



MINUTES
BEDFORD COUNTY BOARD OF SUPERVISORS
BEDFORD COUNTY ADMINISTRATION BUILDING
JULY 10, 2017

5:00 P.M. WORK SESSION – GROUND FLOOR MEETING ROOM

- (1) Joint Meeting with the Bedford County Planning Commission
 - a. Short Term Rentals/Transient Occupancy Tax
 - *Staff Presentation by Community Development Director Gregg Zody*
 - b. Up-zoning from C1 to C2 – in the Forest area
 - *Staff Presentation by County Administrator Carl Boggess, Community Development Director Gregg Zody, and Planner Jordan Mitchell*
 - c. Drainage Easements and Reserve Areas
 - *Staff Presentation by Planner Jordan Mitchell*
 - d. Discussion Regarding Offsetting Costs of Residential Development

6:30 P.M. Break for Dinner

7:00 P.M. REGULAR MEETING - BOARDROOM

- (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 Bedford County Communications Center for authorization to accept the FY18 Wireless Education Grant from Virginia E-911 Services Board in the amount of \$2,000; and for a Supplemental Appropriation in the amount of \$2,000 (no local match is required).
(Resolution #R071017-01)

- b. Consideration of a request from the Bedford Domestic Violence Program for authorization to accept the Two-Cents-A-Meant Grant from the Presbytery of the Peaks in the amount of \$1,000; and for a Supplemental Appropriation in the amount of \$1,000. (*Resolution #R071017-02*)
- c. Consideration of a request from the Clerk of the Circuit Court for approval to submit an application to the Library of Virginia for grant funding in the amount of \$15,582 for the conservation of four record books. (*Resolution #R071017-03*)

(7) Approval of Minutes – May 22, 2017

(8) Public Hearings & Presentations

- a. **Joint Public Hearing** – Dock Ordinance Amendment (*Ordinance #O 071017-04*)
 - *Staff Presentation by Community Development Director Gregg Zody*
- b. **Public Hearing** – Text Amendments re: Commercial Indoor Sports and Recreation, and Commercial Outdoor Sports and Recreation (as SUPs in AP & AR) (*Ordinance #O 071017-05*)
 - *Staff Presentation by Community Development Director Gregg Zody*
- c. **Public Hearing** – Consideration of a request to increase the Nursing Home Daily rates. (*Ordinance #O 071017-06*)
 - *Staff Presentation by County Administrator Carl Boggess*

(9) Action & Discussion Items

- a. Consideration of a request from the Department of Public Works to award a contract for HVAC upgrades. (*Resolution #R071017-07*)
 - *Staff Presentation by Public Works Director Sheldon Cash*

(10) Board Committee Reports

(11) Board Member Comments

(12) Board Appointments

(13) County Attorney Report

(14) County Administrator Report

(15) Board Information

- a. Tri-County Lake Administrative Commission Navigation Committee meeting minutes from September 21, 2016
- b. Bedford County E-911 Communications reports from April and May 2017

- c. Bedford Regional Water Authority Board of Directors meeting minutes from May 16, 2017

(16) Board Calendar and Reminders

- July 24 – Regular Meeting at 7:00 pm
- August 14 – Regular Meeting at 7:00 pm (Work Session from 5:00 to 6:30 pm)
- September 11 – Regular Meeting at 7:00 pm (Work Session from 5:00 to 6:30 pm)

Adjournment of Board of Supervisors Meeting

BROADBAND AUTHORITY MEETING

- a. Consideration of a request to award the contract for the County-Wide Broadband Infrastructure Assessment project. (*Resolution #R062617-06*)
- *Staff Presentation by Deputy County Administrator Reid Wodicka*

Adjournment of Broadband Authority Meeting

5:00 P.M. WORK SESSION

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

Planning Commission: Josiah Tillett, Chairman, District 4; Lewis Huff, District 1; Harold Brown, District 3; and David Mays, District 6

Absent: Tom Woodford, Vice-Chairman, District 7; Jeff Burdett, District 2; and John Dawson, District 5

Staff: County Administrator Carl Boggess, Deputy County Administrator Reid Wodicka, Community Development Director Gregg Zody, Planner Jordan Mitchell, Planner Mariel Fowler, Planner Mark Jordan and Executive Assistant Brigitte Lockett

Chairman Martin called the work session to order, and then turned the meeting over to Community Development Director Gregg Zody for a discussion regarding the short term rentals/transient occupancy tax. Mr. Zody stated that staff is proposing amending the application of this tax, which currently only applies to the Smith Mountain Lake area, so that it is evenly applied to short-term rentals throughout the entire County. County Administrator Carl Boggess noted that the State has given localities authority to regulate Airbnb.

