runs off of Route 24 that was abandoned by the state in the early 70's when the major four-laning took place on Route 24. He said there has been a lot of requests from the citizens to have the road placed back to state maintained status. He noted that he had a previous conversation with Mr. English and he indicated that he needed a letter of request to proceed. He passed a letter on to Mr. Sutton.

Supervisor Bashore asked for clarification on the Route 221 project; questioned when the second part of the Route 221 project will begin. Mr. Sutton responded that the project has an advertisement date of May 2002.

Supervisor Pollard commented that he had several projects he would like VDOT to look at which included Route 827, Route 695 and Route 619.

Supervisor Richardson questioned if Route 654, Hickory Cove Lane, was still in the plan to have overlay placed on it and Mr. Sutton responded yes.

Supervisor Pollard thanked VDOT for the gravel in the Goose Creek area.

Supervisor Cheek questioned if there were any plans to place overlay on Route 43 south and Mr. Sutton responded that there were not any plans on this year's schedule.

(5b.) A joint public hearing was held with the Bedford County Planning Commission on Rezoning Application #RZ010004, David S. Wilson

Philip Thompson, Director of Planning, appeared before the Board to review the staff report on the proposed project. Mr. Thompson also provided a handout on proffered zoning conditions offered by the developer for the proposed project.

David Wilson, developer, appeared before the Board to answer questions on the proposed project.

There followed a question and answer session among members of the Board, members of the Planning Commission and Mr. Wilson.

The public hearing was opened; no one registered to speak; the public hearing was closed.

The Board will await the Planning Commission's recommendation.

(5c.) A joint public hearing was held with the Bedford County Planning Commission on Rezoning Application #RZ010005, Smith Mountain Land & Lumber, Inc.

Philip Thompson, Director of Planning, appeared before the Board to review the staff report on the proposed project. Mr. Thompson also provided a handout on proffered zoning conditions offered by the developer for the proposed project.

There followed a question and answer session among members of the Board, members of the Planning Commission and Mr. Thompson.

Monty Burnette, owner, appeared before the Board to give a briefing on the proposed project.

There followed a question and answer session among members of the Board, members of the Planning Commission and Mr. Burnette.

The public hearing was opened; there was one person who registered to speak which was Wayne Burnette.

Supervisor Cheek commented that he would like to see the project go through because it is a family business which has been around for quite some time.

The public hearing was closed; the Board will await the Planning Commission's recommendation.

(6) ACTION ITEMS:

(6a.) The County Administrator reported that at the last meeting the Board discussed the topic of height for mini-cell towers; it was the consensus of the Board that each member would discuss this matter with their respective Planning Commission member.

There followed a lengthy deliberation among members of the Board and members of the Planning Commission and staff.

Mike Pace, attorney with Gentry Locke Rakes & Moore, was present in the audience and appeared before the Board and made some comments.

Supervisor Bashore made a motion to set the height of a tower at a maximum of 80 feet; to also allow the vender to design a whole system; to ask the Planning Commission to amend the zoning ordinance to allow for this.

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

Voting no: None.

Adopted Unanimously.

(6b.) Calvin Woodford, Chairman, Redistricting Committee, appeared before the Board and commented that the committee met last Wednesday and reviewed Plan 14 which is a plan that was created after the final House of Delegates line was decided. He commented that the Redistricting Committee feels Plan 14 meets the needs of the county and they recommend the Board adopt the plan; Plan 14 is also endorsed by the Electoral Board.

Sue Gilbert, Economic Development Coordinator, appeared before the Board and provided a visual presentation of Plan 9 and Plan 14; she pointed out where the House of Delegates line divides Delegates Putney and Byron in the county. Ms. Gilbert proceeded to discuss the precinct changes in Plan 14; she noted if the Board is in agreement with Plan 14, the Board would need to rescind their motion made at the April 12th meeting.

Supervisor Ware made a motion to rescind the previous motion made on April 12, 2001, authorizing the advertisement for a public hearing on a Bedford County Redistricting Plan known as Plan 9, and follow the steps outlined in a timetable commencing on April 12, 2001.

Supervisor Cheek commented that he was still not happy with the plan.

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

Voting no: Mr. Cheek

Adopted.

Supervisor Richardson made a motion to authorize staff to advertise for a public hearing on a Bedford County Redistricting Plan currently known as Plan 14, and to follow the timetable commencing on April 23, 2001.

