



MINUTES
BEDFORD COUNTY BOARD OF SUPERVISORS
BEDFORD COUNTY ADMINISTRATION BUILDING
MAY 22, 2017

7:00 P.M. REGULAR MEETING

- (1) Call to Order & Welcome**
- (2) Moment of Silence**
- (3) Pledge of Allegiance**
- (4) Approval of Agenda**
- (5) Citizen Comments (15 Minutes)**
- (6) Consent Agenda**
 - a.** Consideration of a request from the Department of Public Works to award the contract for Housekeeping Services. *(Resolution #R052217-01)*
- (7) Approval of Minutes – April 10, 2017**
- (8) Public Hearings & Presentations**
 - a. Public Hearing –** Consideration of a request from the Department of Community Development, made on behalf of Thomas Builders of Virginia, to amend and readopt the Bedford County Zoning Ordinance by changing the Zoning District Designation of parcels identified as Tax Map #98-A-21 and #115-A-3 *(Ordinance #O 052217-02)*
 - *Staff Presentation by Planner Jordan Mitchell*
- (9) Action & Discussion Items**
 - a.** Consideration of a request for authorization to award a contract for renovations to the Former Nursing Home *(Resolution #R052217-05)*
 - *Staff Presentation by Public Works Director Sheldon Cash*

- b. Consideration of a request from the Department of Social Services for a Supplemental Appropriation in the amount of \$331,000, and a Transfer in the amount of \$105,920 from the Contingency Fund. (*Resolution #R052217-03*)
 - *Staff Presentation by Director of Social Services Andy Crawford and CSA Coordinator Paul Baldwin*
- c. Consideration of a request to authorizing acceptance of real property from the Forest Volunteer Fire Co., Inc. and the Goode Volunteer Rescue Squad. (*Resolution #R052217-04*)
 - *Staff Presentation by County Administrator Carl Boggess*

(10) Board Committee Reports - none

(11) Board Member Comments

(12) Board Appointments

- a. Consideration of a request to appoint Kevin Mele to the Broadband Technical Advisory Group.

(13) County Attorney Report

(14) County Administrator Report

(15) Board Information

- a. Bedford County Transportation Safety Commission meeting minutes from March 16, 2017
- b. Agricultural Economic Development Advisory Board meeting minutes from April 5, 2017
- c. Economic Development Authority meeting minutes from April 6, 2017
- d. Community Development's Monthly Building Report for April 2017

(16) Board Calendar and Reminders

- June 12 – Regular Meeting at 7:00 pm (Work Session from 5:00 to 6:30 pm)
- June 26 – Regular Meeting at 7:00 pm

Adjourn

7:00 P.M.

Board of Supervisors: Curry Martin, Chairman, District 2; Bill Thomasson, Vice-Chairman, District 1; Steve Wilkerson, District 3; John Sharp, District 4; Tommy Scott, District 5; Andy Dooley, District 6; and Kevin Willis, District 7

Staff: County Administrator Carl Boggess, County Attorney Patrick Skelley, Community Development Director Gregg Zody, Planner Jordan Mitchell, Public Works Director Sheldon Cash, Parks and Recreation Director Wyatt Woody, Social Services Director Andy Crawford, CSA Coordinator Paul Baldwin, and Executive Assistant Brigitte Lockett

REGULAR MEETING

- (1) Chairman Martin called the meeting to order and welcomed those in attendance.
 - (2) Chairman Martin asked the room to observe a moment of silence.
 - (3) Chairman Martin led the room in the pledge of allegiance.
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(4) Approval of Agenda

County Administrator Carl Boggess noted that an appointment to the Broadband Technical Advisory Group had been added to the agenda as item #12a.

Supervisor Dooley made a motion to approve the agenda.

**Voting yes: Mr. Thomasson, Mr. Martin, Mr. Wilkerson, Mr. Sharp, Mr. Scott,
Mr. Dooley and Mr. Willis**

Voting no: None

Motion passed.

