

**AGENDA**  
**BEDFORD COUNTY BOARD OF SUPERVISORS**  
**MARCH 28, 2005**

**7:30 P.M. WELCOME**

- a. Moment of Silence
- b. Pledge of Allegiance
- (1) APPROVAL OF AGENDA
- (2) APPROVAL OF CONSENT AGENDA
- (3) FIFTEEN MINUTE CITIZEN COMMENT PERIOD  
(For Items On This Agenda That Have Not Been Addressed At A Public Hearing)
- (4) PUBLIC HEARINGS/PUBLIC APPEARANCES
  - a. Public Appearance, Rebecca A. Jones, Treasurer, With An Update On The Personal Property Tax Relief Act (PPTRA)
  - b. Public Appearance – Glenn Ayers, Chairman of the 250<sup>th</sup> Anniversary Committee, To Present The Board With The Repayment Of Monies For The Welcome Signs
  - c. Public Hearing – Consideration Of An Ordinance To Amend Section 4-27(a) Of The Bedford County Code In Order To Add Turnpike Subdivision, Presently Trading As Hidden Valley Village And Formerly Known As Whispering Pines, An Established Mobile Home Park, Tax Map No. 129 A 13, To The Areas Of Bedford County Within Which Dogs May Not Run At Large
  - d. Public Hearing – Kim Dooley, Development Services Manager, To Request Consideration Of A Rezoning Application #RZ050003 For William L. And Joyce Milton
  - e. Public Hearing – Kim Dooley, Development Services Manager, To Request Consideration Of Special Use Permit #050008 For Grace Memorial Baptist Church
- (5) ACTION ITEMS
  - a. Request To Authorize Advertisements To Hold Public Hearings To Adopt A Tax Rate Ordinance For Tax Year 2005, Adopt The FY 2005-2006 Operating Budget, Adopt The FY 2005-2006 To FY 2009-2010 Capital Improvement Program And The Nursing Home Budget
    - *Staff Presentation: Kathleen D. Guzi*
- (6) BOARD COMMENTS, COMMITTEE REPORTS, REQUESTS AND RECOMMENDATIONS
  - a. Personnel Committee Report From Kathleen D. Guzi
  - b. Bedford County Fire Commission Meeting Minutes – January 18, 2005
  - c. Tri-County Lake Administrative Commission Monthly Board Meeting Minutes – February 1, 2005
  - d. Bedford Public Library System Board Of Directors Meeting Minutes – February 8, 2005 and March 8, 2005
  - e. Bedford Public Library System Personnel Policy
- (7) APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES
- (8) COUNTY ATTORNEY REPORTS, REQUESTS AND RECOMMENDATIONS
  - a. Closed Session pursuant To Virginia Code Section 2.2-3411 (A)(7) and 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 Briefings In Open Meeting Would Adversely Affect The Negotiating Or Litigating Posture Of the Public Body; And Personnel, Specifically Hiring A County Administrator
- (9) COUNTY ADMINISTRATOR'S REPORTS, REQUESTS AND RECOMMENDATIONS

- a. Information Item – Monthly Revenue And Expenditure Budget
- b. Information Item – Report Of Changes To The Secondary System Of State Highways
- c. Information Item – Banking Request For Proposal
- d. Permits Issued In February 2005

**(10)PENDING MATTERS****(11)UPCOMING MEETINGS**

- April 4, 2005 – Budget Work Session
- April 11, 2005 – Regular Meeting with a Budget Work Session from 5:00-7:00
- April 12, 2005 – Public Hearing on Budget, Tax Rates and Nursing Home Daily Rate at BSTC at 7:30 Tuesday
- April 14, 2005 – Budget Work Session (Last Budget Work Session Prior To Adoption) Thursday
- April 21, 2005 – Regional Commission Elected Officials Dinner Meeting (Location to be determined) Thursday

