

**AGENDA**  
**BEDFORD COUNTY BOARD OF SUPERVISORS**  
**APRIL 25, 2005**

**5:00 P.M.      BOARD WORK SESSION**

- a. Call To Order
- (1) Budget Work Session

**7:00 P.M.      Dinner**

**7:30 P.M.      WELCOME**

- a. Moment of Silence
- b. Pledge of Allegiance

- (1) APPROVAL OF AGENDA
- (2) APPROVAL OF CONSENT AGENDA
- (3) APPROVAL OF MINUTES – March 21, 2005 (Budget Work Session)
- (4) FIFTEEN MINUTE CITIZEN COMMENT PERIOD

(For Items On This Agenda That Have Not Been Addressed At A Public Hearing)

- (5) PUBLIC HEARINGS/PUBLIC APPEARANCES
- (6) ACTION ITEMS

- a. Award Of Contract For Health And Dental Insurance For FY2005-2006
  - *Staff Presentation: Kathleen D. Guzi*
- b. Consideration Of A Request Authorizing The County Administrator To Execute The Moneta Park Grading Contract
  - *Staff Presentation: Michael Stokes*
- c. Consideration Of A Request To Transfer \$70,000.00 From The Contingency Fund For Juvenile Secure Detention.
  - *Staff Presentation: Kathleen D. Guzi*
- d. Consideration Of A Request Authorizing The County Administrator To Execute A Contract Change Order With WW Associates For An Additional \$8,500.00.
  - *Staff Presentation: Kathleen D. Guzi*
- e. Consideration Of A Proposed Amendment To The FY 2004-2005 Bedford County Budget; Authorization To Complete The Intergovernmental Transfer (IGT) Of Funds; Appropriation of IGT Incentive Payments, And Appropriation Of Lease Revenue Bonds
  - *Staff Presentation: Kathleen D. Guzi*
- f. Consideration Of A Request For A Transfer From The Contingency Fund In The Amount Of \$15,841.88 For The Tri-County Re-Licensing Committee.
  - *Staff Presentation: Kathleen D. Guzi*
- g. Consideration Of A Resolution Of Adoption Of FY 2005-2006 Bedford County Budget (which will be discussed at the work session). *Sent out under separate cover.*
  - *Staff Presentation: Kathleen D. Guzi*
- h. Consideration Of A Resolution Of Adoption Of FY 2006-2010 Five-Year Capital Improvement Plan (which will be discussed at the work session). *Sent out under separate cover.*
  - *Staff Presentation: Kathleen D. Guzi*
- i. Consideration Of A Resolution Of Adoption Of An Ordinance To Establish The Tax Rate For Tax Year 2005 (which will be discussed at the work session). *Sent out under separate cover.*
  - *Staff Presentation: Kathleen D. Guzi*

- j. **Consideration Of A Resolution Of Adoption Of An Amendment to Chapter 11 “Motor Vehicles” (which will be discussed at the work session).** *Sent out under separate cover.*
  - **Staff Presentation: Kathleen D. Guzi**
- k. **Consideration Of A Resolution Of Adoption Of An Amendment To Chapter 17, “Enhanced Energy Telephone Service Tax” (which will be discussed at the work session).** *Sent out under separate cover.*
  - **Staff Presentation: Kathleen D. Guzi**
- l. **Consideration Of A Resolution To Establish The Patient Per-Day Rate For The Bedford County Nursing Home (which will be discussed at the work session).** *Sent out under separate cover.*
  - **Staff Presentation: Kathleen D. Guzi**

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

- a. **Bedford Public Library Board Of Trustees Meeting – April 12, 2005**

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

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

- a. **Closed Session Pursuant To Virginia Code Section 2.2-3711 (A)(1) For Consultation With Legal Counsel And Briefings By Staff Members Pertaining To Actual Or Probable Litigation, Where Such Consultation Or Briefing In Open Meeting Would Adversely Affect The Negotiating Or Litigating Posture Of The Public Body.**

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

**(11) PENDING MATTERS**

**(12) UPCOMING MEETINGS**

- **May 9, 2005 – Regular Meeting (*With A Work Session 5-7:00 pm*)**
- **May 23, 2005 – Regular Meeting**
- **June 6, 2005 – 2<sup>nd</sup> Quarterly Joint Meeting With School Board (*Monday at the Administration Building*)**

\*Items added at meeting

**Board of Supervisors:**

Roger W. Cheek, Chairman – Dist. 3, Gary M. Lowry, Vice-Chairman – Dist. 7, Charles Neudorfer - Dist. 2, Dale Wheeler – Dist. 1, Robert L. Bashore – Dist. 4, Steve Arrington – Dist. 5, and Bobby G. Pollard – Dist. 6

**Staff Present:**

Kathleen Guzi, Carl Boggess, Susan Crawford, Cheryl Dean, Tommy Mason and Brigitte Petersen

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

Chairman Cheek called the meeting to order and welcomed everyone.