(5) Citizen Comments

- Ramona Myers, 207 Lake Ridge Drive, Forest, addressed the Board regarding Rezoning Application #170005. Supervisor Sharp stated that this application would be heard at a future public hearing, but Ms. Myers could speak on it this evening if she chooses to do so. Ms. Myers said she would wait until the public hearing.
 - Mike Massey, 2678 Byway Drive, Moneta, addressed the Board to inquire where they stood on the AEP requirement for dock permits. Mr. Boggess replied that the Board passed enabling resolution in March to amend the County's ordinance to match Franklin County's ordinance regarding these permits; staff is currently working on the revised ordinance for the Board's approval.
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(6) Consent Agenda

Mr. Boggess read aloud the following items on the consent agenda for the benefit of those in attendance:

- a. Consideration of a request from the Department of Public Works to award the contract for Housekeeping Services. (*Resolution #R052217-01*)

Supervisor Willis made a motion to approve the consent agenda.

**Voting yes: Mr. Thomasson, Mr. Martin, Mr. Wilkerson, Mr. Sharp, Mr. Scott,
Mr. Dooley and Mr. Willis**

Voting no: None

Motion passed.

(7) Approval of Minutes

Supervisor Thomasson made a motion to approve the minutes of April 10, 2017 as presented.

**Voting yes: Mr. Thomasson, Mr. Martin, Mr. Wilkerson, Mr. Sharp, Mr. Scott,
Mr. Dooley and Mr. Willis**

Voting no: None

Motion passed.

(8) Public Hearings & Presentations

(8a) Planner Jordan Mitchell addressed the Board with a request from the Department of Community Development, made on behalf of Thomas Builders of Virginia, to amend and readopt the Bedford County Zoning Ordinance by changing the Zoning District Designation of two parcels to allow the development of 200 single family dwellings. Mr. Mitchell said the application is RZ#170004, and stated that the property identified as Tax Map #98-A-21 (116.56 acres) is located at the intersection of Forest Road and Gladden Circle; the property identified as Tax Map #115-A-3 (71.98 acres) is located along the western side of Everett Road, just north of the railroad track. Both properties are currently owned by LTL Farms.

Mr. Mitchell displayed a variety of photographs and maps illustrating the current and proposed use of the properties, and briefly addressed those portions of the Comprehensive Plan and the Zoning Ordinance that applied to this request. He also noted the potential impacts to the area from the proposed development.

Mr. Mitchell stated that the Planning Commission held a public hearing on this application on April 18, 2017, and voted 5-2 to recommend approval to the Board of Supervisors. He stated there were nine citizens at that meeting who spoke against the project.

Mr. Mitchell then answered clarifying questions from the Board.

Norm Walton, engineer with Perkins & Orrison, addressed the Board on the applicant's behalf. Mr. Walton stated that the density has been reduced and amenities have been added to the design, which he feels will be beneficial to these neighborhoods. He displayed a variety of maps illustrating the proposed traffic flow, per the traffic study, that will help lessen impacts to traffic in the area. He said the properties will be served with drain fields since there is no public sewer in the area. Mr. Walton also

briefly touched on the water lines that would serve the development and the anticipated impact to the local schools. He said they anticipate this development to have homes in the \$300,000 range, and that the site and roads have adequate infrastructure to support the plan. He stated that the plan is in compliance with the Comprehensive Plan, and planning for this project has been in the works for about a year. They will likely have completed planning and begin construction in the spring of 2019, with an anticipated build-out of at least six to ten years.

Mr. Walton then answered clarifying questions from the Board regarding this application.

The citizen comment portion of the public hearing was opened; the following citizens spoke against the project: Patti Kese, 136 Foxwood Dr., Goode; Darryl Gordon, 440 Casaloma Drive, Forest; and Gary Hostutler, 1155 Mont View Lane, Forest.

Reasons for opposition to this project included the negative impact to school capacity; that it is a poor fit for the AR District zoning already in place in the area; and the negative impact to the traffic flow in an area that is already congested. Ms. Kese also asked if the developer would be willing to take the land for the other development he has said he was not going forward with and instead build athletic fields for the schools.