\*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, Sue Montgomery, Rebecca C. Jones, Kim Dooley, Tommy Mason, Susan Crawford, Nanci Drake, 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:

- Added to Action Items – 5a, Contract to Purchase Voting Machines (switched original Item 5a to 5b)
- Added Item 1C, Consideration of a Resolution Recognizing National Public Safety Telecommunications Week

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

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

**Voting no: None**

**Adopted Unanimously.**

**CONSENT AGENDA****BEDFORD COUNTY BOARD OF SUPERVISORS**

**MARCH 28, 2005**

**ITEM 1 RESOLUTIONS/MOTIONS**

- a. Consideration Of A Supplemental Appropriation in The Amount Of \$4,575.19 To The Major Category Of Instruction In The Fiscal Year 2004-2005 School Operating Budget
- b. Consideration Of A Resolution Of Appreciation For The Efforts OF The Bedford 250<sup>th</sup> Anniversary Committee

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

**ITEM 2      ANIMAL CLAIM(S)**

- a. **Animal Claim In The Amount Of \$400.00 From Cary M. Ogden For One Cow Killed By Dogs Not His Own On February 23, 2005.**

**ACTION: Animal Warden Recommends Payment In The Amount Of \$400.00. Supervisor**

**Supervisor Pollard made a motion to approve the consent agenda as presented.**

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

**Voting no:       None**

**Adopted Unanimously.**

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

- Ruby Dooley addressed the Board regarding a moratorium on building and the proposed new tax rate. (Mr. Wheeler asked Staff to get more information on the land Mrs. Dooley referred to in her comments.)

**(4)      PUBLIC HEARINGS/PUBLIC APPEARANCES**

**(4a)** Rebecca C. Jones, Treasurer, appeared before the Board with an update on the Personal Property Tax Relief Act (PPTRA). Mrs. Jones stated there has been a \$950,000,000.00 cap set for reimbursement for all localities in Virginia beginning with the year 2006. What this means for Bedford County and the Treasurer's office is that Mrs. Jones' office must attempt to collect every dollar possible during this base period in order to receive the greatest possible share of the \$950,000,000.00. Our share (percentage) will be determined by the amount collected for the tax year 2004 through December 31, 2005. We normally ask for reimbursement of the 70% from the State on a monthly basis. Mrs. Jones stated her office will be sending out collection letters, using DMV stops, etc., to urge the tax payers to get their payments in to get the percentage as high as possible. Whatever percentage is established during this base year will remain our portion of the \$950,000,000.00 until or unless the law is changed in the future.

Bedford County was reimbursed \$5,600,000.00 for taxes received from in years 1999 to 2004, thus we are under the \$20,000,000.00 category and will receive our payments on the following dates in the following proportions: August 15, 2006 – 5% of portion, November 15, 2006 – 75%, February 15, 2007 – 15%, and May 15, 2007 – 5% to make 100% of our portion of the \$950,000,000.00. This will give the County a greater share of the total payment at an earlier date than we receive under the existing program.

The car tax reimbursement system will end on September 1, 2006. (Taxpayers who remain delinquent after that date can be billed at the full 100% amount of the original levy without regard to our current State percentage reimbursement.) The Board of Supervisors will be called on to help offset this loss of revenue and the Treasurers office will have to request more money for software program changes, etc.

Mrs. Jones stated she would recommend that beginning next year meetings be held in various areas of the County to educate the taxpayers on the changes and how it will affect them.

Mrs. Guzi mentioned that, similar to the issue Mrs. Jones has raised, both candidates for Governor are working on proposals to cap the real estate assessment, which could end up mirroring the issues we are facing with the personal property tax. The State has, in essence, limited the Board's ability to control local taxes.