Mr. Boggess noted that the County is not required to regulate these rentals, but this does give localities the ability to bring in additional revenue. There followed a discussion between the Supervisors, the Commissioners, and staff.

Opposition to this proposal included a concern that the County would be treating individuals renting out space in their home the same as a hotel; when people can find rooms to rent through services like Airbnb, it brings tourism and business dollars into the County – this measure will discourage economic activity.

Supporting statements included the comment that Airbnb rentals have filled in a gap that Bedford has with regard to hotels and is receiving a very large portion of rental dollars; if hotels and other types of rentals have to pay taxes, the rentals such as Airbnb should as well; if Airbnb rentals are not taxed equally then some businesses are receiving preferential treatment; it makes it difficult for businesses being taxed to stay competitive with businesses offering similar services that are not taxed.

Mr. Boggess stated we are one of the only localities that has any sort of short-term rental ordinance in place, but other localities are now considering this option.

In response to a question from Mr. Scott, Chairman Martin said he gets lots of complaints from businesses at the lake which have to pay this tax, while Airbnb rentals do not.

Consensus was given by both the Board of Supervisors and the Planning Commission to bring this proposal to a public hearing.

County Administrator Carl Boggess addressed the Board and the Planning Commission with a discussion of up-zoning from C1 to C2 in the Forest area. Mr. Boggess said it concerns the area from Thomas Jefferson to Bateman Bridge Road (mostly on the south side) which is currently zoned is C-1, but the area has changed considerably. He said anything that is residential will have the option to stay that way, with the remaining areas being changed to C-2. A brief discussion then ensued between the Supervisors, the Commissioners, and staff regarding this proposal, followed by both the Board and the Commission giving their consensus to staff to proceed.

Planner Jordan Mitchell addressed the Board with regard to specific properties affected by this proposal. Mr. Mitchell stated that one of the property owners had approached staff about rezoning their properties to C-2, which are currently zoned R-3 and are located between C-2 areas. He said it would bring some development to the area and assist with the cost of rezoning. It was decided that staff would work to gather more information on this request before moving ahead.

Planner Jordan Mitchell then addressed the Board regarding proposed amendments to the drainage easements and reserve areas ordinance. Mr. Jordan stated that the amendments included no longer allowing any new construction to utilize a drain field easement; plans would need to show a drain field on

the property that the home would be situated on. He clarified that it wouldn't affect those with an existing home if the septic system fails and the owners need an easement to access the drain field on a neighbor's property. Additionally, the required reserve area would be increased from 50' to 100' (the Health Department currently requires 50'). He said that grandfathering would be offered for existing systems as well as for planned sites that have already been submitted for approval, and that after these amendments have been approved no waivers would be accepted.

Mr. Jordan, Mr. Zody, Mr. Boggess, and Mr. Todd Fowler (representative from the Health Department) answered minor clarifying questions from the Board and the Commission. Mr. Boggess noted that this change would apply to situations where a person may buy a lot and not even be aware that there is a drain field located on in that may be used in a future easement by a neighboring property. It doesn't apply to developments which have an area specifically designated for a drain field. Chairman Martin and Chairman Tillet asked that this be clearly defined the ordinance.

More discussion followed on various aspects of this proposal. The Planning Commission and the Board reaching a consensus to proceed with a public hearing at a future meeting, but leaving out the modifications to the reserve area (as this is already under the purview of the Health Department).

Mr. Zody stated he has noticed during some of the public hearings there is concern about how to mitigate the impacts to public facilities, schools, et cetera, from new and expanding development. He asked if staff should be considering the fiscal impact to existing services in a given area (schools, roads, water and sewer, etc.) when building and expansion plans are brought in for approval, and whether proffers should be required in certain situations. He asked the Board and the Commission for guidance and discussion on this topic.