The following citizens spoke in favor of this project: Rex Geveden, 1814 Lake Manor Drive, Forest; Rese Jennings (no address given); Larry Presley, Lake Manor Drive, Forest; and Greg Lynch, 1168 Lake Manor Drive, Forest.

Reasons for supporting this project included the quality of the homes proposed to be built; the good reputation of the builder; that it will attract people to the area; that the reasons given in opposition to the project are actually issues the area already had and were not created by this development; and that the community is growing and quality housing is needed.

There being no one else desiring to speak, this portion of the public hearing was closed.

Mr. Josh Marsh addressed the Board on behalf of the developer, noting the amenities planned for this development.

Mr. Norm Walton addressed the Board again, noting that numerous studies on traffic flow, soil, etc., have already been undertaken by the developer. Mr. Walton addressed some of the issues raised by citizens opposed to this project, noting that this area of the County is experiencing a lot of growth.

There followed a discussion between members of the Board regarding the merits (housing, construction jobs, increase to the tax base) and issues (drainage easements, additional traffic, school overcrowding) of this request.

Supervisor Sharp made a motion to approve Ordinance #O 052217-02.

WHEREAS, Thomas Builders of Virginia have submitted application #RZ170004 to rezone Tax Map Number 98-A-21 (116.56 acres) and Tax Map Number 115-A-3 (71.98 acre) from AR, Agricultural

Residential, to R-1, Low Density Residential, for the purpose of developing the properties with 200 detached single family dwelling units; and

WHEREAS, the application has been submitted pursuant to Section 30-14 of the Zoning Ordinance; and

WHEREAS, the Board of Supervisors has carefully considered the public record, the public testimony, and the recommendation of the Planning Commission; and

WHEREAS, the Board of Supervisors finds that the public necessity, general welfare, and good zoning practice requires adoption of an ordinance to amend the zoning district designation of the subject property; and

WHEREAS, the Board of Supervisors finds that the requested rezoning meets the goals and objectives of the Comprehensive Plan and the purposes of the Zoning Ordinance; and

WHEREAS, no proffers have been voluntarily offered by the applicant for acceptance by the Board of Supervisors; and now.

THEREFORE, BE IT ORDAINED, by the Bedford County Board of Supervisors on this the 22nd day of May, 2017, that the Bedford County Zoning Ordinance be and it hereby is amended and readopted by changing the zoning district designation for parcels identified as 98-A-21 (116.56 acres) and Tax Map Number 115-A-3 (71.98 acre) to R-1, Low Density Residential; and

NOW, THEREFORE, BE IT FURTHER ORDAINED, that should any portion or provision of this ordinance be held by any court to be unconstitutional or invalid, that decision shall not affect the validity of the ordinance as a whole, or any part of the ordinance other than the part held to be unconstitutional or invalid.

Voting yes: Mr. Martin, Mr. Wilkerson, Mr. Sharp, Mr. Scott, and Mr. Willis

Voting no: Mr. Dooley and Mr. Thomasson

Motion passed.

(9) Action & Discussion Items

(9a) Public Works Director Sheldon Cash addressed the Board to request authorization to award a contract for renovations to the former Nursing Home facility. Mr. Cash briefly reviewed the process that led to this request coming before the Board this evening, noting that the Public Works Committee has already reviewed this request and recommended it to the Board of Supervisors for approval at their May 10th meeting. He noted that the bids came in lower than expected and were well within budget, with only a 3% difference between the lowest and the highest bids. Once completed, the building will house both the Department of Parks and Recreation and the Cooperative Extension Office, which will make more room in the Administration Building.

Mr. Cash stated that staff is also recommending setting aside some funds for contingency issues, which are noted in the resolution below.

There followed a brief question and answer session between Mr. Cash and members of the Board.

Supervisor Dooley made a motion to approve Resolution #R052217-05.