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

**(4b)** Glenn Ayers, Chairman of the 250<sup>th</sup> Anniversary Committee, appeared before the Board to present the Board with the repayment of monies for the welcome signs. Mr. Ayers touched on the

creation of the 250<sup>th</sup> Committee, accomplishments of the Committee and thanked its members for their hard work and dedication, many of whom were present for Mr. Ayers to introduce to the Board. Mr. Ayers then introduced Mrs. Oliver, the Committee's Treasurer, who presented the Board with a check in the amount of \$16,038.26.

Mr. Cheek thanked the Committee for their work over the past year and a half.

Mr. Ayers also presented Nanci Drake, Director of Tourism, with a plaque to hang in the Visitors Center commemorating Bedford's 250<sup>th</sup> year which was sponsored by local businesses.

Mr. Pollard then presented Mr. Ayers with a Resolution of Appreciation for the 250<sup>th</sup> Anniversary Committee, which will be displayed in the Visitors Center.

Mr. Ayers then presented the Board members, Mrs. Guzi and Attorney Boggess with a 250<sup>th</sup> Anniversary Lapel pin.

Each member of the 250<sup>th</sup> Anniversary Committee was then presented with a Certification of Appreciation from the Board of Supervisors.

Mr. Pollard then presented Mr. Ayers with a Resolution of Appreciation for his service on the Board of Supervisors in 2004.

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**(4c)** Kathleen D. Guzi, Interim County Administrator, appeared before the Board regarding a request to amend Section 4-27(a) of the Bedford County Code in order to add Turnpike Subdivision, presently trading as Hidden Valley Village and formerly known as Whispering Pines, an established mobile home park. Mrs. Guzi stated the request has been complied with by the requirements set forth by the Board. At the Board's February 28, 2005 meeting the Board authorized the advertisement of the above noted public hearing, a copy of which was included with the agenda packet.

Total number of lots	=	97
Number of lots with structures	=	32
70% of 32 (lots with structures)	=	23
Number of lots with signatures	=	23

In order to allow two weeks for notification to be sent to all residents in the area, it is suggested that the effective date of the ordinance be April 11, 2005.

The Public hearing was opened; there being no one desiring to speak, the Public Hearing was closed.

**Supervisor Lowry made a motion to approve the ordinance to amend Section 4-27(a) of the Bedford County Code in order to add Turnpike Subdivision, presently trading as Hidden Valley Village and formerly known as Whispering Pines, as established mobile home park, Tax Map No. 129 A 13, to the area within which dogs may not run at large, effective April 11, 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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**(4d)** Kim Dooley, Development Services Manager, appeared before the Board to request consideration of Rezoning Application #RZ050003. William L. and Joyce Milton are requesting to rezone a portion of property (identified as Tax Map Number 118-A-4B) from R-1, Low Density Residential District, to C-2, General Commercial District, on Forest Road (Route 221) in the Forest area. The property also falls within the Corridor Overlay District. The request proposes to change the existing zoning from R-1, Low Density Residential, to C-2, General Commercial, for a 0.92 acre portion of property that fronts on Forest Road (Route 221) and Graves Drive (Route 1423). The access to the commercial portion of the

property will be from Route 221. The remaining 1.032 acre will continue the existing residential land use and will have access from Graves Drive (Route 1423). The applicant proposes to construct 3,000 sq. ft. office building to be used as a realty office and possibly leasing a portion to one additional tenant. Land Uses for surrounding properties are residential to the east and north, while the area to the south has formerly been used for commercial purposes, but is now vacant (landscaping/garden center). The area on the west side of Route 221 is developed commercially. The current land use on the west side of Route 221 is automobile repair/service. This portion of Forest Road (Route 221) is designated as a commercial growth corridor within the county. In 2002, the county completed a transportation study for this portion of Route 221 which recognized the growth potential in this area and recommended that the county implement access management techniques when considering new developments along Route 221. The development would include one (1) new entrance onto Route 221; however, the developer plans to share this entrance with VDOT for access to their storm water structure. VDOT currently accesses this structure through a 20 foot wide private entrance located just west of Mr. Milton's property.