The Supervisors and Commissioners discussed the advantages and disadvantages of off-site proffers to assist with the financial impacts to infrastructure. Some commented that that just including the increased revenue from more home sales would not cover the impact, while others stated that no localities west of Richmond have off-site proffers; until we are facing a 7-8% boom in growth, it may not make sense to have off-site proffers. It was also suggested that we try to lure businesses to other parts of the County besides Forest, and that we might want to consider incentives to bring businesses here.

Mr. Zody said he would look into what the State code has to say about off-site proffers, and the Planning Commission will review the topic further before bringing their recommendations to the Board.

Chairman Martin requested that the 50' noise ordinance be reviewed and possibly extended out a bit farther; Mr. Boggess said he would discuss this issue with Attorney Skelley.

Supervisor Dooley asked that the code regarding abandoned properties be reviewed. Mr. Boggess said he was going to request that the Board look into setting aside funds for the demolition of abandoned properties.

There being no further discussion, the Board and the Planning Commission recessed for dinner at 6:25 pm.

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

Planning Commission: Josiah Tillett, Chairman, District 4; Lewis Huff, District 1; Harold Brown, District 3; and David Mays, District 6

Absent: Tom Woodford, Vice-Chairman, District 7; Jeff Burdett, District 2; and John Dawson, District 5

Staff: County Administrator Carl Boggess, Deputy County Administrator Reid Wodicka, Community Development Director Gregg Zody, Public Works Director Sheldon Cash, Planner Jordan Mitchell, Planner Mariel Fowler, Planner Mark Jordan 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.

(4) Approval of Agenda

Supervisor Sharp made a motion to approve the agenda as presented.

**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 - there were no citizens desiring to speak

(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 Bedford County Communications Center for authorization to accept the FY18 Wireless Education Grant from Virginia E-911 Services

Board in the amount of \$2,000; and for a Supplemental Appropriation in the amount of \$2,000 (no local match is required). (*Resolution #R071017-01*)

- b.** Consideration of a request from the Bedford Domestic Violence Program for authorization to accept the Two-Cents-A-Meant Grant from the Presbytery of the Peaks in the amount of \$1,000; and for a Supplemental Appropriation in the amount of \$1,000. (*Resolution #R071017-02*)
- c.** Consideration of a request from the Clerk of the Circuit Court for approval to submit an application to the Library of Virginia for grant funding in the amount of \$15,582 for the conservation of four record books. (*Resolution #R071017-03*)

Supervisor Wilkerson 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.

(7) Approval of Minutes

Supervisor Dooley made a motion to approve the minutes of May 22, 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) Community Development Director Gregg Zody addressed the Board with amendments to the dock ordinance. Mr. Zody noted that Bedford County currently requires property owners to have approval from AEP prior to receiving a building permit to construct a dock. He said this has created significant delays for property owners. Mr. Zody said removing the requirement for pre-approval from AEP would allow the Building Division to issue permits when a completed building application has been submitted and approved by his staff. He then briefly reviewed those portions of the ordinance that would be amended, which is outlined in detail in the Ordinance below.

Planning Commission Chairman Josiah Tillet called the Planning Commission to order.

The citizen comment portion of the public hearing was opened; the following citizens spoke in favor of removing the requirement for pre-approval from AEP: William Brush, 81 Lighthouse Lane, Moneta; John Lane, 119 Buck Drive, Hardy; Lynne Barnes, 202 Retreat Lane, Huddleston; and Teresa Hancock, 1526 Fred Hancock Lane, Hardy.

Reasons given for favoring the removal of this requirement included the argument that counties have no legal obligation to enforce the Shoreline Management Plan; that it infringes on property rights; that the state code is obsolete; that FERC's license is with AEP, not the County; that this is an argument for the courts, not the localities; that it forces property owners to sign over their property rights; that there is no enabling legislation that allows counties to have such a requirement; and that only the County should have the authority to issue a dock permit.

The following citizens spoke in favor of keeping the pre-approval requirement: Eleanor Dillard, 4005 Poplar Grove Drive, Vinton; Matthew Pritts (Attorney for AEP), 2301 Mt. Vernon Road SW, Roanoke; and Larry Jackson (External Affairs Manager for AEP), 103 Merry Wood Drive, Forest.