WHEREAS, the former Nursing Home is in need of significant repairs to repurpose the facility for new uses;

WHEREAS, the Board of Supervisors has previously authorized Architectural & Engineering Services for design work to facilitate the renovations of the building; and

WHEREAS, the renovated building would house both the Department of Parks & Recreation and our local Cooperative Extension program; and

WHEREAS, Price Buildings Inc. submitted a low bid of \$2,986,000; and

WHEREAS, project contingency, IT improvements, access controls, tank remediation, and construction administration will be an additional expense, bringing the total estimated project cost to \$3,500,000; and

NOW, THEREFORE, BE IT RESOLVED, by the Bedford County Board of Supervisors that the Board authorizes the execution of a contract with Price Buildings, Inc. to facilitate the renovations of the former Nursing Home.

**Voting yes: Mr. Thomasson, Mr. Martin, Mr. Wilkerson, Mr. Sharp, Mr. Scott,
Mr. Dooley and Mr. Willis**

Voting no: None

Motion passed.

(9b) Social Services Director Andy Crawford and CSA Coordinator Paul Baldwin addressed the Board with a request from the Department of Social Services for a Supplemental Appropriation in the amount of \$331,000, and a Transfer in the amount of \$105,920 from the Contingency Fund.

Mr. Baldwin briefly explained the Children's Services Act (CSA) and how its budget is utilized, noting costs are unpredictable and difficult to plan for from year to year. He stated that Bedford County's cost per child under the age of 18 is currently \$164.94 (which is below the state average). He then answered clarifying questions from the Board.

Supervisor Sharp made a motion to approve Resolution #R052217-03.

WHEREAS, CSA anticipates expending \$3,120,000.00 during FY 2016-2017; and

WHEREAS, the current appropriation is \$2,789,000 and \$2,496,006.18 has been expended to date; and

WHEREAS, staff is requesting a supplemental appropriation of \$331,000.00 to cover anticipated expenditures for the year; and

WHEREAS, the state is expected to reimburse approximately 68% or \$225,080.00 of the supplemental and the County is responsible for the balance:

NOW, THEREFORE, BE IT RESOLVED, by the Bedford County Board of Supervisors that the Board does hereby authorize a supplemental appropriation in the amount of \$331,000 to the FY 2016-2017 CSA budget, Department 5331.

BE IT FURTHER RESOLVED, that the Bedford County Board of Supervisors does hereby authorize a Transfer from the Contingency Fund in the amount of \$105,920.00 to fund the local portion of the supplemental.

**Voting yes: Mr. Thomasson, Mr. Martin, Mr. Wilkerson, Mr. Sharp, Mr. Scott,
Mr. Dooley and Mr. Willis**

Voting no: None

Motion passed.

(9c) County Administrator Carl Boggess addressed the Board for authorization to accept real property from the Forest Volunteer Fire Co., Inc. and the Goode Volunteer Rescue Squad. Mr. Boggess stated that Supervisors Sharp and Wilkerson, as well as County staff, have met with both of these volunteer agencies; both organizations have concluded they do not need this facility. All that remains now is for the Board to accept the property transfer and allow the County Administrator to sign the deed. There followed a brief question and answer session between Mr. Boggess and the Board.

Supervisor Wilkerson made a motion to approve Resolution #R052217-04.

WHEREAS, the Forest Volunteer Fire Co., Inc. and the Goode Volunteer Rescue Squad, Inc. currently own 21.124 acres located at the New London Business and Technology Center in Bedford County; and,

WHEREAS, the Forest Volunteer Fire Co., Inc. and the Goode Volunteer Rescue Squad, Inc. state that they no longer want to bear the cost to maintain the facility located on the aforesaid property; and,

WHEREAS, the Forest Volunteer Fire Co., Inc. and the Goode Volunteer Rescue Squad, Inc. desire to donate the Property to the County of Bedford; and,

WHEREAS, the County of Bedford desires to obtain the Property.