**(1)** Kathleen D. Guzi, County Administrator, appeared before the Board and stated that due to a legal requirement, the County did not meet sufficient time between the public hearing and tonight’s meeting to adopt the budget, tax rate, C.I.P. and E911 increase. The Board cannot officially adopt the budget, etc., tonight; timing is one day shy of the legal requirement, so the Board can act as early as tomorrow. Carl Boggess, County Attorney, has stated that the Board can (because the entire Board is in attendance tonight) schedule the meeting as soon as possible. Since the Treasurer has to produce the tax tickets and get them out to the citizens to pay before the June deadline, she has recommended the Board meet again as soon as possible. Once the Board has worked through the budget issues in the work session, they can then decide the best time to meet and vote on the budget. The Board members agreed this was the best way to proceed.

Mrs. Guzi then briefly reviewed items that were commented on during the public hearing on April 19, before moving on to address a letter from Dr. Blevins regarding the School Budget. The letter reviews the actions the School Board has taken as a result of the Board of Supervisors proposed budget for the public hearing. Mrs. Guzi summarized by stating the Board of Supervisors had requested to reduce the school's budget by \$1,286,291.00. At the School Board's meeting on April 14, they found they had to reduce the budget for the schools more than requested because when the Board of Supervisors reduced expenditures by almost \$1.3 million dollars, the contribution from the City of Bedford was affected (decreased). However, there were some State increases reported by the General Assembly since the time the budget was sent over by the School Board to the Board of Supervisors, which resulted in a net reduction of \$78,259.00 more than the Board of Supervisors requested.

Mrs. Guzi, Susan Crawford, Director of Fiscal Management, and Tommy Mason, Budget Analyst, proceeded to review the advertised tax rate, the decal increases, the E911 tax increase, and the increased daily rate for the nursing home, as well as the proposed budget and the Capital Improvement Plan. Mr. Leighton Langford, Director of Social Services, was present to address the Board regarding staffing concerns for his department. There followed a brief discussion between the members of the Board, Mr. Mason, Mrs. Crawford and Mrs. Guzi.

Supervisor Neudorfer then commented that in support of the Odyssey of the Mind Team he would like to have a motion to transfer of \$5,000 from the Contingency Fund to assist with the Team's traveling expenses based on a dollar-for-dollar match. The members of the Board agreed to add this motion to the beginning of the action items.

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**7:00 P.M. Dinner**

The Board of Supervisors and staff remained in open session and moved into the Board Conference Room for dinner.

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**Board of Supervisors:**

Roger W. Cheek, Chairman – Dist. 3, Gary M. Lowry, Vice-Chairman – Dist. 7, Charles Neudorfer - Dist. 2, Dale Wheeler – Dist. 1, Robert L. Bashore – Dist. 4, Steve Arrington – Dist. 5, and Bobby G. Pollard – Dist. 6

**Staff Present:**

Kathleen Guzi, Carl Boggess, Susan Crawford, Bob Gerndt, Cheryl Dean, Michael Stokes, Tommy Mason and Brigitte Petersen

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**7:30 P.M. Board Meeting**

Chairman Cheek welcomed everyone to the meeting, a moment of silence was held and the Pledge of Allegiance was said.

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Chairman Cheek noted the following additions to the agenda:

- Public Hearing/Public Appearances Item 5a – Add Public Hearing for Intergovernmental Transfer of Funds.
- John Briscoe, Citizen, has been added to Public Appearances
- Request for a Transfer from the Contingency Fund for the Odyssey of the Mind Team has been added as Action Item 6.a.i.
- Item L, Request for the Board's support National Tourism Week 2005, has been added to the Consent Agenda
- Due to a scheduling error, the adoption of the budget will have to be postponed one day (April 26, 2005 at 8:00 am); the members of the Board discussed the budget in the work session earlier today and are in agreement to adopt the budget (this would affect Action Items 6g, 6h, 6i, 6j, 6k, and 6l).