Reasons given for keeping the requirement in place included the point that property owners only own the land, not the water; that it keeps people from building outrageously large docks that pose a hazard to boat navigation; that the lake is becoming congested and AEP has a right to limit docks to a reasonable size; that these issues have still not been settled in the Supreme Court; that it is not legal for localities to pass ordinances that conflict with AEP's right and responsibilities; that the current ordinance protects property owner's rights; and that AEP is responsible for enforcing the Shoreline Management Plan as mandated by the Federal government.

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

Chairman Tillet asked the Planning Commission if there was any further discussion on this topic, or if any Commissioners had a motion to bring forward.

Commissioner Mays made a motion to recommend the dock ordinance amendments to the Board of Supervisors for approval; seconded by Commissioner Huff.

Voting yes: Mr. Tillet, Mr. Huff, Mr. Brown, and Mr. Mays

Voting no: none

Absent: Mr. Woodford, Mr. Burdett, and Mr. Dawson

Motion passed.

Supervisor Sharp said that just because AEP holds an easement, this doesn't make them the property owner with an owner's rights.

In response to a question from Supervisor Sharp, Mr. Boggess stated that staff will recommend to building permit applicants that they also obtain a permit from AEP prior to building. The County is holding off on specifying dock size, etc., until everything has been settled in court.

Supervisor Scott made a motion to approve Ordinance #O 071017-04.

BE IT HEREBY ORDAINED by the Board of Supervisors of Bedford County, Virginia, that after having conducted a duly advertised public hearing and upon receiving the recommendation forwarded by

the Bedford County Planning Commission, that the regulations of the Bedford County Zoning Ordinance be amended and readopted as follows:

PART I.

That Article I, General Provisions, Sec. 30-9. Zoning Permits, shall be amended as follows:

(a) A zoning permit shall be required for the erection, construction, reconstruction, moving, adding to, or alteration of any structure, or the establishment of any land use, except as listed below:

- (1) Patios at grade, driveways, and sidewalks.
- (2) Fences, provided their location and design conform to article V of this ordinance.
- (3) Satellite dishes.
- (4) The construction of a roof over an existing porch, stoop or deck which does not result in a change in the square footage of the structure.

(5) Docks.

Sec. 30-9-1. Building permits; relation to zoning.

No building permit for the extension, erection, or alteration of any building or structure shall be issued before an application has been made and a zoning permit issued, except in the case of docks on Smith Mountain Lake and Leesville Lake, where no zoning permit is required. With the exception of docks on Smith Mountain Lake and Leesville Lake, no building or structure shall be occupied or used until a certificate of zoning compliance has been issued.

PART II.

That Article IV, Use and Design Standards, Sec. 30-83-3.5. Community dock location, be amended as follows:

[...]

- ~~(c) The county will not accept an application for a special use permit for a dock or similar structure unless the applicant has received approval of the dock by Appalachian Power and/or the Federal Energy Regulatory Commission (FERC).~~

PART III.

That Article V, Development Standards, Sec. 30-100-13. Dock location, be amended as follows:

- (a) This section is intended for docks on or over the waters of the commonwealth. Community docks as defined in article II of this ordinance, shall follow the requirements of section 30-83-3.5. ~~Bedford County recognizes that docks on Smith Mountain Lake and Leesville Lake are within the purview of Appalachian Power.. and as such seeks to regulate docks consistently with its requirements.~~
- (b) Before any person erects, constructs, reconstructs, moves, or structurally expands any dock or similar structure, he/she shall apply for a zoning and building permit, ~~prior to the issuance of a building permit. Issuance of the required Bedford County permits is dependent upon approval of the dock by Appalachian Power.~~

(c) Landowners are hereby advised that AEP conducts a separate permitting process for docks and similar structures on Smith Mountain Lake and Leesville Lake. Issuance of a building permit by Bedford County is not a substitute for an AEP permit. Landowners are strongly encouraged to consult with AEP prior to starting any construction activities on Smith Mountain Lake and Leesville Lake, and proceed at their own risk if they fail to do so. By obtaining a building permit for a dock from the County, landowners agree to hold the County harmless from any and all claims or disputes arising out of the construction of a dock without prior AEP approval.

PART IV.

