

AGENDA

BEDFORD COUNTY BOARD OF SUPERVISORS

MARCH 26, 2001

5:30 P. M. Extension Leadership Council Dinner/Meeting

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 – MARCH 12, 2001

(4) FIFTEEN MINUTE CITIZEN COMMENT PERIOD

(5) PUBLIC HEARINGS/PUBLIC APPEARANCES

- ~~a. Joint Public Hearing With Bedford County Planning Commission On Special Use Permit # SU010010; American Tower, L.P.; Monopole Telecommunications Tower And Facilities {Deferred}~~

(6) ACTION ITEMS

- a. Consideration Of Options Regarding Region 2000 Regional Park
- b. Consideration Of Planning Commission's Recommendation On Bedford County Zoning Ordinance Map Changes
- c. Consideration Of Amendments To The Rules Of Procedures For The Bedford County Board Of Supervisors
- d. Request From Oakwood Knolls Road Association For Acceptance Of Deed Conveying Right-Of-Way For Public Streets in Oakwood Knolls Subdivision
- e. Consideration Of An Appointment Of A Steering Committee For The Smith Mountain Lake Shoreline Management Plan
- f. FY 2001-2002 Budget Update (material will be sent under separate cover)

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

(8) APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

- a. City/County Joint IDA
- b. Regional Disability Services Board
- c. Board Of Building Appeals
- d. Region 2000 Board Of Directors
- e. Central Virginia Transportation Technical Committee

(9) COUNTY ATTORNEY REPORTS, REQUESTS AND RECOMMENDATIONS

- a. Review Of Freedom Of Information Act

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

- a. **Bi-Weekly Departmental Update**
- b. **Advertisement For Construction Of Leachate Pump Station At Open Landfill**
- c. **Report Of Changes To The Secondary System Of State Highways In Bedford County Approved By The State Secondary Roads Engineer In February 2001**

**(11) PENDING MATTERS**

- a. **Special Use Permit Applications – Crown Castle International**
  - # 8-2000 (Abbott property)
  - # 9-2000 (Croft property)
  - # 10-2000 (Johnson property)

**(12) UPCOMING MEETINGS**

- ?? **March 29 – Budget Worksession**
- ?? **April 5 – Budget Public Hearing @ BSTC**
- ?? **April 9 – Regular 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

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Staff present: William C. Rolfe, Kathleen D. Guzi, Mike Dorsey, J. G. Overstreet, Philip Thompsen, Sue Gilbert and Pam Bohon

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

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Chair Boggess noted the following change to the agenda:

?? Item 5a. deferred per request by their attorney

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**(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.**

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**CONSENT AGENDA**

**BEDFORD COUNTY BOARD OF SUPERVISORS**

**MARCH 26, 2001**

**ITEM 1 DEPARTMENTAL REPORTS**

- a. **Animal Warden**

**ACTION: Report(s) received**

**ITEM 2**

**RESOLUTIONS/MOTIONS**

- a. Consideration of a resolution in support of Older American's Month & Elderfest Celebration
- b. Request from the Director of the Domestic Violence Program for a Supplemental Appropriation for the Domestic Violence Shelter
- c. Request from the Sheriff for a Supplemental Appropriation for the Sheriff, Law Enforcement
- d. Request from the Sheriff for authorization to accept a Division of Child Support Enforcement Grant; authorization for a supplemental appropriation for the grant
- e. Request from the Sheriff for authorization to submit a COPS MORE 2001 grant to the U. S. Department of Justice