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

Voting no: Mr. Cheek

Adopted.

The Planning Commission adjourned at 9:02 p.m.

(6c.) A letter was received from R. Gardner Simpkins, Jr., President, Christmas in April of Bedford, Inc. requesting the county waive building permit fees and landfill tipping fees for 15 homes they will be repairing on April 28, 2001 for the annual Christmas in April project.

Supervisor Ware made a motion to waive the building permit fees and the landfill tipping fees for the 15 homes to be repaired for the annual Christmas in April project scheduled for April 28, 2001.

**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 on February 26th, Wally Lenahan and Don Fink with the Smith Mountain Arts Council appeared before the Board to request the Board's support for an arts and community center at Smith Mountain Lake; the Arts Council intends to raise \$20,000 for an independent consultant for a needs and feasibility study along with a preliminary architectural design.

At that time, the Board's support was needed to comply with the requirements of a \$5,000 local government matching grant from the Virginia Commission of the Arts (VCA). The Board appointed Chairman Boggess and Supervisor Richardson to determine whether the Board should also appropriate the matching \$5,000.

The County has been participating in a local government matching grant program for a number of years for the Sedalia Center, so the county's grant money has already been committed for this year. Meanwhile, the Arts Council discovered that VCA Project Grants for individual projects like the SML Arts & Community Center are available, and a \$5,000 grant is pending.

The Smith Mountain Arts Council and the Smith Mountain Lake Association have each pledged \$5,000 for the study. Mr. Fink and Mr. Lenahan have requested that the Board consider also allocating \$5,000 for the project, which, along with the VCA grant, would provide enough money to pay for the study.

Supervisor Richardson made a motion to authorize a TRANSFER from the Contingency Fund in the amount of \$5,000 to department 1110, Board of Supervisors, to support a feasibility study and preliminary architectural design of a proposed Arts and Community Center at Smith Mountain Lake.

There followed a discussion among members of the Board. Several members expressed apprehension about supporting the request.

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

Voting no: Mr. Wheeler, Mr. Cheek and Mr. Pollard

Adopted.

(6e.) The County Administrator reported that now the county has a Geographic Information System (GIS) Coordinator on board, it will be necessary for someone from the GIS office to go out into the county and record the coordinates for new construction, new streets, street changes, etc. with the Global Positioning System (GPS) equipment.

It was requested that one of the recycled vehicles be added to the county vehicle fleet to be assigned to the GIS office for this use.

Supervisor Bashore made a motion to authorize an increase of one vehicle to the vehicle fleet, with this vehicle to be assigned to the GIS Office.

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

Voting no: None.

Adopted Unanimously.

(6f.) The County Administrator reported that back in September, Harry Reed appeared before the Board on behalf of the Bedford City/County Museum to discuss the concept of converting a school bus into a mobile exhibit; the Board concurred with the concept. Mr. Reed is now requesting the county add the surplus school bus to the county's vehicle fleet in order that they may convert the bus to an exhibit.

Supervisor Wheeler made a motion to add a surplus school bus to the vehicle fleet for use by the City/County Museum as a mobile exhibit unit.

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

Voting no: None.

Abstain: Mr. Pollard

Adopted.

(6g.) The County Administrator reported that several months ago Harry Reed appeared before the Board on behalf of the Bedford City/County Museum to request the county accept the donation of the old Big Otter Mill property to restore it. He said if the Board was interested in pursuing the matter, staff suggests the Board may wish to require another foundation, or tax exempt organization be created separate of the City/County Museum, so the project would not impact, or deter from the success that the city and the county and the museum board of directors have had in developing and fostering the current city/county museum.

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

Harry Reed was present in the audience and appeared before the Board and commented that the museum Board formed a committee under the museum giving it total responsibility of fundraising, restoration and operation until the mill is in an operating situation; he said he has a large list of people who want to serve on a committee to restore the mill if the Board of Supervisors will accept the ownership of the mill. He said the committee will be responsible for the total restoration, operation and funding of the mill.

The County Attorney commented that he had some reservations regarding the mill committee Mr. Reed is referring to and said he didn't understand the role of the Board.