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.

This ordinance shall become effective immediately upon its adoption.

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

Voting no: Mr. Dooley

Motion passed.

(8b) Planner Jordan Mitchell addressed the Board with text amendments that would allow Commercial Indoor Sports and Recreation, and Commercial Outdoor Sports and Recreation as special uses in AP and AR. Mr. Mitchell said it would give the Board the ability to create business opportunities where they deem it to be appropriate. Mr. Mitchell then answered minor clarifying questions from the Board.

The citizen comment portion of the public hearing was opened

Trent Warner, representative from Hurt & Profitt, thanked Mr. Mitchell for the work he had put into this request. He said they will be coming back to the Board at a future meeting with a request to build a ball field if these amendments are adopted.

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

Commissioner Brown made a motion to recommend approval of these amendments to the Board of Supervisors; seconded by Commissioner Huff.

Voting yes: Mr. Tillett, Mr. Huff, Mr. Brown, and Mr. Mays

Voting no: none

Absent: Mr. Woodford, Mr. Burdett, and Mr. Dawson

Motion passed.

Supervisor Willis made a motion to approve Ordinance #O 071017-05.

BE IT HEREBY ORDAINED by the Board of Supervisors of Bedford County, Virginia, that after having conducted a duly advertised public hearing and upon receiving the recommendation forwarded by the Bedford County Planning Commission, that the regulations of the Bedford County Zoning Ordinance, *Section 30-79-2, Permitted Use Table*, be amended as follows to list “Commercial Indoor Sports and Recreation” and “Commercial Outdoor Sports and Recreation” as a special use in the Agricultural Rural Preserve (AP) and Agricultural Residential (AR) zoning districts:

PART I.

That Article III. - District Regulations, Sec. 30-79. Permitted Uses By District, shall be amended as follows:

Permitted uses by district shall be as shown in the following table where:

"R" Indicates a use by right

"S" Indicates a special use

"*" Indicates more stringent standards as specified in article IV

USES	AP	AR	AV	R-1	R-2	R-3	R-4	PRD	RMH	C-1	C-2	NC	PCD	I-1	I-2	PID	EP
Commercial Uses																	
Commercial Indoor Sports and Recreation	<u>S</u>	<u>S</u>	S					S		S	R	S	S	S	S	S	R
Commercial Outdoor Sports and Recreation	<u>S</u>	<u>S</u>	S					S		S	S	S	S	S	S	S	R

PART II.

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.

This ordinance shall become effective immediately upon its adoption.

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

Voting no: None

Motion passed.

Mr. Zody requested the Planning Commission cancel their July meeting as there is no business to discuss at this time.

Commissioner Mays made a motion to cancel the July 18th meeting; seconded by Commissioner Brown.

Voting yes: Mr. Tillett, Mr. Huff, Mr. Brown, and Mr. Mays

Voting no: none

Absent: Mr. Woodford, Mr. Burdett, and Mr. Dawson

Motion passed.

Commissioner Brown made a motion to adjourn the Planning Commission; seconded by Commissioner Mays.

Voting yes: Mr. Tillett, Mr. Huff, Mr. Brown, and Mr. Mays

Voting no: none

Absent: Mr. Woodford, Mr. Burdett, and Mr. Dawson

Motion passed.

The Planning Commission adjourned at 8:11 pm.

(8c) County Administrator Carl Boggess addressed the Board with a request to increase the Nursing Home daily rates. Mr. Boggess stated that staff is proposing a \$7 increase to each of the current daily rates for a semi-private room, a private room with a shared bath, and a private room with a private bath.

The citizen comment portion of the public hearing was opened; there being no one desiring to speak, this portion of the public hearing was closed.

Supervisor Thomasson made a motion to approve Ordinance #O 071017-06.

WHEREAS, the Bedford County Board of Supervisors did previously establish the per day rate for patient care at the Bedford County Nursing Home at (1) Semi-Private Room - \$207.00, (2) Private Room w/Shared Bathroom – \$212.00, and (3) Private Room - \$217.00; and

WHEREAS, staff and the contracted Nursing Home Cost Analyst have recommended a rate increase.

