

AGENDA
BEDFORD COUNTY BOARD OF SUPERVISORS
JULY 25, 2005

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 – June 27, 2005
- (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
 - a. Public Appearance – Mr. Calvin P. Carter, Campbell County Board Of Supervisors, and Mr. Stan Goldsmith, Leesville Lake Administration, Regarding A Request For \$5,000.00 To Assist In The Clean-up of Leesville Lake
 - b. Public Hearing – Kim Dooley, Development Services Manager – Special Use permit #050011; Bethesda United Methodist Church
 - c. Public Appearance – John Barrett, E911 Communications Coordinator – Update On Nextel Rebanding
 - d. Public Appearance – Harry Lantz, Citizen, Regarding The Fire and Rescue Master Plan
 - e. Public Appearance – Mr. & Mrs. Lockhart – Claim Against The County
- (6) ACTION ITEMS
 - a. Request For Approval Of The Central Virginia Community Services FY 2006 Performance Contract With The Department Of Mental Health, Mental Retardation And Substance Abuse
 - *Staff Presentation: Kathleen D. Guzi*
 - b. Request For Authorization For Sheldon Cash, Solid Waste Manager, To Execute A \$5,000.00 Recognizance Bond.
 - *Staff Presentation: Carl Boggess*
 - c. Consideration Of A Claim Against The County Presented By Mr. And Mrs. Morris Lockhart.
 - *Staff Presentation: Carl Boggess*

d. Request From The Treasurer To Accept Debit And Credit Cards For The Payment Of Taxes

- *Staff Presentation: Rebecca C. Jones*

e. Update On TCRC Activities And Request To Transfer \$60,000.00 From The Contingency Fund To Support The Activities Of The TCRC.

- *Staff Presentation: Carl Boggess*

f. Consideration Of Support Of Legislation To Lower Speed Limits On All Non-Posted Paved Secondary Roads To 45 Miles Per Hour.

- *Staff Presentation: Kathleen D. Guzi*

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

a. Fire And Rescue Committee Report From July 12, 2005

b. Bedford County Planning Commission Meeting Minutes From June 6, 2005 and, 2005

c. Tri-County Lake Administration Commission Monthly Board Meeting Minutes From June 7, 2005

d. Bedford Public Library System Board Of Directors Meeting Minutes From June 14, 2005

(8) APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

(9) COUNTY ATTORNEY REPORTS, REQUESTS AND RECOMMENDATIONS

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

a. Closed Session pursuant To Virginia Code Section 2.2-3711 (A)(1) To Discuss Personnel Matters; Specifically, Performance Of Administrative Staff Members.

b. Information Item – Inspections Report For June 2005

c. Information Item – Permits Issued In June 2005

(11) PENDING MATTERS

- **Farmland Trust Study**
- **Mission Statement**

(12) UPCOMING MEETINGS

- **July 28, 2005 – Joint Meeting With The Economic Development Authority (Administration Building at 7:30)**
- **August 8, 2005 – Regular Meeting (Work Session at 5:00)**
- **August 15, 2005 – Public Hearing On Six-Year Secondary Road Plan**

CONSENT AGENDA
BEDFORD COUNTY BOARD OF SUPERVISORS
JULY 25, 2005

ITEM 1 RESOLUTIONS/MOTIONS

- a. Consideration Of A Request To Approve A Resolution Supporting The 2005 Bedford County Farm Tour.
- b. Consideration Of A Request For A SUPPLEMENTAL APPROPRIATION In The Amount Of 3,307.00, And Authorization To Accept The Domestic Violence Shelter Grant In The Amount Of \$65,438.00.
- c. Consideration Of A Request For A SUPPLEMENTAL APPROPRIATION In The Amount Of 1,042.00, And Authorization To Accept The Domestic Violence Prevention Program Grant In The Amount Of \$64,625.00.
- d. Consideration Of A Request From The Solid Waste Department For The Board Of Supervisors To Approve The Construction Of A Materials Recovery Facility.
- e. Consideration Of A Request Authorizing An Advertisement For A&E Services For The Construction Of A New Group Home.
- f. Consideration Of A Request To Consolidate Departments 00-5511, 00-5512 and 00-5513 (Domestic Violence) Into One Department (00-5511).