Mrs. Dooley reported that The Neighborhood Information Meeting was held on February 2, 2005, at the Forest Library on Route 221. Approximately 35 citizens from the area attended the meeting. Mr. Milton gave a brief overview of his proposed development and then answered questions from the group. The meeting lasted approximately one (1) hour. Major concerns revolved around the effect the development will have on the residential neighborhood immediately adjacent to this property (Forestdale Subdivision), potential uses other than the one proposed, and traffic. Additional concerns were the ingress/egress onto Route 221 and the potential to have ingress/egress from the subdivision street (Graves Drive). Mr. Milton stated that he had submitted a proffer statement (attached) to the county that limited the uses and prohibited access to the development from Graves Drive. Mr. Milton stated that he would amend the proffer statement to reflect the concerns of the neighbors by eliminating all potential uses except for general office.

Mrs. Dooley briefly discussed environmental conditions, transportation, utilities, public facilities and visual impacts.

Mrs. Dooley reported that The Planning Commission held a public hearing on this application on February 22, 2005. Two citizens spoke in opposition to the application. The Planning Commission voted to approve the rezoning application with the proffers as submitted by the developer as follows:

Proffers Submitted for RZ050003:

1. The developer proffers to use the property for the following use: Office Uses: General Office. All other uses shown in the "Permitted Use Table" of the Bedford County Zoning Ordinance shall not be allowed.
2. Access to the commercial portion of the property will be from Forest Road (Route 221). No additional access shall be granted from Graves Drive (Route 1423).
3. Developer/landowner proffers to assure free and adequate access to and from the storm water retention basin on the adjacent property to the south west. A joint-use entrance will be provided from Route 221.
4. All parking areas will be located on the western side of the new building (Route 221 side).
5. A 25' buffer area shall be maintained along the northern and eastern property boundaries. Within this buffered area shall be planted medium evergreen trees, 5' in height at the time of planting and spaced 20' on center.
6. Exterior lighting shall be limited to wall mounted units and shall be shielded so that glare will be directed away from the adjoining residential uses.
7. Development shall be in accordance with the concept plan received on January 7, 200, prepared by WW Associate, except as modified by the below proffers and as modified by final site development plan.

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

Mr. Milton, the applicant and property developer, then addressed the Board, stating he had acquired the property from a former employee, and the main purpose of this building was to provide him

with an office for a part-time real estate business once he has retired from his current business. He explained his reasoning for the building placement and asked if the Board had any questions.

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

The Public hearing was opened; there being no one desiring to speak, the Public Hearing was closed.

**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 Zoning Ordinance, Supervisor Arrington made a motion to amend and readopt the Bedford County Zoning Ordinance by changing the zoning district designation of a portion of property identified as TM# 118-A-4B from R-1, Low Density Residential, to C-2, General Commercial, with proffers, as indicated on the attached ordinance.**

**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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**(4e)** Kim Dooley, Development Services Manager, appeared before the Board to request consideration of Special Use Permit #050008 for Grace Memorial Baptist Church, which is requesting a Special Use Permit to allow for the expansion of an existing church (religious assembly) in an AP (Agricultural/Rural Preserve) zoning district. The property is located on the south east side of the intersection with Route 691 (Robertson Road) and Lake Cross Lane.

Mrs. Dooley noted 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 and classroom facility (2-story, 11,150 sq. ft.) and a small garage (576 sq. ft.) that is used for storage. The new sanctuary would be 15,635 square feet (Phase I would be 10,014 sq. ft.), a new gymnasium would be 12,500 square feet (Phase II) and a pavilion area would be 2,500 square feet (Phase II). Total square footage for all structures at completion would be 36,785 square feet. The new sanctuary would seat approximately 550 people (current sanctuary seats 180). A portion of the new sanctuary building will be sectioned off for classrooms (Phase I & II, 6,150 square feet). Once all buildings are complete the building coverage for this parcel will be 16.34 %, 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.