NOW, THEREFORE, BE IT ORDAINED, that the patient per day rate be established as follows:

For Semi-Private Rooms	\$214.00
For Private Room w/ Shared Bathroom	\$219.00
For Private Room	\$224.00

The new per diem rates shall be effective October 1, 2017.

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

Voting no: None

Motion passed.

(9) Action & Discussion Items

(9a) Director of Public Works Sheldon Cash addressed the Board with a request to award a contract for HVAC upgrades. Mr. Cash stated that this project would replace three air handling units in the County Administration building, replace the failed HVAC control system at the Health Department, and update the HVAC control systems in County Administration and the Courthouse. He noted that staff would continue to build upon the HVAC control system so that it would eventually monitor the Falling Creek Center, the Sheriff's Office and the Burks-Scott buildings as well. Mr. Cash said this is a web-based system that would enable maintenance staff to monitor and adjust the HVAC systems remotely, eliminating the need for staff to come in during odd hours and weekends to make adjustments.

Mr. Cash stated that the total cost of this project is \$277,993; there is currently \$290,000 set aside in the CIP funding for this project. In response to a question from Supervisor Thomasson, Mr. Mac Michals, representative from Trane, stated that the service contract is already in place at \$55,000 per year. Mr. Cash then answered minor clarifying questions from the Board.

Supervisor Dooley made a motion to approve Resolution #R071017-07.

WHEREAS, the County identified several necessary HVAC improvements during the 2016 Facility Assessment;

WHEREAS, the Board of Supervisors budgeted \$290,000 in CIP funds for HVAC improvements; and

WHEREAS, Trane, the County's HVAC vendor, has developed proposals to address the most critical needs; and

WHEREAS, the identified projects include 3 new air handlers at County Administration Building, control upgrades at Health Department, and control upgrades to Administration Building & Courthouse; and

WHEREAS, the projects have an anticipated cost of \$277,993; and

WHEREAS, the recommendation of staff is to award a contract to Trane, an authorized vendor pursuant to cooperative procurement, to perform these HVAC improvements; and

NOW, THEREFORE, BE IT RESOLVED, by the Bedford County Board of Supervisors, that the Board authorizes the execution of a contract with Trane to upgrade existing HVAC systems at several County buildings.

**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 – no reports

(11) Board Member Comments – no comments

(12) Board Appointments – no appointments

(13) County Attorney Report – nothing to report

(14) County Administrator Report – nothing to report

(15) Board Information

(15a) The Board was given a copy of the Tri-County Lake Administrative Commission Navigation Committee meeting minutes from September 21, 2016 for review.

(15b) The Board was given a copy of the Bedford County E-911 Communications reports from April and May 2017 for review.

(15c) The Board was given a copy of the Bedford Regional Water Authority Board of Directors meeting minutes from May 16, 2017 for review.

(16) Board Calendar & Reminders

Mr. Boggess noted the following upcoming meetings on the Board's calendar: July 24 – Regular Meeting at 7:00 pm; August 14 – Regular Meeting at 7:00 pm (Work Session from 5:00 to 6:30 pm); September 11 – Work Session beginning at 5:00

(17) Adjournment of Board of Supervisors Meeting

Supervisor Scott made a motion to adjourn the meeting at 8:24 pm.

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

Voting no: None

Motion passed.

Chairman Martin called the Broadband Authority meeting to order, and turned the meeting over to Deputy County Administrator Reid Wodicka.

Dr. Wodicka addressed the Board for consideration of a request to award the contract for the County-Wide Broadband Infrastructure Assessment project. Dr. Wodicka noted that this item, which was not passed as it resulted in a split 6-6 vote at the last Broadband Authority meeting two weeks ago, was brought back before the Board at the request of several Broadband Authority members.

Supervisor Sharp asked that since there was no prevailing side on this issue at the last meeting, and since it was not tabled, could it legally be brought back for another vote? Mr. Boggess stated that, according to Robert's Rules of Order, in the event of a tied vote, an issue can be brought forward again for consideration.

Chairman Martin stated that he has been contacted by representatives from B2X, an internet services provider. He asked if it would be permissible to distribute a proposal he had received from them, and then have the Board decide on this resolution at the next meeting.