**ACTION:** Approve resolutions/motions as presented.

**ITEM 3**

**REFUNDS**

- a. Steve A. Bailey  
Refund: \$64.21
- b. Gary & Daisy Garner  
Refund: \$43.65
- c. Joseph F. Huff  
Refund: \$53.49
- d. Muriel D. Hunter  
Refund: \$45.74
- e. Huntington Nat'l Bank of Indiana  
Refund: \$122.13
- f. Fletcher E. Johnson  
Refund: \$119.05
- g. Debra P. Karnes  
Refund: \$22.50
- h. A. M. Kerr  
Refund: \$680.82
- i. Michael G. Macko  
Refund: \$544.99
- j. William J. McClain  
Refund: \$67.69
- k. Jill Modzelewski  
Refund: \$73.61
- l. Regina N. Moss & Timothy B. Anderson  
Refund: \$67.24
- m. Carolyn A. Overstreet  
Refund: \$29.51
- n. Bettye S. Payne  
Refund: \$39.17
- o. Charles P. & Eva M. Pietsch  
Refund: \$523.68
- p. Shaun V. Skow  
Refund: \$27.04

q. Frank W. Williams  
Refund: \$25.21

r. Cuthbert L. Wilson  
Refund: \$18.00

s. Proration Refunds  
Refund: \$505.25

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

(2) Supervisor Richardson 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.

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**(3) APPROVAL OF MINUTES:**

Supervisor Pollard made a motion to approve the minutes of March 12, 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.

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**(4) FIFTEEN MINUTE CITIZEN COMMENT PERIOD:**

The following citizens addressed the Board:

- ?? Dr. John Wente – comments regarding opposition to the proposed regional park;  
comments regarding Dewberry and Davis' report on the proposed regional park;  
comments regarding water and sewer at the proposed regional park
- ?? Sandra Boyes – comments regarding opposition to the proposed regional park
- ?? Jack Mills – comments regarding citizen comment period
- ?? Mackie Bryant – comments regarding opposition to the proposed regional park
- ?? James Blake – comments regarding opposition to the proposed regional park
- ?? Edward Evans – comments in favor of the proposed regional park
- ?? Ronnie Miller – comments regarding opposition to the proposed regional park
- ?? Mary Wood – comments regarding opposition to the proposed regional park

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**(5) PUBLIC HEARINGS/PUBLIC APPEARANCES:**

(5a.) Deferred per attorney's request.

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**(6) ACTION ITEMS:**

(6a.) The County Administrator reported in regard to options on the development of the industrial property on Route 221 east of the City of Bedford, two decisions need to be made which include: 1) whether or not the Board wishes to proceed with the project as a regional project by purchasing 186 additional shares in the Region 2000 park concept; 2) the Board could choose not to participate in the Region 2000 park concept by not agreeing to purchase any additional shares in the project, which would mean the regional park concept would be a moot issue.

The County Administrator noted if the Board chooses not to proceed with the regional park concept, two other possibilities are available which include: 1) the Board could approach the City of

Bedford to see if they are interested in purchasing the property jointly, with the understanding that the City would provide utility service to the property; 2) the Board could choose to pursue the acquisition of the property on their own.

He said if either of these two options interest the Board, the Board needs more time to discuss the issue with the City of Bedford and also time to discuss this concept at the meeting the Board has scheduled for May 1<sup>st</sup> with the Bedford County Public Service Authority (PSA), Bedford County Planning Commission and the Bedford County Industrial Development Authority (IDA).

The County Administrator noted that the PSA does not have plans to provide water and sewer service to this area of the county unless specifically requested. He said it would cost approximately \$3.5 million to run water to the site from the Forest area of the county. He also noted that this would be against the Board's desire to preserve the rural nature of the Route 221 corridor.

The County Administrator also noted that staff has spoke with the owner of the property and he is willing to extend the option on the industrial property until May 31<sup>st</sup> at a cost of \$1,500.

**Supervisor Wheeler made a motion to extend the option on the industrial property on Route 221, east of the City of Bedford, until May 31 for an additional \$1,500 in order to allow the Board additional time to study the issue to determine the best way to pursue the development of the property.**

There followed a discussion among members of the Board.

Supervisor Cheek commented that he thought the project was too expensive. He said the county already has a joint park established with the city and that the Board should pursue that park.

Chair Boggess commented that she was not happy with the proposed site, and she too, thinks it's way over priced and also thinks a lot of the land is not useable. She said she would prefer a site on Route 460 and commented that she is opposed to the project.