Mrs. Dooley reviewed the environmental, transportation, utilities, public facilities and visual impacts. She reported that the Planning held a public hearing on this application on February 22, 2005. No one spoke either for or against the proposal. The Planning Commission voted (5-0) to approve the special use permit application with the following conditions:

1. Sections 30-32 (AP, Agricultural/Rural Preserve), and 30-83-10 (Religious Assembly) of the Bedford County Zoning Ordinance shall apply to approval of the project.
2. A Type C buffer shall be required along the northern property line adjoining Route 691 (Robertson Road). The applicant may substitute large deciduous trees for the evergreen trees in the buffer along Route 691 (Robertson Road).
3. The development of this parcel shall be in substantial conformance with the concept plan submitted January 7, 2005 and prepared by Lee Nicholas Clark Patterson Architect.
4. The applicant shall comply with all local, state, and federal laws.

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

Greg Rogers, Pastor for Grace Memorial Baptist Church, then addressed the Board. He gave a brief history of Grace Memorial in Bedford, explained the need for a larger facility and expressed the hope the Board would approve this request.

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

The Public hearing was opened; Dana Young spoke briefly to the Board about her concerns regarding the expansion of the church; specifically, she wants assurances there will erosion control to protect her tree farm that borders the Church's property, and that the outdoor lighting will be designed to be as non-intrusive as possible in consideration of both her property and that of her uncle who also lives on an adjoining lot. Mrs. Young is not opposed to the church expansion – she is just making sure there will not be an impact on her or her uncle's property.

Mr. Rogers and Mrs. Dooley both assured Mrs. Young that every precaution would be taken to control the erosion and sediment concerns, as well as the lighting issues. Mrs. Dooley also stated the Board could instruct the developer with regard to what type of lighting would be acceptable, etc.

The Public Hearing was closed.

Mr. Pollard commented that the environmental standard in the County Ordinance stated that environmental impacts are to be expected, but soil and erosion regulations are in place to mitigate any potential impact. The visual impacts are also expected to be minimized by the developing standards, so there are already guidelines in place to cover concerns such as Mrs. Young's.

**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 SU050008, Grace Memorial Baptist Church, with the following conditions:**

- 1. Sections 30-32 (AP, Agricultural/Rural Preserve), and 30-83-10 (Religious Assembly) of the Bedford County Zoning Ordinance shall apply to approval of the project.**
- 2. A Type C buffer shall be required along the northern property line adjoining Route 691 (Robertson Road). The applicant may substitute large deciduous trees for the evergreen trees in the buffer along Route 691 (Robertson Road).**
- 3. The development of this parcel shall be in substantial conformance with the concept plan submitted January 7, 2005 and prepared by Lee Nicholas Clark Patterson Architect.**

**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**

**Adopted Unanimously.**

## **(5) ACTION ITEMS**

**(5a)** Kathleen D. Guzi, Interim County Administrator, appeared before the Board to request authorization to approve the contract to purchase new voting equipment. Mrs. Guzi stated she has already met with the Registrar to discuss the contract. As the Board is aware the Help America Vote Act of 2002 (HAVA) requires the County to purchase new voting equipment as set forth in the policies established by the State Board of Elections. The Board appointed a committee to work with the Electoral Board in selecting the type of voting equipment. The Committee and the Electoral Board determined that the direct recording electronic (DRE) equipment provided the highest level of security and ease of use and the lowest level of on-going maintenance.

Mrs. Guzi commented the full purchase amount will be reimbursed by the Federal Government, and said she has a letter from the State Board of Elections stating that Bedford County is eligible to receive \$464, 113.00. The difference between the purchase price of the voting machine and the eligibility amount can be used for training (\$51,703.00). Payment is not required until the delivery date of July 15, 2005. There are sufficient funds in the Adopted FY 2004-2005 and the Draft FY 2005-2006 budgets to complete this transaction.