Mr. Pollard suggested those citizens who wished to speak on the agenda items being moved to the following day still speak this evening instead of waiting until the morning meeting. Attorney Boggess suggested the day and time of the newly scheduled meeting should be formally announced.

Chairman Cheek formally stated the Board would vote to adopt the budget at the April 26, 2005 meeting at 8:00 am in the Bedford County Administration Building.

Attorney Boggess then stated that, with regard to compliance with the Freedom of Information Act §2.2-3707 Paragraph D, the earliest that the Board of Supervisors knew of the calling of the April 26, 2005 meeting was approximately one hour prior to tonight's regular session. The County is giving all the notice it can to both the Media and the Public.

- Kathleen D. Guzi, County Administrator, then added an update regarding the Internet Crimes Against Children Grant as Action Item 6m.

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**(1) Supervisor Bashore made a motion to approve the agenda as amended.**

**Voting yes: Mr. Wheeler, Mr. Neudorfer, Dr. Bashore, Mr. Cheek, Mr. Pollard,  
Mr. Arrington and Mr. Lowry**

**Voting no: None**

**Adopted Unanimously.**

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**CONSENT AGENDA**

**BEDFORD COUNTY BOARD OF SUPERVISORS**

**APRIL 25, 2005**

**ITEM 1 RESOLUTIONS/MOTIONS**

- Consideration Of A Request Authorizing The County Administrator To Advertise A Public Hearing For The Proposed Inclusion Of Royal Oak Farms Into The County's Solid Waste Management Plan.**
- Consideration Of A Resolution For 'Business Appreciation Week 2005'.**
- Consideration Of A Request Authorizing The Sheriffs Department To Submit A Land And Water SUI Suppression Grant To The Virginia Department Of Motor Vehicles.**
- Consideration Of A Request Authorizing The Sheriffs Department To Submit A DMV Teen Driver Safety Grant to The Virginia Department Of Motor Vehicles.**
- Consideration Of A SUPPLEMENTAL APPROPRIATION In The Amount Of \$110.00 For The Volunteer Fire & Rescue Training Programs.**
- Consideration Of A SUPPLEMENTAL APPROPRIATION In The Amount Of \$1,500.00 For The Volunteer Rescue Companies, Assistance Training Fund.**
- Consideration Of A SUPPLEMENTAL APPROPRIATION In The Amount Of \$500.00 For The Volunteer Fire Companies, Fire, Rescue & Emergency Services Supplies Fund.**
- Consideration Of A Request Authorizing The Director Of The Domestic Violence Programs To Submit A Child Services Coordinator Grant To The State Department Of Housing And Community Development.**
- Consideration Of A Request Authorizing The Director Of The Domestic Violence Programs To Submit A Federal Shelter Support Grant To The State Department Of Housing And Community Development.**
- Consideration Of A Request Authorizing The Director Of The Domestic Violence Programs To Submit A SHARE Shelter Support Grant To The State Department Of Housing And Community Development.**
- Consideration Of A Resolution Supporting The Name Change For The Region 2000 Commission.**

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

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

**Voting yes:** Mr. Wheeler, Mr. Neudorfer, Dr. Bashore, Mr. Cheek, Mr. Pollard,  
Mr. Arrington and Mr. Lowry

**Voting no:** None

**Adopted Unanimously.**

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**(3) APPROVAL OF MINUTES – March 21, 2005**

**Supervisor Lowry made a motion to approve the minutes as presented.**

**Voting yes:** Mr. Wheeler, Mr. Neudorfer, Dr. Bashore, Mr. Cheek, Mr. Pollard,  
Mr. Arrington and Mr. Lowry

**Voting no:** None

**Adopted Unanimously.**

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

- Laura Rodes, Citizen, appeared before the Board and stated the information regarding the funds set aside for the school budget, specifically the renovation/construction of a school in Jefferson Forest was very confusing and should be readdressed so there are no questions with regard to how these funds will actually be spent.

- Bob Crouch, Citizen, appeared before the Board regarding the E911 tax with regard to cell phones, nuisance taxes, various aspects of the Capital Improvement Plan, etc., and commented that he realized the Board faced a tremendous burden when working on the yearly budget. He asked that, in the future, all Board members participate in all discussions and decisions for every department instead of dividing the departments up between them.

- Robert Holmes, Citizens, appeared before the Board and stated his concerns regarding how little is spent per student in Bedford County.