ACTION: Approve resolutions/motions as presented.

*Items added at meeting

Board of Supervisors:

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

Staff Present:

Kathleen Guzi, Carl Boggess, Willie Jones, Philip Thompson, Rebecca C. Jones, John Barrett, Bill Hoy, Sheldon Cash, Tommy Mason, and Brigitte Petersen

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.

Chairman Cheek noted the following additions to the agenda:

- Action Item 6g, Consideration of a request from the Public Service Authority to support additional capital improvement projects.
- An issue covered by Virginia Code Section 2.2-3711 (A)(7) has been added to the closed session as item 10a, and move the personnel action of the closed session to 10b.

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

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

Voting no: None

Motion Passed.

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ACTION: Approve resolutions/motions as presented.

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

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

Voting no: None

Motion Passed.

(3) APPROVAL OF MINUTES – June 27, 2005

Supervisor Neudorfer made a motion to approve the minutes as corrected.

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

Voting no: None

Abstained: Mr. Wheeler

Motion Passed.

(4) FIFTEEN MINUTE CITIZEN COMMENT PERIOD

- There were no citizens desiring to speak.

(5) PUBLIC HEARINGS/PUBLIC APPEARANCES

(5a) Mr. Stan Goldsmith, Leesville Lake Administration, appeared before the Board regarding a request for \$5,000.00 to assist in the clean up of Leesville Lake. Mr. Goldsmith stated the funds would be used for a demonstration project to clean up debris at the lake, which as the Board may recall was one of the priorities that was discussed when he appeared before the Board earlier. The debris has become a hazard to the safety of those using the lake. Mr. Goldsmith said that AEP has been using a skimmer at Leesville Lake approximately 19 days per year primarily to protect the dam. However, Leesville Lake has no guarantee of this service and there have been times when the skimmer crew had to be utilized elsewhere. In an effort to find a cost-effective, less labor-intensive solution to this issue, they will be testing various equipment and operators, which is what the requested funds are for.

Mr. Pollard asked when the funds would need to be available; Mr. Goldsmith responded that they would like to begin this project as soon as possible.

Mr. Neudorfer asked if he was correct in his understanding that this was a \$15,000.00 basic study that's going to develop a plan that will be used in the future. Mr. Goldsmith replied this is exactly what he intends. Mr. Neudorfer asked if the Board could be given an idea of what is being studied. Mr. Goldsmith confirmed that study will look at different methods of removing debris from the lake, and how to dispose of the debris after removal from the water, and briefly gave examples of methodology. Mr. Neudorfer asked that Mr. Goldsmith coordinate his efforts and information with TLAC, as we are all working towards the same goals regarding our lakes.

There followed a brief discussion between Mr. Goldsmith and members of the Board.

Supervisor Neudorfer made a motion to approve Leesville Lake Association's request for \$5,000.00 to help pay for a clean up study on the lake, and to transfer the money from the Contingency Fund to the Board of Supervisors Fund.

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

Voting no: None

Motion Passed.

(5b) Philip Thompson, Director of Planning, appeared before the Board with a request for a Special Use Permit to allow for the expansion of an existing church (religious assembly) in an AP/CO (Agricultural/Rural Preserve/Corridor Overlay) zoning district. The property is located on the north west side of the intersection with Route 24 (Wyatts Way) and Route 707 (Bethesda Drive).

Mr. Thompson reported that the request does not propose to change the existing zoning, but does request approval of a Special Use Permit to allow the expansion of a church (Religious Assembly). The property is currently occupied by an existing sanctuary, fellowship hall and classroom facility (3,077 sq. ft including basement area.) and a small pavilion (1,186 sq. ft.). The new addition would be 4,099 square feet including the main floor area of 2,551 s.f. and the basement area of 1,548 s.f. Total square footage for the entire structure at completion would be 7,178 square feet. The building coverage for this parcel will be 8.6%, which is below the maximum building coverage for this use in an AP district (20%). Lot coverage upon completion of the project will be within the limits of the ordinance (50%) as well.