Mr. Pollard commented that, as a member of the Election Committee, he has tried the equipment and is in favor of the purchase, as is the rest of the Committee.

**Supervisor Pollard made a motion authorizing the Interim County Administrator to execute the Voting Machine Sales Order with Atlantic Election Services, Inc. in the amount of \$412,410.00.**

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

**Voting no: Mr. Wheeler**

**Adopted.**

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**(5b)** Kathleen D. Guzi, Interim County Administrator, appeared before the Board with a request to place advertisements to hold public hearings to adopt a tax rate ordinance for tax year 2005, adopt the fiscal year 2005-2006 Operating Budget, adopt the fiscal year 2005-2006 to fiscal year 2009-2010 Capital Improvement Program and the Nursing Home Budget. Mrs. Guzi briefly reviewed this information with the Board, including a letter from Chairman David Black of the School Board that addressed the error in the School Board's recently submitted budget. Mrs. Guzi pointed out adjustments that had been made by staff to the draft budget since the last budget work session (as requested by the Board).

Dr. Bashore asked if the meeting schedule for the budget adoption could be adjusted to give the Board more time to review all the information prior to placing the advertisements and making a decision. Mrs. Guzi stated the last possible date we could use for setting the tax rate and adopting the budget would be April 25, 2005. She said the Board could reschedule the public hearing on the taxes, which was already scheduled for April 12, 2005, forward a week to Tuesday, April 19, 2005. This would mean that at the next meeting on April 4 would be the absolute date the advertisements would have to be authorized. While the Board would normally have a meeting the Thursday following the public hearing, they will not be able to do so if the public hearing is moved to April 19, as the following Thursday (April 21) is a Regional Commissioned Officers Dinner Meeting. All the Board's final decisions regarding the budget would have to be made at the next regular meeting on April 25.

Mr. Neudorfer asked if would be necessary on April 21 to have the meeting at night – perhaps it could be held during the day? Mrs. Guzi responded that would be an option for the Board to consider.

There followed a brief discussion between Mrs. Guzi and the Board regarding the best date for the public hearing and the budget adoption, as well as which rates would be advertised for the public hearing.

**Supervisor Bashore made a motion to move the date for the budget work session to April 4, 2005; the public hearing for the Tax Rate, Operational Budget, Nursing Home Daily Rate and the CIP Budget date to April 19, 2005; and the budget adoption to the regular meeting already scheduled for April 25, 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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The Board then continued reviewing the draft budget with Mrs. Guzi, Mr. Mason and Attorney Boggess, with most of the discussion revolving around the school budget.

Dr. Bashore then read the following from his prepared statement:

“Yogi Berra once said, “It is da ja vu all over again.” And that is what we have here. In 1972, Bedford officials made a decision to build Jefferson Forest High School. The problem was that they built the school the absolute cheapest way they could, and thanks to that decision, in 2005, we have to deal with the consequences of their poor judgment. The question is, will 2005's decision be a good decision that will serve the county well in years to come, or will it be a poor decision that will cause the county problems for years to come?

In 1972, a third high school should have been configured similar to Liberty High School & Staunton River High School. Instead, we got a combination high school and elementary building. In the 1972 configuration, there were 800 students in the high school and 300 students in the elementary school. Today, the elementary students are gone and 1297 high school students roam the halls where 25 percent of the facilities were designed for elementary children. Going to the bathroom can be like visiting the land of Lilliput.

Probably in 1972, there was the opportunity to save on taxes and build on the cheap. Not surprisingly, that turned out to be false economy. The county got what they paid for: a cheap building that was and continues to be a problem. The records will show that Jefferson Forest was one of the least costly buildings built in the state during that era.