- Ruby Dooley, Citizen, appeared before the Board and addressed her comments toward the newspaper reporters present. Mrs. Dooley stated the papers were not reporting what the taxpayers say, that there were other things in the County to look after besides the schools, that the reporters should speak to the Supervisors and report what they say and not speak to the staff – she feels too much of what is reported comes from the County staff. The papers should report exactly how the Board votes on every issue on the agenda; the citizens don't know what is going on.

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

**(5a)** Kathleen D. Guzi, County Administrator, appeared before the Board regarding the Intergovernmental Transfer of Funds. Mrs. Guzi stated that for several years the Federal Government, in cooperation with the Commonwealth of Virginia, has instituted an intergovernmental transfer of funds with regard to publicly owned nursing homes. Bedford is one of only six or seven counties in this state with a nursing home that is publicly owned. In years past it has been determined that the Medicaid reimbursement rate that the Federal Government gives the State government to fund Medicaid per-day rates at nursing homes has been insufficient and the State has not received all the money it were eligible to receive. Therefore, this intergovernmental transfer of funds was instituted to recoup some of this money. The County has received notice from the government that this will be the last year these funds are available. Current estimates of final numbers state that Bedford County will transfer \$1,897,690 to the Commonwealth and the amount of Medicaid payment to the County is \$1,945,100. The incentive payment is \$47,410. Prior to the closing of the Intergovernmental Transfer of Funds (IGT), Bedford County must adopt the attached resolution authorizing an amendment to the FY 2004-2005 Bedford County Budget in an amount up to \$2 million 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. Further, the Board needs to authorize the County Administrator to sign all the necessary documents to complete the IGT.

In addition, the IGT incentive payments received in the current and prior fiscal years need to be appropriated to the appropriate projects. The Board has previously approved using the IGT incentive payments for the Nursing Home project and the New London Business and Technology Center.

Finally the \$2.7 million Lease Revenue Proceeds of the new Nursing Home project need to be appropriated to the project.

The public hearing was opened; the following were signed up to speak: Bob Crouch, regarding how these funds are spent and to urge the Board to not accept these funds. Mr. Crouch expressed concerns regarding the funds being tied to Stroobants Park. He also stated these funds were supposed to be for the nursing home and not to fund the construction of a technology park.

Mr. Pollard commented that Mr. Stroobant does not hold a first mortgage on any property in the Industrial Park, and that every cent of the money that was designated to go into building the Nursing Home will still go into the Nursing Home.

John Briscoe, Citizen, appeared before the Board and stated that a lower per-pupil spending than average is not a bad thing, and said the formula used to calculate the County's portion of the per-pupil spending versus the State's portion (25% to 75%) works to our advantage and he sees no reason to change it. Being frugal is not a bad thing; being generous with public money is not a virtue. Mr. Briscoe also stated he believes there should be a referendum on building a technology park or a new school in Jefferson Forest. He also believes the tax rate should be raised now, before the reassessment in 2007, to avoid an enormous tax increase later. Mr. Briscoe said the Commonwealth Attorney needs more staff, and that the County should try to do what it can to support positive events for children like attendance at the Odyssey of the Mind competition.

Mr. Crouch then appeared before the Board again and spoke again about the funding for the Nursing Home and the Technology Park.

Dr. Bashore then asked where the funding for the Commonwealth Attorney's staff came from. Mrs. Guzi responded that a large part of it comes from the Compensation Board. There followed a brief discussion between Dr. Bashore and Mr. Briscoe.

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**(6) ACTION ITEMS**

**(6a.i)** Linda Davidson, Principal of Moneta Elementary, appeared before the Board with the instructors and members of this year's Odyssey of the Mind team to request financial support for the team's trip to the National/World Final Competition in Boulder, Colorado. She gave a brief history of the team's success thus far, and other avenues being explored to raise the \$10,000.00 needed to take the team to the finals. Ms. Davidson explained this trip is the culmination of hard work and dedication on behalf of both the students and their instructors, and she was hopeful the Board will assist them in attending this event.

There followed a brief discussion between Mrs. Davidson and the members of the Board.