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

**Voting no: Mr. Cheek and Mrs. Boggess**

**Adopted.**

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**(6b.)** Philip Thompson, Director of Planning, appeared before the Board and reported that a joint public hearing was held with the Planning Commission on February 12 on twenty proposed map changes to the Bedford County Zoning Ordinance. Mr. Thompson provided a document of the map changes recommended by the Planning Commission. He said out of the 20 proposed map changes, the Planning Commission recommended approval of 15 of the changes. The Planning Commission did not recommend changing the following: 1) the Hardy area, suggested it stay as it currently is; 2) the Rt. 24 commercial corridor, tabled for further study; 3) Old Forest Road, suggested it stay as it currently is; 4) Meadowview Subdivision, suggested it stay as it currently is; 5) Thunder Ridge Subdivision, suggested it stay as it currently is.

Mr. Thompson proceeded to provide clarification on the proposed map changes as recommended by the Planning Commission.

There followed a discussion among members of the Board, the County Administrator and Mr. Thompson. Several Board members suggested additional map changes.

The County Attorney suggested the Board may wish to defer taking action on the proposed map changes until the changes which were suggested tonight can be included in the proposed ordinance in order to make sure everyone is clear on the changes. He said he would also like to include a sever ability clause in the ordinance.

The County Administrator read aloud the recommended map changes in order to ensure all of the Board's suggestions were included.

Mr. Thompson will provide a corrected ordinance with all of the proposed map changes for the Board's consideration at their next regular meeting.

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**(6c.)** At the February 12<sup>th</sup> meeting the Board reached a consensus to move the 15-minute citizen's comment period to the beginning of the Board's agenda and suggested that topics be limited to items contained in that meeting's agenda. Also in February 1999 the Board changed the schedule for preparing and transmitting the Board's agendas.

In order to make the above noted amendments to the Board of Supervisors Rules of Procedures, the Board needs to adopt a motion to amend the Rules of Procedures

**Supervisor Bashore made a motion to approve the above noted amendments to the Board of Supervisors Rules of Procedures.**

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

**Voting no: Mr. Richardson and Mr. Ware**

**Adopted.**

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**(6d.)** The County Attorney reported that a deed has been prepared dedicating a right-of-way for public streets in Oakwood Knolls subdivision. This subdivision is in the process of participating in the Revenue Sharing Program to have its main street taken into the state highway system. He said in cleaning up some old records on this subdivision, it was felt that a deed dedicating the appropriate right-of-way should be approved by the Board.

There followed a question and answer session among members of the Board and the County Attorney.

**Supervisor Richardson made a motion to accept the deed conveying the right-of-way necessary to develop public streets in Oakwood Knolls Subdivision and authorize the Chairman to execute the deed 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.**

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**(6e.)** The County Administrator reported that over the next several years, American Electric Power (AEP) will be developing a document called the Smith Mountain Lake Shoreline Management Plan; the plan is being strongly suggested by the Federal Energy Regulatory Commission. This plan would give AEP the authority to approve some of the uses within the Smith Mountain Lake/Leesville Lake project boundaries.

The County Administrator reported that he attended an initial meeting hosted by AEP and they have indicated that they would like to form a steering committee of representatives from the counties surrounding Smith Mountain Lake and Leesville Lake, representatives from several lake organizations, and representatives from state agencies to help guide the process. He said they would also like the steering committee to prepare a top ten list of issues relating to Smith Mountain and Leesville Lakes; the Board was provided with a list of these issues for their consideration.

**Supervisor Ware made a motion to appoint Supervisor Richardson to the Steering Committee and to forward the top ten list of issues and the studies pertinent to the lakes to AEP.**

There followed a question and answer session among members of the Board and the County Administrator.