The design and site are two of the problems, not the builder. Consider for a minute that you are buying a new home. On the outside, the house looks pretty good. But then you learn that two-thirds of the house is underground, and the house was built on fill dirt. How fast can you run? The Jefferson Forest design called for two stories of the building to be underground where it appears there was inadequate concrete support and insulation. We all know that the mold problem so far has cost us \$1.7 million. The design in the roof, which has been replaced, still does not extend out over the bricks and exposes them to the weather, allowing water to seep inside the bricks. This is and will continue to cause deterioration of the bricks. Another design problem caused the separation of the walls in the corner of the gymnasium. The separated wall appears bent, buckled and slightly inclined and indicates structural problems. The underlying cause of this separation appears to have been caused by a design in the rear wall of the building where a 220 foot I beam is in place across the rear wall without any expansion spacers. Consulting engineers have said there should be spacers in such places since steel and brick expand at different rates when exposed to heat and cold. The problem still exists and further wall break outs are possible.

An additional serious problem is that the building was built in a ravine on fill dirt. At several places in the building there are breaks in the mortar where as much as three to four feet of bricks have shifted. Under one window, the brick wall has a six foot vertical crack. It isn't just a jagged crack where the mortar has split either. The crack actually has bricks split in two. To solve the problem, the crack has been closed with caulking. I have to believe that when six foot cracks involve bricks breaking in two that stuffing caulking is a band aide fix for a very serious problem. It appears there are basic questions concerning what will be found during any attempted renovation. For example, ten to twelve upright steel beams form the skeleton for the school. Because the building is on fill dirt, what are the chances that the upright steel structure will need new foundations? What is the cost of such replacements? An estimated dollar figure for renovation is the beginning of the expenditure process not the end.

Another issue is that the site is too small. The school was built on 22 useable acres. State standards call for at least 40 acres to be available. A school could not be built on that site today.

While the issues just mentioned are important, the most critical issue is the bottom line. In a rough draft done in 2002, Hayes, Seay, Mattern & Mattern provided probable cost figures for renovation/expansion versus building a new facility for 1,400 students. A comparison of the two figures shows \$33.3 for the renovation/expansion compared to \$39.3 for a new facility, the renovation estimate being 84 percent of building new, which far exceeds the 60 percent recommendation of the Virginia State Department of Education. Granted, the renovation figure also includes expansion, but even with expansion factored in, the renovation figure exceeds the recommended 60 percent limit. These probable cost estimates were in 2002 dollars. The costs continue to rise with the most recent estimate being \$38 million for renovation.

Is the current \$38 million estimate for renovation is realistic? Yes, because the estimate is a result of a board authorized \$230,000 expenditure for schematic drawings, a reliable indicator of a project scope and cost. The old estimates are not only three years old but are also based on imprecise square footage estimates. If the work were done for a lesser amount what would be the final result and would I want to live with that result? It is not likely the results would provide a facility equal to what is available in other schools, long a goal of the Board.

Has anyone here ever heard a judge say, "Ignore the evidence, but be sure you feel good about your decision?" Voters elected us to use our heads. We must base our decisions on sound evidence. If the majority of school board members had used their heads six years ago, we would not be discussing this tonight. The advice of three different consulting companies was totally ignored because the majority at that time apparently did not like the evidence the engineers/architects presented.

With a soundly structured, basic, new building, we will have a school that will be good for 50 years. We will not be committing ourselves to a troublesome building that is in constant need of major repairs and attention. Furthermore, and very importantly, the cost for new school and renovation/expansion are basically the same.

Certainly, we need to closely review the cost and the impact upon taxes. But I think we will be penny wise and pound foolish to continue pouring good money after bad into renovation. This project has already cost for new roofs, new chillers, mold remediation, etc. and more of the same and new surprises await us in the future.