**Supervisor Neudorfer made a motion to transfer \$5,000.00 from the Contingency Fund to help support the Odyssey of the Mind team's trip to Colorado.**

**Voting yes: Mr. Wheeler, Mr. Neudorfer, Dr. Bashore, Mr. Cheek, Mr. Lowry, Mr. Arrington, and Mr. Pollard**

**Voting no: None**

**Adopted Unanimously.**

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**Supervisor Lowry made a motion to transfer the \$5,000.00 from the Contingency Fund to the Board of Supervisors Fund so the money would be available from the correct department.**

**Voting yes: Mr. Wheeler, Mr. Neudorfer, Dr. Bashore, Mr. Cheek, Mr. Lowry, Mr. Arrington, and Mr. Pollard**

**Voting no: None**

**Adopted Unanimously.**

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**(6a)** Kathleen D. Guzi, County Administrator, appeared before the Board to request approval of a contract for Health and Dental Insurance for FY 2005-2006. Mrs. Guzi stated that on Wednesday, April 20<sup>th</sup>, the Employee Health Insurance Committee met with Southern Health and Piedmont Community Health Plan, the two top-ranked carriers. The presentations from both carriers answered many of the Committee's questions. The Committee felt that although both proposals were very strong, Piedmont

offers the best package. Overall, Piedmont offers a better network of doctors, a better plan design and lower costs. Piedmont offers a decrease in the total premiums of 12%. In addition, they offer a cap next year that the total cost of premiums will not exceed trend. Currently, trend is 14%.

It is the Committee's recommendation to terminate the contract with MAMSI and move forward with signing with Piedmont. If the Board concurs, staff will work with HRH, the County's health and dental benefits consultant, to restructure the employee and employer premium contributions to reflect Piedmont's methodology. In no case will an employee pay more this year for health insurance than last year. Further, the committee would respectfully request that if there are any funds remaining in the health insurance line items that are not included in the ending cash balance, that these funds be transferred at the end of the year to the Health Insurance Trust Fund.

There followed a brief discussion between Mrs. Guzi and the members of the Board.

**Supervisor Bashore made a motion authorizing the 2005-2006 Health Insurance Contract to Piedmont Community Health Plans based on the proposal submitted and reviewed by the Employee Health Insurance which results in a 12% reduction in premiums and further to restructure the employee and employer contributions which will result in a decrease in employee contributions.**

**Voting yes: Mr. Wheeler, Mr. Neudorfer, Dr. Bashore, Mr. Cheek, Mr. Lowry,  
Mr. Arrington, and Mr. Pollard**

**Voting no: None**

**Adopted Unanimously.**

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**(6b)** Michael Stokes, Director of Parks and Recreation, appeared before the Board to request authorization for the County Administrator to execute the Moneta Park Grading Contract. After consulting with Mr. Bill Gillespie, Mr. Stokes said he is prepared to offer a contract for the preparation of a grading plan for the Moneta Park site with the engineering firm of L.M.W. of Roanoke. The submitted cost for the development of the grading plan is \$9,500 and will be drawn from the Moneta Park CIP funds.

Mr. Stokes requested the Board's approval to have the contract approved and signed by the County Attorney and the County Administrator.

Mr. Pollard asked if Moneta Park was now part of the Parks Master Plan that was developed for Bedford County. Mr. Stokes replied that he was not sure, but the Plan was originally was supposed to be updated every five years, but he is not aware of this happening since 1993. However, Mr. Stokes said his understanding was that Moneta Park was not in the existing Plan.

**Supervisor Neudorfer made the motion to authorize the County Administrator to execute a contract with L.M.W. of Roanoke, Virginia to develop a grading plan for the Moneta Park site in the amount of \$9,500 after having the contract reviewed by the County Attorney.**

**Voting yes: Mr. Wheeler, Mr. Neudorfer, Dr. Bashore, Mr. Cheek, Mr. Pollard,  
Mr. Arrington and Mr. Lowry**

**Voting no: None**

**Adopted Unanimously.**

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**(6c)** Kathleen D. Guzi, County Administrator, appeared before the Board to request a \$70,000.00 transfer from the Contingency Fund for Juvenile Secure Detention. The City of Lynchburg provides juvenile secure detention facilities to the County of Bedford and the City of Bedford pursuant to the Regional Juvenile Detention Home agreement. Currently expenditures exceed appropriation by \$7,484, and we will have 3 more invoices to process for the fiscal year.

Monthly payments have varied considerably thorough out the fiscal year. Occupancy has increased 511 days or 35% thorough February 2005 compared to the same time the previous fiscal year. The average per diem rate has increased from \$131.38 to \$145 or 10%. Also, the number of juveniles served has increased by 8, which is an increase of 7%.