Mr. Thompson briefly discussed environmental impacts, transportation, utilities, public facilities and visual impacts.

Mr. Thompson reported that the Planning Commission held a public hearing on June 20, 2005, to hear the proposal by Bethesda United Methodist Church. Mr. Brent Stevens gave a brief overview of the church's history and their vision for the future of their church. One citizen spoke in favor of the proposal. The Planning Commission voted 6-0 (Mr. Crockett absent) to approve the special use permit with the following conditions:

1. Section 30-32 (AP, Agricultural/Rural Preserve), Section 30-77 (CO, Corridor Overlay) and 30-83-10 (Religious Assembly) of the Bedford County Zoning Ordinance shall apply to approval of the project.
2. A row of 10 Leyland Cypress trees shall be planted along the northern property line of Tax Map # 202-A-37 starting at the corner pin located along Route 707 (Bethesda Drive). The trees shall be spaced at intervals of 20 feet on center and shall be 5 feet tall at the time of planting.

3. A row of small deciduous trees shall be planted along the eastern property line of Tax Map # 202-A-37, bordering Route 707 (Bethesda Drive). The trees shall be spaced at intervals of 20 feet on center and shall be no less than one (1) inch in diameter at the time of planting.

4. The development of this parcel shall be in substantial conformance with the concept plan dated May 6, 2005 and prepared by Hughes and Associates.

The applicant shall comply with all local, state, and federal laws.

The applicant then appeared the Board to answer any questions they might have.

The public hearing was opened; Mr. David Mends was signed up to speak in favor of this request. There being no one else to speak, the public hearing was closed.

Mr. Arrington thanked Mr. Mends for his comments and the Church for the work they are doing.

After reviewing the public testimony, the public record, the Planning Commission's recommendation, the goals and objectives of the County's Comprehensive Plan, and Section 30-3 of the County's Zoning Ordinance, Supervisor Pollard made a motion to approve Special Use Permit Application SU050011, Bethesda United Methodist Church, with the following conditions:

1. Section 30-32 (AP, Agricultural/Rural Preserve), Section 30-77 (CO, Corridor Overlay) and Section 30-83-10 (Religious Assembly) of the Bedford County Zoning Ordinance shall apply to approval of the project.

2. A row of 10 Leyland Cypress trees shall be planted along the northern property line of Tax Map # 202-A-37 starting at the corner pin located along Route 707 (Bethesda Drive). The trees shall be space at intervals of 20 feet on center and shall be 5 feet tall at the time of planting.

3. A row of small deciduous trees shall be planted along the eastern property line of Tax Map # 202-A-37, bordering Route 707 (Bethesda Drive). The trees shall be spaced at intervals of 20' on center and shall be no less than one (1) inch in diameter at the time of planting.

4. The development of this parcel shall be is substantial conformance with the concept plan dated May 6, 2005 and prepared by Hughes and Associates.

5. The applicant shall comply with all local, state and federal laws.

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

Voting no: None

Motion Passed.

(5c) John Barrett, E911 Communications Coordinator, appeared before the Board with an update on Nextel Rebanding. Rebanding is an FCC mandate that will move Nextel out of the Public Safety Radio Band. It involves Nextel and any public safety radio users, such as Bedford County, that use 800 mhz trunking system. Bedford County, as a part of Central Virginia Regional Radio System, will have to have it's radios re-programmed and will also have to have it's sites re-programmed. This re-programming will result in two of the County's sites having to be re-programmed. While this will result in a change in frequencies, it will be done so as not to affect service.

Mr. Barrett stated that all costs associated with rebanding are paid by Nextel, with no cost to any locality. Bedford County is in the region that is the first wave to be done, and it is anticipated that this will go into the next year before it is finished. All the work will be done by contractors and consultants, as well as MayCom, the radio company.