In case you might tend to think all of the county debt is education related, I would like to remind you that in the recent past over \$30 million has been approved for water and economic development alone. We voted unanimously for an expenditure in the amount of \$16 million to the Public Service Authority (PSA) for water and sewer lines. We had to do this because citizens were lined up in their developments to get water that was brought in during the recent drought. The board also approved an additional \$13 million for the PSA to use in the Moneta area. In addition, \$1.5 million was approved for the purchase of 400 acres in the 460 Business and Industrial center. And \$680,000 was approved for the Visitors' Center. All of the above were deemed essential and viable for the citizens of the county. I think the education of our children rises to a higher level than any of the above. Let us use our heads and make the rational decision. We don't need da ja vu all over again."

Mr. Neudorfer commented that his main concern was balancing the budget and making a decision regarding the new school. He wants to deal with the school issue now instead of wrestling with it issue year after year.

Mr. Arrington pointed that he was not anti-education, anti-students, or anti-anything – he just wants to be sure building a new school is the best solution for education, student, teachers and tax-payers.

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

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**Supervisor Neudorfer made a motion to continue the meeting fifteen minutes past 10:30 p.m.**

**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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**(6) BOARD COMMENTS, COMMITTEE REPORTS, REQUESTS AND**

**RECOMMENDATIONS** - *the Board skipped past these items to convene into closed session.*

- a. Kathleen D. Guzi, Interim County Administrator, appeared before the Board to present the Personnel Committee Report.
- b. The Board was given a copy of the Bedford County Fire Commission Meeting minutes for January 18, 2005.
- c. The Board was given a copy of the meeting minutes from the Tri-County Lake Administrative Commission's monthly meeting on February 1, 2005.
- d. The Board was given a copy of the minutes from the Bedford Public Library System Board of Directors meetings on February 8 and March 8, 2005.
- e. The Board was given a copy of the Bedford Public Library System Personnel Policy.

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**(7) APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES** - *the Board skipped past these items to convene into closed session.*

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

Closed Session Pursuant To Virginia Code Section 2.2-3711 (A)(7) and 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; And Personnel, Specifically Hiring A County Administrator.

*Attorney Boggess suggest the Board defer the litigation portion of the closed session to the next meeting.*

**Supervisor Neudorfer made a motion extend the meeting another fifteen minutes.**

**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 that the Board of Supervisors convene into Closed Session Pursuant To Virginia Code Section 2.2-3711(A)(1) to discuss personnel matters; specifically, hiring a County Administrator.**

**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 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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Mr. Cheek stated the Board has been working on hiring a new County Administrator, and have agreed upon Mrs. Kathleen Guzi for this position. Mrs. Guzi thanked the Board for the confidence they have placed in her and for the opportunity to serve the citizens of Bedford County.

**Chairman Cheek made a motion to appoint Kathleen D. Guzi as the new County Administrator, effective March 29, 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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**(9) COUNTY ADMINISTRATOR'S REPORTS, REQUESTS AND RECOMMENDATIONS**

- a. The Board was given a copy of the Monthly Revenue and Expenditure Report.
- b. The Board was given a Report of Changes to the Secondary System of State Highways.
- c. The Board was given a copy of the Request for Proposal advertisement for the County's banking services.
- d. The Board was given information on the ground braking ceremony for the new nursing home.
- e. The Board was given information regarding the Permits that were issued in February 2005.

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Mr. Neudorfer stated that he would prefer the budget information be handed out on different color paper every time there is a change to help differentiate between budget versions. He also pointed out several errors that he would like to see corrected before the budget work session.

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**(10) PENDING MATTERS**

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**(11) UPCOMING MEETINGS**

- April 4, 2005 – Budget Work Session
- April 11, 2005 – Regular Meeting with a Budget Work Session from 5:00-7:00
- April 19, 2005 – Public Hearing on Budget, Tax Rates and Nursing Home Daily Rate at BSTC at 7:30 (*Tuesday*)
- April 21, 2005 – Regional Commission Elected Officials Dinner Meeting (*Location to be determined*) (*Thursday*)

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**Supervisor Wheeler 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**

**Adopted Unanimously.**

**Chairman Cheek adjourned the meeting at 11:00 p.m.**

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**Chairman**

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