Mr. Boggess responded that the Board could take all the time they wanted to review that information, but in order for the Board to consider it as a valid proposal the County would have to (by State law) issue a Request for Proposals for an Internet Service Provider. He said the request before the Board this evening is to hire a broadband consultant to assist us with the location of towers, etc., so staff will be able to move forward with good companies like B2X when we enter that phase of the project.

In response to a question from Chairman Martin, Mr. Boggess stated that both staff and the Broadband Advisory Group had reviewed the proposals for this request.

Supervisor Dooley said that it was his recollection that, back in December, broadband was a high priority for the County. He said it is his understanding that this consultant comes highly recommended. Supervisor Dooley also noted that the tower recently installed in Montvale was a failure, and we need the guidance of a consultant to avoid the mistakes of the past.

Supervisor Wilkerson stated technology is changing, and we need an unbiased subject-matter expert to move forward successfully in this endeavor.

In response to a question from Supervisor Scott, Dr. Wodicka stated this consultant will develop a network design that will be deployable in the County. It will be built on understanding the entire network instead of individual places one-at-a-time.

In response to a question from Supervisor Dooley, Mr. Boggess stated that this is a plan of action, not a study. He also clarified that there is funding that will be available from the Tobacco Commission for these types of projects, but it will be difficult to qualify for those funds without a consultant. Mr. Boggess said he is no more in favor of spending money than anyone else, but in this case it is necessary if we are going to move forward on this project.

Chairman Martin said he agrees that high-speed internet is necessary, but he was able to set up his own tower without a consultant. He understands we are talking about a larger project, but the idea is the same. He asked why we couldn't just use a current map of hot spots to decide where the towers go. Chairman Martin also said the County should not be in the internet business, and that we should leave this to the private sector since there are tons of people with existing ISP businesses that are eager to move into Bedford.

Supervisor Willis commented that if acquiring this type of service was as easy as Chairman Martin described, it would already be available. Since this is not the case, we need to recognize that in order for the County to do a public/private partnership for broadband, this side of the equation needs to understand what the investment is in order to entice an internet service provider to come in to Bedford. He said we don't want to be in the internet business, but we will have to invest in infrastructure and we don't know what that infrastructure is at this time. Supervisor Willis stated that staff has told the Board at several meetings that they are not knowledgeable enough in this subject matter to do this project on their own, and in order to move this ball down the road this consultant is necessary. Otherwise, we will have the same issues we already have in Montvale.

Supervisor Sharp asked how long the term for the consultant would be. Dr. Wodicka responded that it would be until the completion of the project. Supervisor Sharp said technology continually changes; he said by the time the consultant is done, there may be changes in technology and there still won't be any services provided. He suggested using the information we have already been provided before we spend more funds.

Supervisor Scott said that he agreed that the Board had clarified that broadband was a top priority back in December; it's now July. He said that first this was called a study, but now it's called an action item. He said he is concerned that we are going to be paying for someone to do a study for information that we may already have.

Supervisor Sharp suggested getting an outside third party to evaluate the proposal Chairman Martin presented at the beginning of this discussion. He said he doesn't want to spend the money if we are not providing any service.

Supervisor Dooley made a motion to approve Resolution #R062617-06.

WHEREAS, the Bedford County Broadband Authority exists to advance the goal of increasing broadband internet access throughout Bedford County, and;

WHEREAS, the Bedford County Broadband Authority authorized the advertisement of a Request for Proposal for a County-Wide Broadband Infrastructure Assessment, and;

WHEREAS, County Administration and members of the Bedford County Broadband Advisory Committee received proposals from and conducted interviews with qualified firms, and;

WHEREAS, County Administration has negotiated with a short-listed firm qualified to complete this project, and;

WHEREAS, there is sufficient funding available in the CIP Broadband Project;

NOW, THEREFORE, BE IT RESOLVED, that the Bedford County Broadband Authority authorizes the County Administrator to award a contract for the Bedford County County-Wide Broadband Infrastructure Assessment to The Atlantic Group of Companies for a fee of \$53,250.

Voting yes: Mr. Thomasson, Mr. Wilkerson, Mr. Dooley and Mr. Willis

Voting no: Mr. Martin, Mr. Sharp, and Mr. Scott

Motion passed.

Supervisor Dooley made a motion to adjourn the Broadband Authority meeting at 8:50 pm.

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

Voting no: None

Motion passed.