Mrs. Guzi reiterated that there is no financial responsibility from the County for this issue and no taxpayer dollars are involved in the switchover.

Mr. Wheeler asked Mr. Barrett what we can expect out of our system after this change. Mr. Barrett replied a dry test will be done to establish known coverage; once the work is completed for the new frequencies the dry test will be done again to make sure we have at least the coverage we had previously, perhaps even better. Mr. Wheeler mentioned that there are currently a few places in the County now where communication is lost; he asked if these coverage lapses would be addressed with this change. Mr. Barrett said he is hoping that since he will be involved with this project, he will be able to address concerns such as Mr. Wheelers. Mr. Wheeler also wanted to know if anyone would have to do without their radios during the change. Mr. Barrett said the radio programming will be prearranged to try to avoid anyone going without their radio.

(5d) Harry Lantz, Citizen, appeared before the Board, to discuss the Fire and Rescue Master Plan Study. Mr. Lantz asked who was responsible for hiring Mr. Miller to conduct this study, and appeared to be upset over recent legal issues concerning Mr. Miller's handling of funds not associated with Bedford County. Mr. Lantz was not aware the company Mr. Miller works for was hired though the bid process well over a year before any charges were brought against him; the firm Mr. Miller works for, Public Safety Solutions, had come highly recommended for this sort of study and it should be noted that the charges against Mr. Miller in no way affect the validity of the study. The contract is with Public Safety Solutions, which is not under any criminal investigation and there are no issues associated with them. Public Safety Solutions has been paid per the terms of the contract, which means the contract has not yet been paid in full. Mr. Lantz also complained about the Montvale Rescue Squad.

(5e) Mr. and Mrs. Lockhart appeared before the Board regarding their claim against the County. They reviewed in detail the issues they have had with their builder and the numerous problems they've had to repair since they moved in. There followed a brief discussion between the Lockharts and members of the Board.

(6) ACTION ITEMS

(6a) Kathleen D. Guzi, County Administrator, appeared before the Board to request authorization to execute the Central Virginia Community Services FY 2006 Performance Contract with the Department of Mental Health, Mental Retardation and Substance Abuse. Mrs. Guzi stated that several years ago legislation was passed that required community services boards to prepare performance contracts and work with the localities where they provide services to agree upon a performance contract. During the first two years after this legislation went into effect we spent a great deal of time working out the kinks in the contract. This year has gone relatively smoothly. The CVCS provides many community services to the school system, the Department of Social Services, the Community Policy Management Team, just to name a few. Mrs. Guzi noted that less than 10% of expenses are attributed to administration and that overall the local match for the State and Federal dollars which are drawn to provide mental health services, substance abuse services, etc. is less than 23%. Our main goal is to draw as much as we can from State and Federal dollars, and provide the local match as low as possible.

Mr. Neudorfer asked what the County gets from this service. Mrs. Guzi replied we receive services in various areas; primarily, a lot of our foster care children receive mental health services in the form of mentors, counseling, etc., as well as providing other services such as parenting classes. In some cases, programs have been tailored to suit our needs. There is a satellite office in Bedford and over the years they have expanded the child and adolescent unit, which is crucial to us. There is also an adult mental health component.

Dr. Bashore stated there is staff from the Community Health Board to serve Bedford citizens.

In response to a question from Mr. Neudorfer, Mrs. Guzi stated the Community Services Board was created by legislation and the government has dictated what services they will provide. The courts are also somewhat involved, especially with CSA children.

Supervisor Bashore made a motion to approve the Central Virginia Community Services FY 2006 Performance Contract with the Department of Mental Health, Mental Retardation and Substance Abuse.

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

Voting no: None

Motion Passed.

(6b) Carl Boggess, County Attorney, appeared before the Board to request authorization for Sheldon Cash, Solid Waste manager, to execute a \$5,000.00 recognizance bond for landfill trustees. As the Board members may be aware, prisoners confined in the Blue Ridge Regional Jail are used at the County's solid waste facilities. This arrangement has worked well in the past.