Lastly, the County paid \$31,644 during the current fiscal for the FY04 Settlement of expenses at the Detention home. The agreement states that within 180 days following the end of the fiscal year, the Detention home shall determine the actual Net Expenses for the previous fiscal year, and shall adjust the

charges to each of the contracting jurisdictions for the previous fiscal year based on the actual number of beds used from each jurisdiction.

At this time Fiscal Management is requesting a transfer from contingency to carry the department through May. We will have another request in June for an additional transfer from contingency. We are making two requests so not to use more than is needed from the contingency fund.

There followed a brief discussion between the members of the Board and Mrs. Guzi.

**Supervisor Lowry made a motion to authorize a transfer from the Contingency Fund in the amount of \$70,000.00 to Department 3335, Juvenile Secure Detention.**

**Voting yes: Mr. Wheeler, Mr. Neudorfer, Dr. Bashore, Mr. Cheek, Mr. Pollard,  
Mr. Arrington and Mr. Lowry**

**Voting no: None**

**Adopted Unanimously.**

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**(6d)** Sue Montgomery, Director of Economic Development, appeared before the Board to request authorization to execute a contract change order with WW Associates for an additional \$8,500.00. As the Board is aware, improvements to Falling Creek Road at the entrance to both the Bedford County Nursing Home and Falling Creek Recreation Park were approved as a Virginia Department of Transportation (VDOT) Revenue Sharing project in 2004. The engineering firm WW Associates was awarded the contract for design in May of that year, and design was completed and a public hearing held on the project on January 24, 2005.

However, subsequent to the completion of this design it became apparent that changes to the design needed to be made in order to effectively coordinate the needs of the Nursing Home and the Recreation Park, and, at the same time maximize the funds available under the Recreational Access Road program. As a result, Bill Gillespie was asked to investigate options from a technical standpoint, and two planning meetings were held with VDOT, the engineers, and County staff. This work has resulted in a preliminary plan that appears to better serve everyone involved. Consequently, WW Associates was asked to provide new cost estimates and a proposal for the redesign of this road project.

The original cost estimate for this project was \$543,982.00. The revised cost estimate is \$543,812.00 for an option that includes a roundabout and \$543,216.00 for an option with a standard intersection. As noted in the attached, the additional design cost is \$8,500.00. The Revenue Sharing funds available for this project are \$556,409.38, which is sufficient to cover either option as well as the additional engineering. A motion would be in order to approve amending the contract with WW Associates for this additional work.

There followed a brief discussion between Mrs. Montgomery, Mrs. Guzi and the members of the Board.

**Supervisor Arrington made a motion authorizing the County Administrator to execute a contract change order with WW Associates for an additional \$8,500.00 as per the attached proposal letter dated April 9, 2005.**

**Voting yes: Mr. Wheeler, Mr. Neudorfer, Dr. Bashore, Mr. Cheek, Mr. Lowry,  
Mr. Arrington, and Mr. Pollard**

**Voting no: None**

**Adopted Unanimously.**

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**(6e)** Kathleen D. Guzi, County Administrator, appeared before the Board and stated action is needed as a result of the public hearing held tonight. Mrs. Guzi briefly reviewed the fund transfer procedure and how the funds would be handled.

There followed a brief discussion between Mrs. Guzi and the members of the Board.

**Supervisor Wheeler made a motion authorizing the County Administrator to sign all the necessary documents to complete the 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.**

**Voting yes: Mr. Wheeler, Mr. Neudorfer, Dr. Bashore, Mr. Cheek, Mr. Lowry,**



Mr. Arrington, and Mr. Pollard

Voting no: None

Adopted Unanimously.

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Supervisor Wheeler made a motion that all monies received are to be spent on the Bedford County Nursing Home.

Voting yes: Mr. Wheeler, Mr. Neudorfer, Dr. Bashore, Mr. Cheek, Mr. Lowry,  
Mr. Arrington, and Mr. Pollard

Voting no: None

Adopted Unanimously.

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Supervisor Neudorfer made a motion to appropriate to \$2.7 million of IGT incentive payments to the New London Business and Technology Center project.

Voting yes: Mr. Neudorfer, Dr. Bashore, Mr. Cheek, Mr. Lowry, Mr. Arrington, and Mr.  
Pollard

Voting no: None

Abstained: Mr. Wheeler

Adopted Unanimously.