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

**Voting no: None.**

**Adopted Unanimously.**

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**(6f.)** Kathleen Guzi, Deputy County Administrator appeared before the Board to provide a budget update on the proposed FY 2001-2002 budget. Ms. Guzi noted that there were four issues staff would like to resolve with the Board. Following are the four issues which staff would like to resolve:

- ?? Requests for new funding from five agencies (ARC of Central Virginia, Mill Mountain Theatre, Crisis Line; Salvation Army; Camp Virginia Jaycees).
- ?? Non-Categorical Commonwealth Revenue: sales tax, ABC profits, wine taxes, recordation taxes
- ?? Revised City of Bedford shared services revenue calculation due to receipt of census numbers and adjustments in capital projects
- ?? Raises for state shared employees (constitutional officers, social services, registrars and electoral board)

Ms. Guzi noted that the estimated impact on the county's proposed FY 2001-2002 budget from these issues total \$59,363; this estimated impact does not include the new requests for funding.

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

Chair Boggess directed Ms. Guzi to contact the ARC of Central Virginia to see if it would hinder their budget if the County did not provide funding.

Ms. Guzi asked if there were any other issues the Board wanted to address.

Supervisor Pollard commented that he would like to take another look at the new requests at the April 12<sup>th</sup> meeting. He also addressed the following issues:

- ?? \$300,000 in Public Safety Department for a fire truck
- ?? \$200,000 in Public Safety Department for ambulances
- ?? Cascade System

**Supervisor Bashore made a motion to cancel the work session scheduled for March 29, 2001.**

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

**Voting no: None.**

**Adopted Unanimously.**

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

Supervisor Ware noted that he had requested some information from John Sublett at the last regular meeting and noted that he had not received the information and requested the information once again.

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**(8) APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES:**

**Supervisor Richardson made a motion to appoint Stuart Woodford to the Bedford County Recreation Commission to represent District 2.**

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

**Voting no: None.**

**Adopted Unanimously.**

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Supervisor Bashore made a motion to appoint John Roark to the Central Virginia Transportation Technical Committee.

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

Voting no: None.

Adopted Unanimously.

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Supervisor Ware made a motion to appoint Fred Armstrong to the Virginia Region 2000 Board of Directors.

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

Voting no: None.

Adopted Unanimously.

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Supervisor Pollard made a motion to reappoint Keith Burnette to the Building Department Board of Building Appeals.

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

Voting no: None.

Adopted Unanimously.

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Supervisor Richardson made a motion to reappoint Betty Luck to the Regional Disability Services Board.

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

Voting no: None.

Adopted Unanimously.

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Supervisor Cheek made a motion to reappoint Tom Meade to the Bedford City/County Joint Industrial Development Authority.

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

Voting no: None.

Adopted Unanimously.

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**(9) COUNTY ATTORNEY REPORTS, REQUESTS AND RECOMMENDATIONS:**

Johnny Overstreet, County Attorney, appeared before the Board to review the Freedom of Information Act with the Board. Mr. Overstreet pointed out policies/definitions which pertained to Board members; discussed request for public records; discussed exemption of records; discussed meetings/closed sessions.

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Supervisor Pollard reported that the Mill Mountain Theater performed a play at the old Montvale school Saturday evening and expressed his thanks to the Little Town Players for providing this to the community and commented that he would be drafting a letter of thanks.

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



(10a.) The Board received a copy of the bi-weekly department update from Bill Hoy, Public Information Officer.

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(10b.) The Board received a copy of a memo from Mike Dorsey, Assistant County Administrator, regarding the placing of an advertisement for an Invitation to Bid for the construction of a new leachate pump station at the open landfill.

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(10c.) The Board received a copy of a report from the State Secondary Roads Engineer regarding a list of all changes to the Secondary System of State Highways in Bedford County approved in February 2001.

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**(11) PENDING MATTERS:**

- (11a.) Special Use Permit Applications – Crown Castle International  
# 8-2000 (Abbott property)  
# 9-2000 (Croft property)  
# 10-2000 (Johnson property)
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**Supervisor Bashore made motion to adjourn the meeting at 9:32 p.m.**

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

**Voting no: None.**

**Adopted Unanimously.**

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Chairman

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