The statute allowing prisoners to work at County owned property was amended during the 2005 General Assembly Session. The Court can now enter a blanket order to direct prisoners to work at the County solid waste facilities. The statute requires that if the person in charge of the prisoners is someone other than the sheriff or jail superintendent, that the Court shall require a bond for the discharge of duties in supervising the prisoners. Since this arrangement has worked well in the past, staff recommends the passage of a motion granting Sheldon Cash, Solid Waste Manager, the authority to execute a \$5,000.00 recognizance bond conditioned upon the faithful discharge of his duties. The bond shall not require a surety and shall be filed with the Court. Mr. Boggess mentioned he had also discussed this with Judge Black, who believes this is a good way to proceed. Mr. Cash has had little turnover in these situations and feels this arrangement works well for everyone.

Supervisor Wheeler made a motion to grant Sheldon Cash, Solid Waste Manager, the authority to execute a \$5,000.00 recognizance bond conditioned upon the faithful discharge of his duties in supervising prisoners for the Blue Ridge County Jail.

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

Voting no: None

Motion Passed.

(6c) Carl Boggess, County Attorney, appeared before the Board regarding the claim against the County of Bedford by Morris and Brenda J. Lockhart. This issue was discussed in closed session and was not voted on until the Board came back into regular session later in this meeting.

(6d) Rebecca C. Jones, Treasurer, appeared before the Board to request permission to accept debit and credit cards for the payment of taxes. After a brief explanation of how credit payments are currently accepted, Mrs. Jones reviewed how the new system would work. She stated the fee associated with card transactions would be charged to the customers who elect to use this service. She explained what type of equipment would be needed and the cost of this

equipment. The money needed for the equipment to enable the Treasurer's office to take this type of payment will come from re-appropriations in August 2005.

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

Supervisor Bashore made the motion to allow the Treasurer to accept debit and credit cards, effective immediately, for all payment of taxes; further, to charge a fee not to exceed 3% to all customers using this service.

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

Voting no: None

Motion Passed.

(6e) Carl Boggess, County Attorney, appeared before the Board with a status update of the Tri-County AEP Re-licensing Committee. TCRC Committee members and County staff have been working on a two-pronged action: first, to persuade the Federal Energy Regulatory Commission to approve a modified shoreline management plan (which is currently under review) and second, they are in the process of commencing studies of Appalachian Power's re-licensing of the Smith Mountain Hydroelectric Project.

As to re-licensing, AEP filed its Pre-Application Document (PAD) in November of 2004. FERC filed its Scoping Document 1 (SD1) in late December 2004. The re-licensing cannot occur unless the project is reviewed under the National Environmental Policy Act. Essentially from November of 2004 through February of 2008, the process is defining what components of the project and the effects of the project should be studied. Currently AEP, TCRC, state agencies and other groups are in the process of attending meetings as to various studies that we all agree should be conducted. Further, it must be decided in the months to come what studies will be performed. The initial study plan process is supposed to be completed by the end of this year; during 2007 the actual studies will be performed.

TCRC has further been heavily involved this year in attempting to persuade FERC to modify the Shoreline Management Plan that was proposed by AEP. This process reached a milestone on July 5, 2005 when the FERC issued its order modifying and approving the shoreline management plan. The order modified the draft environmental assessment's proposed annual four-month restriction on underwater pile driving activities, lifting the restriction from February 15 to April 15; instead, pile driving will be restricted during the shorter period from April 15 to June 15. FERC rejected the establishment of a Local Resolution Board, which would have directly involved TCRC in appeals and variances under the plan. At its next meeting, TCRC will decide if it desires to submit additional information and ask FERC to reconsider portions of its decision or, in the alternative, to appeal the decision.

During the past month, Campbell County has agreed to join Bedford, Franklin and Pittsylvania as members in TCRC. With this addition, the counties will need to amend the funding formula. Committee members and staff are currently negotiating a revised funding formula.