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Supervisor Neudorfer made a motion to appropriate \$2.7 million Lease Revenue Bond proceeds to the new Nursing Home project.

Voting yes: Mr. Wheeler, Mr. Neudorfer, Dr. Bashore, Mr. Cheek, Mr. Lowry,  
Mr. Arrington, and Mr. Pollard

Voting no: None

Adopted Unanimously.

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Supervisor Arrington made a motion to appropriate the remaining balance of IGT incentive payments, approximately \$3.85 million to the new Nursing Home project.

Voting yes: Mr. Wheeler, Mr. Neudorfer, Dr. Bashore, Mr. Cheek, Mr. Lowry,  
Mr. Arrington, and Mr. Pollard

Voting no: None

Adopted Unanimously.

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**RESOLUTION OF ADOPTION**  
**FY 2004-2005 BEDFORD COUNTY BUDGET AMENDMENT**  
**GENERAL FUND**

**WHEREAS**, the Bedford County Board of Supervisors desires to participate in an Intergovernmental Transfer of Funds to the Commonwealth in order to qualify the Bedford County Nursing Home for receipt of enhanced payments for services provided to Medicaid-eligible residents pursuant to the State Medicaid Plan Amendment; and

**WHEREAS**, the FY 2004-2005 Budget Amendment has been duly prepared and presented to the Board of Supervisors; and

**WHEREAS**, the appropriate advertisements and public hearing, as required by the Code of Virginia, have been conducted; and

**WHEREAS**, the Board of Supervisors has considered the services required and desired by the citizens of Bedford County.

**NOW THEREFORE BE IT RESOLVED**, that for the purpose of participating in an Intergovernmental Transfer with the Commonwealth of Virginia, that the FY 2004-2005 Budget is hereby amended (increased) as follows:

General Fund Revenues	up to \$2.0 million
General Fund Expenditures	up to \$2.0 million

**Supervisor Lowry made a motion to adopt the resolution.**

**Voting yes: Mr. Wheeler, Mr. Neudorfer, Dr. Bashore, Mr. Cheek, Mr. Lowry,  
Mr. Arrington, and Mr. Pollard**

**Voting no: None**

**Adopted Unanimously.**

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**(6f)** Kathleen D. Guzi, County Administrator, appeared before the Board and stated that last year when the Tri-County Re-licensing Committee (TCRC) was first formed, the Board had committed to sharing in the expenses with Franklin County and Pittsylvania County proportionately based on the shore miles. The County has never appropriated this money; Bedford County's share in these expenses is 45% or \$15,841.88. The entire incurred expenses total \$35,204.16 through March 31, 2005. Fiscal Management is requesting a transfer from the Contingency Fund in the amount of \$15,841.88 for the County's share.

Mrs. Guzi also told the Board that even with tonight's transfer (including this one) the Contingency Fund balance would be \$245,000.00.

Mr. Wheeler stated that the work of this committee is very complicated and is done in an effort to do what is right by all the citizens; this is a very low price to pay for the amount of work that has been accomplished in order to protect this resource. Mr. Neudorfer stated this project has been a lot of work and invited everyone of interest to the Wednesday night meeting at 6:00 pm, and also to the all-day sessions on the 12<sup>th</sup> and 13<sup>th</sup> of May.

**Supervisor Neudorfer made a motion to authorize a TRANSFER FROM THE CONTINGENCY FUND in the amount of \$15,841.88 (for the Tri-County Re-licensing Committee) to Fund 57, Department 8155.**

**Voting yes: Mr. Wheeler, Mr. Neudorfer, Dr. Bashore, Mr. Cheek, Mr. Pollard,  
Mr. Arrington and Mr. Lowry**

**Voting no: None**

**Adopted Unanimously.**

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**(6g), (6h), (6i), (6j), (6k), (6l) – all moved to April 26, 2005 meeting at 8:00 am.**

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**(6m)** Kathleen D. Guzi, County Administrator, and Mike Brown, Sheriff, appeared before the Board regarding the Internet Crimes Against Children Grant. On December 20, 2004, The Sheriff's office submitted an application in the amount of \$450,000.00 to the U.S. Department of Justice to continue the Internet Crimes Against Children Grant from April 1, 2005 to September 30, 2006. The existing grant ended March 31, 2005 and has been fully expended. This grant provided for the salaries and benefits of a Lieutenant and two investigators along with other expenditures. There have been some delays in processing the application and the county has received a written assurance from Chris Holloway, the program manager with the U.S. Department of Justice, that the county should receive an award notification via email by the middle of May. Sheriff Mike Brown requested that the Board allow the grant to continue to incur expenditures pending the award document.