Supervisor Bashore made a motion to accept the donation of the Big Otter Mill property from Mr. David Cole; to authorize the County Attorney to enter into the necessary legal procedures to do this; to authorize the County Administrator to sign all necessary documents to accomplish the same; to add the property to the county's insurance policy, and for the County Attorney and County Administrator to create and sign all necessary documents to authorize the mill committee to restore, repair, and operate the property as a historic tourist attraction at no expense to the county.

The County Attorney commented that he has some reservations with authorizing a mill committee, which the Board didn't appoint, to restore, repair and operate county property. He said he thinks it would be prudent for a foundation to be formed to receive the property once a plan is developed for the restoration of the mill; this way it would allow the county input on the restoration.

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

Voting no: None.

Abstain: Pollard

Adopted.

(6h.) Kathleen Guzi, Deputy County Administrator, appeared before the Board and reported that the renewal for the Fire & Rescue Comprehensive Liability/Property Package, Accident Policy and Crime Policy has been received. She noted that due to the county's experience and increased exposure (# vehicles, equipment, etc.), the county experienced significant increases. Ms. Guzi proceeded to discuss the increases involved in the policy.

Supervisor Bashore made a motion to authorize a TRANSFER from the Contingency Fund in the amount of \$27,290; \$13,645 to Department 3220, Volunteer Fire Companies and \$13,645 to Department 3230 Volunteer Rescue Squads.

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

Voting no: None.

Adopted Unanimously.

(6i.) Mike Dorsey, Assistant County Administrator, appeared before the Board and reported that at the November 27, 2000 meeting, the Board authorized a service contract with Virginia Trane for maintenance and repair services for heating, air conditioning and controls equipment (HVAC). Virginia Trane has done an assessment of all county buildings and has determined the number and types of equipment that will require quarterly servicing.

Following are the HVAC maintenance fees; funds are included in the operating budgets of the various departments for FY 2001-02.

<u>Building</u>	<u>Annual Expense</u>
County Administration	\$ 8,772
Temporary Courthouse	\$ 5,544
Health Department	\$ 2,268
Animal Shelter	\$ 492
Sheriff's Office	\$ 2,068
Vehicle Maintenance Facility	\$ 440
Recreation Office	\$ 880
Solid Waste Office	\$ 660
Old Montvale School	\$ 1,644
Tower Sites (5)	\$ 2,200
New Courthouse	\$ 8,000
Burks-Scott Building	\$ 2,000
TOTAL ANNUAL EXPENSE	\$34,968

There followed a discussion among members of the Board and staff. Several Board members expressed concern about the costs being high. Mr. Dorsey noted that many of these costs are already being expended in the county and that the costs have been ongoing for the last several years.

Supervisor Ware made a motion authorizing the County Administrator to execute the subject work authorizations with Virginia Trane to maintain the heating, air conditioning and controls equipment in county buildings, subject to the review and approval of the County Attorney.

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

Voting no: None.

Adopted Unanimously.

(6j.) Mike Dorsey, Assistant County Administrator, appeared before the Board to report on collection system activities and request authorization to proceed with the construction of the Stone Mountain collection site.

Supervisor Richardson made a motion authorizing the expenditure of funds from the Staffed Convenience Center budget to construct the Stone Mountain site and close the Ridge site.

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

Voting no: None.

Adopted Unanimously.

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

None

(8) APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES:

Supervisor Bashore made a motion to endorse the appointment of John Mastrianni to the Workforce Investment Board to fill the unexpired term of Frank Britt.

**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:

None

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

The County Administrator reminded the Board of the Special meeting scheduled for May 1 at the Bedford Public Library with the Planning Commission, the Industrial Development Authority, and the Public Service Authority.

(10a.) The Board received a copy of a memo from Philip Thompson, Director of Planning and Mike Dorsey, Assistant County Administrator, regarding committee conclusions concerning biosolids

(10b.) The Board received a copy of a memo from Andy Dooley, Director of Recreation and Mike Dorsey, Assistant County Administrator, regarding an update on the Recreation Master Plan.

(10c.) The Board received a copy of a memo from John Dooley, Manager of General Properties, regarding a surplus truck.

(10d.) The Board received a copy of a memo from Kathleen Guzi, Deputy County Administrator, regarding the new GIS Coordinator on board.

(11) PENDING MATTERS:

a. Special Use Permit Applications – Crown Castle International

8-2000 (Abbott property)

9-2000 (Croft property)

10-2000 (Johnson 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 9:39 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