The cost of outside attorney's fees for last fiscal year was \$88,867.64; Bedford County's share being \$39,991.00. It is anticipated that if TCRC opts not to appeal the Shoreline Management decision, fees will be less for this fiscal year. TCRC will consider some options at its next meeting to reduce outside attorney's fees. The Board needs to consider a motion to set a budget for attorney's fees and impendent contactor fees for the current fiscal year. Staff would suggest the sum of \$60,000.00 for outside counsel fees and independent contractor staffing for the fiscal year 2005-06. This is more than was expended in last fiscal year; however, expenditures in the last fiscal year did not commence until November.

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

Supervisor Neudorfer made a motion to make a transfer from the Contingency Fund to Department 1110, TCRC, in the amount of \$ 60,000.00 to fund outside counsel fees and independent contractor fees for the fiscal year 2005-06 for the Tri-County AEP Re-licensing Committee.

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

Voting no: None

Motion Passed.

(6f) Kathleen D. Guzi, County Administrator, appeared before the Board requesting support for legislation to lower speeds on all non-posted paved secondary roads to 45 miles per hour. Per the Board's request, she has discussed this issue with VDOT and has learned that this is a legislative agenda that the Board may adopt and then address staff to pursue it. At this point, VDOT has told us there are over 700 miles of paved roads in Bedford County, most of which have un-posted speed limits. By state code, this means that the speed is 55mph. Normally, in order to lower a speed limit, a speed study must be conducted as we have done numerous times in the past. Most of these studies come back with a recommendation to not lower the speed limit.

VDOT has a staff person who initiates a request with the General Assembly to lower the speed limit on paved secondary roads in localities that are already non-posted to 45mph. All roads that are currently posted would remain at their posted speed. Although this has been introduced in the General Assembly previously (not by Bedford County), it has never passed. VDOT wants to know if the County desires to pursue this issue, and if so, the Board needs to direct staff to work closely with VDOT, who will identify other localities who are interested in the same measures to form a cooperative effort.

Mr. Cheek said he prefers to use the current method of determining road speeds, one road at a time. He does not feel lowering the speed will make much difference, as people will drive the speed they chose and then it becomes an enforcement issue.

Mr. Wheeler asked why the General Assembly would entertain a request allowing a county to lower the speed limit to 45mph on un-posted paved roads, but leaving gravel roads at 55mph. Mrs. Guzi said this would actually be a state-wide change, not county-by-county. In the past, part of the legislation called for un-paved, non-posted roads to be reduced to 35mph. Mr. Wheeler pointed that even if you can drive faster on a certain road, certain other conditions (such as deer) need to be considered when determining the speed.

Mr. Pollard agrees with Mr. Wheeler, and stated he felt the request should include all secondary roads, paved or not.

Mr. Neudorfer stated he agrees with Mr. Cheek, and said we spend a lot of time asking for speeds to be reduced and in the future we'll probably asked for the speeds to be increased, so there is not a lot to be gained by this. Mr. Neudorfer would like to gather public opinion on this issue before moving forward; other members of the Board agreed.

There followed a discussion between Mrs. Guzi and members of the Board regarding methods to gather public opinion, with no solid decisions being made at this time. This issue will be added to the work session agenda with VDOT in September to further discuss options and public opinion.

(6g) Willie Jones, Bedford County PSA, appeared before the Board requesting support for a proposed spending plan for the disposition of residual funds from the VRA 2002 loan as follows: Several months ago the PSA projected savings of approximately \$1,158,743 and presented the Board a set of projects which included the Isle of Pine project and another project, a line to Beechwood Shores. The line to Beechwood shores has been constructed and we still have the residual finds shown. The savings are from excellent bid prices for the projects completed during this first phase of the VRA projects and from interest earned on the funds in escrow. We revised our project list to address our current concerns.