NOW, THEREFORE BE IT RESOLVED, that the County of Bedford does accept a Deed of Gift from the Forest Volunteer Fire Co., Inc. and the Goode Volunteer Rescue Squad, Inc. for the property containing 21.124 acres located at the New London Business and Technology Center; and that the County Administrator is authorized to execute said deed facilitating the conveyance of the aforesaid property to the County of Bedford.

**Voting yes: Mr. Thomasson, Mr. Martin, Mr. Wilkerson, Mr. Sharp, Mr. Scott,
Mr. Dooley and Mr. Willis**

Voting no: None

Motion passed.

(10) Board Committee Reports - none

(11) Board Member Comments

Chairman Martin asked when the dock ordinance would be coming to the Board for a vote, as he thought it would be done months ago. Vice-Chairman Thomasson said he is concerned with the language in the draft resolution for the dock ordinance; he does not understand why “regional cooperation” is referenced in the draft, as it is not needed in this case.

Mr. Boggess responded that the County’s dock ordinance used to be similar to Franklin County’s, but several years ago the Board took that ordinance out and instead had our permitting process follow that of AEPs. In order to remove AEP, certain language must be put back in the ordinance. He said staff is meeting with other surrounding localities to discuss this issue, and will then bring the ordinance to the Board for a public hearing and approval.

Chairman Martin said he does not understand why we are conferring with other localities; since we have no control over any aspects of AEP’s permit requirements, we only need to clarify in our ordinance that while you can get a building permit from the County, you will still need to work out your permit with AEP separately.

Supervisor Sharp asked why staff can’t pull up the old ordinance, remove any reference to AEP, and just use that as the new ordinance. Mr. Boggess replied that he is following what was in the Board’s authorizing resolution from earlier this year which asked staff to move forward with drafting a new dock ordinance.

Supervisor Sharp said he does not recall requesting that staff confer with Franklin County before drafting the new ordinance. He said the intent was to remove the AEP requirement from the ordinance. He said we need to be clear that residents are free to do what they wish to do with their property. They will need to deal with AEP independently, instead of the County requiring the AEP permit prior to acquiring the County’s building permit; Chairman Martin concurred.

Mr. Boggess said staff will bring a draft ordinance to the Board at their next meeting. He also recommended having a joint work session with the Planning Commission at the same meeting that the public hearing for the dock ordinance will be held, which will be on July 10, 2017.

(12) Board Appointments

(12a) Supervisor Dooley made a motion to appoint Kevin Mele to the Broadband Technical Advisory Group.

Voting yes: Mr. Thomasson, Mr. Martin, Mr. Wilkerson, Mr. Sharp, Mr. Scott, Mr. Dooley, and Mr. Willis

Voting no: None

Motion passed.

(13) County Attorney Report – no report

(14) County Administrator Report

County Administrator Carl Boggess briefed the Board on the lightening strike that occurred this past weekend at the E-911 Communications Center. He said that staff has been working on the repairs (citizen service was not disrupted), and the repairs are almost complete.

(15) Board Information

(15a) The Board was given a copy of the Bedford County Transportation Safety Commission meeting minutes from March 16, 2017 for review.

(15b) The Board was given a copy of the Agricultural Economic Development Advisory Board meeting minutes from April 5, 2017 for review.

(15c) The Board was given a copy of the Economic Development Authority meeting minutes from April 6, 2017 for review.

(15d) The Board was given a copy of the Community Development's Monthly Building Report for April 2017 for review.

(16) Board Calendar & Reminders

Mr. Boggess noted the following upcoming meetings on the Board's calendar: June 12 – Regular Meeting at 7:00 pm (Work Session from 5:00 to 6:30 pm); June 26 – Regular Meeting at 7:00 pm

(17) Adjourn

Supervisor Scott made a motion to adjourn the meeting at 9:19 pm.

Voting yes: Mr. Thomasson, Mr. Martin, Mr. Wilkerson, Mr. Sharp, Mr. Scott, Mr. Dooley and Mr. Willis

Voting no: None

Motion passed.