Mr. Neudorfer commented that this program has been very beneficial for the County.

**Supervisor Arrington made a motion allowing future expenditures for the Internet Crimes Against Children Grant pending the next grant award.**

**Voting yes: Mr. Wheeler, Mr. Neudorfer, Dr. Bashore, Mr. Cheek, Mr. Lowry,  
Mr. Arrington, and Mr. Pollard**

**Voting no: None**

**Adopted Unanimously.**

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

- Dr. Bashore stated he has received two requests from people who live on Hooper Road (where the new bridge was completed next to Jefferson Forest High School) voicing concern over the 55 mph speed limit on such a curvy road with a school on it.

**Dr. Bashore made a motion to request VDOT conduct a speed study on Hooper Road.**

**Voting yes: Mr. Wheeler, Mr. Neudorfer, Dr. Bashore, Mr. Cheek, Mr. Lowry,  
Mr. Arrington, and Mr. Pollard**

**Voting no: None**

**Adopted Unanimously.**

- The Board was given a copy of the Bedford Public Library Board Of Trustees Meeting from April 12, 2005

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

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

Closed Session Pursuant To Virginia Code Section 2.2-3711 (A)(7) For Consultation With Legal Counsel And Briefings By Staff Members Pertaining To Actual Or Probable Litigation, Where Such Consultation Or Briefing In Open Meeting Would Adversely Affect The Negotiating Or Litigating Posture Of The Public Body.

**Supervisor Lowry made a motion that the Board of Supervisors convene into Closed Session Pursuant To Virginia Code Section 2.2-3711 (A)(7) For Consultation With Legal Counsel And Briefings By Staff Members Pertaining To Actual Or Probable Litigation, Where Such Consultation Or Briefing In Open Meeting Would Adversely Affect The Negotiating Or Litigating Posture Of The Public Body.**

**Voting yes: Mr. Wheeler, Mr. Neudorfer, Dr. Bashore, Mr. Cheek, Mr. Lowry,  
Mr. Arrington, and Mr. Pollard**

**Voting no: None**

**Adopted Unanimously.**

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**Supervisor Neudorfer made a motion to go back into regular session.**

**Voting yes: Mr. Wheeler, Mr. Neudorfer, Dr. Bashore, Mr. Cheek, Mr. Lowry,  
Mr. Arrington, and Mr. Pollard**

**Voting no: None**

**Adopted Unanimously.**

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**Supervisor Bashore 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. Neudorfer, Dr. Bashore, Mr. Cheek, Mr. Lowry,  
Mr. Arrington, and Mr. Pollard**

**Voting no: None**

**Adopted Unanimously.**

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**Supervisor Bashore made a motion that the Board of Supervisors defer to the Planning Commission and the review of closure of Hortman Drive off of Perryville Road in Forest, and follow the process that needs to be done to accede to the owner's request.**

**Voting yes: Mr. Wheeler, Mr. Neudorfer, Dr. Bashore, Mr. Cheek, Mr. Lowry,  
Mr. Arrington, and Mr. Pollard**

**Voting no: None**

**Adopted Unanimously.**

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Supervisor Pollard made a motion to complete the agenda.

Voting yes: Mr. Wheeler, Mr. Neudorfer, Dr. Bashore, Mr. Cheek, Mr. Lowry,  
Mr. Arrington, and Mr. Pollard

Voting no: None

Adopted Unanimously.

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

- Information Item – On Wednesday, May 18<sup>th</sup>, 2005 there is a meeting in Appomattox (and offered by the Town of Appomattox) entitled “The Dollars and Sense of Protecting Community Character”.

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**(11) PENDING MATTERS**

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**(12) UPCOMING MEETINGS**

- April 26, 2005 – Special Meeting to Adopt The Budget – 8:00 am, County Administration Building
- May 9, 2005 – Regular Meeting
- May 23, 2005 – Regular Meeting

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Supervisor Bashore made the motion to adjourn the meeting.

Voting yes: Mr. Wheeler, Mr. Neudorfer, Dr. Bashore, Mr. Cheek, Mr. Pollard,  
Mr. Arrington and Mr. Lowry

Voting no: None

Adopted Unanimously.

Chairman Cheek adjourned the meeting at 10:34 p.m.

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Chairman

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