Mr. Jones had distributed to the Board descriptions of the projects and their rationales in the agenda package:

- The first of these is the DEQ has obtained federal grant funding in the amount of \$1,352,990 which will be used with the \$50,000 in VRA money to construct a waterline to provide water service to residents in Goode who have contaminated wells from a petroleum tank leak years ago. The DEQ has been operating special treatment systems on the wells to remove the petroleum, but wants to get out of the well business. The PSA is also contributing administration and inspection services equal to \$50,000. The possibility of this money becoming available was communicated to the PSA in early

spring and the PSA Board signed the agreement to proceed with this project on July 19, 2005. The line to Goode, which is an extension from the PSA's Forest Central system, also makes it possible for the PSA to extend a short waterline to interconnect the Casaloma well water system that the PSA has just acquired.

- Franklin County and the PSA have agreed to work together to increase the permitted withdrawal amounts from Smith Mountain Lake for the Highpoint water treatment plant. It is expected that water demand will increase fairly quickly and we want to be ready to meet the demand. The Highpoint plant will have the ability to treat 1.0 million gallons a day by the end of August and can be expanded. The contribution to this project is approximately ½ the estimated cost.

The estimates are conservative and PSA hopes that the final savings amounts will be somewhat higher. The PSA asked that the Board endorse their proposal so they can proceed with the construction of these projects.

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

Supervisor Lowry made a motion to concur with the recommendations of the PSA Board.

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

Voting no: None

Motion Passed.

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

Dr. Bashore commented that he attended (as a committee member) the Region 2000 Quarterly Meeting last Thursday. There was a presentation related to Economic Development that basically outlined a fiber optic loop that is being put in place using over twenty counties including Bedford. In this loop there is what is called a P.O.P. (Point Of Presence) and is being done with \$27 million dollars in tobacco commission money. Bedford's line will come up Route 460 and will dovetail into the Technology Park. This will give any business located there, or other places in the County that could connect, an economic development boon if they are a technology company and need lots of bandwidth.

Mr. Pollard asked if this new loop would be able to connect to the fiber optic lines that were strung but never hooked up; Dr. Bashore replied that this was possible.

(7a) The Board was given a copy of the Fire and Rescue Committee Report from July 12, 2005.

(7b) The Board was given a copy of the Bedford County Planning Commission Meeting Minutes from June 6, 2005.

(7c) The Board was given a copy of the Tri-County Lake Administration Commission Monthly Board Meeting Minutes from June 7, 2005.

(7d) The Board was given a copy of the Bedford Public Library System Board of Directors Meeting Minutes from June 14, 2005.

(8) APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

- Mr. Neudorfer stated that at the last meeting, when he made a new appointment to the Planning Commission for District 2, he neglected to mention that Mr. Feazell (who was stepping down) had been in that position for 7½ years. Mr. Neudorfer wanted to recognize the service Mr. Feazell has given to the County.

(9) COUNTY ATTORNEY REPORTS, REQUESTS AND RECOMMENDATIONS

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

Supervisor Bashore made a motion to go into Closed Session, pursuant to Virginia Code Section 2.2-3711 (A)(1) to discuss personnel matter; specifically, performance of administrative staff members, and also Code Section 2.2-3711 (A)(7), Consultation with legal counsel and briefings by staff members or consultants 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; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel.

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

Voting no: None

Motion Passed.

Supervisor ?????? made a motion to go back into regular session.

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

Motion Passed.

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

Motion Passed.

The Board then revisited Action Item 6c, as discussed in the closed session.

Supervisor Lowry made the motion that the claim of Mr. and Mrs. Lockhart be disallowed.

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

Voting no: None

Motion Passed.

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- Information Item – Inspections Report for June 2005
 - Information Item – Permits Issued in June 2005

(11) PENDING MATTERS

- **Farmland Trust Study**
- **Mission Statement**
- Mrs. Guzi then handed out a copy of a memo from Leesville Lake
- Information Item regarding the reconditioned voting machines the Electoral Board has decided to purchase instead of new machines. These machines have only been used in one election. There is a considerable savings by buying these voting machines.

(12) UPCOMING MEETINGS

- **July 28, 2005 – Joint Meeting With EDA (Administration Building)**
-

Supervisor Bashore made the motion to adjourn the meeting.

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

Voting no: None

Motion Passed.

Chairman Cheek adjourned the meeting at 11:02 p.m.

Chairman
