



**MINUTES**  
**BEDFORD COUNTY BOARD OF SUPERVISORS**  
**BEDFORD COUNTY ADMINISTRATION BUILDING**  
**JULY 24, 2017**

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**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 Sheriff's Office to submit an application for the Internet Crimes Against Children Task Force Grant in the amount of \$400,323 to provide funding for overtime, travel, rent, forensic software and equipment (no local match required; funds will be received on a reimbursement basis). (*Resolution #R072417-01*)
  - b. Consideration of a request from the Sheriff's Office to submit an application to the Bulletproof Vest Program in the amount of \$9,956 to provide 19 additional vests (50% match of \$4,978 has been included in the Sheriff's FY17-18). (*Resolution #R072417-02*)
- (7) Approval of Minutes – June 12, 2017**
- (8) Public Hearings & Presentations**
  - a. **Public Hearing** – consideration of a request from Community Development, made on behalf of Sifen, Inc., for approval of Special Use Permit #SU170004 to establish an "Automobile Repair Services, Major" use on property identified as Tax Map #101-A-44B. (*Resolution #R072417-03*)
    - *Staff Presentation by Planner Mariel Fowler*

- b. **Public Hearing** – Consideration of a request from the Community Development Department to amend And Readopt the Bedford County Zoning Ordinance By Changing the Zoning District Designation of Properties Identified As Tax Map #92-A-35, 92-A-36, 92-A-39, 92-A-44, 92-A-44A, 92-A-45, and 92-A-48. (*Ordinance #O 072417-04*)

- *Staff Presentation by Community Development Director Gregg Zody*

**(9) Action & Discussion Items**

- a. Consideration of a request from the Fiscal Management Department for approval of a resolution appropriating funds for Fiscal Year 2016-17 budget adjustments. (*Resolution #R072417-05*)

- *Staff Presentation by Fiscal Management Director Susan Crawford*

**(10) Board Committee Reports**

**(11) Board Member Comments**

**(12) Board Appointments**

**(13) County Attorney Report**

**(14) County Administrator Report**

**(15) Board Information**

- a. Community Development’s Building Report for June 2017
- b. Social Services Board meeting minutes for June 15, 2017
- c. Bedford E-911 Communications Report for June 2017
- d. Bedford County Transportation Safety Commission Minutes from May 18, 2017

**(16) Board Calendar and Reminders**

- August 14 – Regular Meeting at 7:00 pm (Work Session from 5:00 to 6:30 pm)
  - *Note: only one meeting in August*
- September 11 –Work Session beginning at 5:00 in the Ground Floor Meeting Room

**Adjournment**

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**7:00 P.M.**

**Board of Supervisors:** Bill Thomasson, Vice-Chairman, District 1; John Sharp, District 4; Tommy Scott, District 5; Andy Dooley, District 6; and Kevin Willis, District 7

**Absent:** Curry Martin, Chairman, District 2; Steve Wilkerson, District 3

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**Staff:** County Administrator Carl Boggess, Deputy County Administrator Reid Wodicka, County Attorney Patrick Skelley, Community Development Director Gregg Zody, Planner Mariel Fowler, Parks and Recreation Director Wyatt Woody, and Fiscal Management Director Susan Crawford and Executive Assistant Brigitte Luckett

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**REGULAR MEETING**

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

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

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

**Voting no: None**

**Absent: Mr. Martin and Mr. Wilkerson**

**Motion passed.**

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**(5) Citizen Comments**

There were no citizens desiring to speak.

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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 Sheriff's Office to submit an application for the Internet Crimes Against Children Task Force Grant in the amount of \$400,323 to provide funding for overtime, travel, rent, forensic software and equipment (no local match required; funds will be received on a reimbursement basis). (*Resolution #R072417-01*)
- b. Consideration of a request from the Sheriff's Office to submit an application to the Bulletproof Vest Program in the amount of \$9,956 to provide 19 additional vests (50% match of \$4,978 has been included in the Sheriff's FY17-18). (*Resolution #R072417-02*)

**No motion was made; Chairman Thomasson polled the Board for their vote as follows:**

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

**Voting no: None**

**Absent: Mr. Martin and Mr. Wilkerson**

**Motion passed.**

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**(7) Approval of Minutes**

**Supervisor Dooley made a motion to approve the minutes of June 12, 2017 as presented.**

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

**Voting no: None**

**Absent: Mr. Martin and Mr. Wilkerson**

**Motion passed.**

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**(8) Public Hearings & Presentations**

**(8a)** Planner Mariel Fowler addressed the Board with a request made on behalf of Sifen, Inc. for approval of Special Use Permit #SU170004 to establish an “Automobile Repair Services, Major” use on property identified as Tax Map #101-A-44B. Mrs. Fowler stated that the subject property is three acres in size, is located at 18395 Forest Road, Lynchburg, is zoned General Commercial (C-2), and is in District 4. The applicant is Don Smith, vice-president of Sifen, Inc. located at 2929 Sabre Street, Virginia Beach, and the property owner is Granger W W Inc., 3520 Piedmont Road NE, Suite 410, Atlanta, Georgia. The facility will be used for auto body repair and painting, creating 18 new jobs.

Mrs. Fowler displayed a variety of maps and photographs illustrating both the current and proposed use of the property, and noted those portions of the Comprehensive Plan which were relevant to this request. She also briefly touched on the potential impacts to the environment, utilities, and transportation, as well as visual impacts. On June 20, 2017, a public hearing was held regarding this application. The Planning Commission voted 7-0 to recommend approval of this request with one condition, which is given in the resolution below.

In response to a question from Supervisor Sharp, applicant Don Smith noted that his organization does already have someone to operate this facility, which will be one of 12 facilities throughout the state.

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

**Supervisor Sharp made a motion to approve Resolution #R072417-03.**

**WHEREAS**, Sifen, Inc. has submitted Special Use Permit application #SU170004 to establish an “Automobile Repair Services, Major” use in a C-2 (General Commercial) district on the property identified as Tax Map Number #101-A-44B currently owned by Grainger WW, Inc., but will be purchased by applicant; and

**WHEREAS**, the application has been submitted pursuant to Section 30-79-2 of the Zoning Ordinance, which allows an “Automobile Repair Services, Major” use in the C-2 zoning district after a Special Use Permit has been approved in accordance with Section 30-19 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 finds that the request meets the goals and objectives of the Comprehensive Plan and the purposes of the Zoning Ordinance for issuance of a Special Use Permit;

**THEREFORE, BE IT RESOLVED**, by the Bedford County Board of Supervisors that the Board does hereby approve of a Special Use Permit pursuant to application #SU170004 with the following conditions:

1. Existing landscaping and buffer yard must remain as part of the landscaping requirement at the site plan level. Should any modifications be made, the applicant shall contact the Zoning Administrator to determine if a new landscaping plan must be submitted in order to verify compliance with the landscaping requirements listed in Article V Section 30-92 of the Zoning Ordinance.

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

**Voting no: None**

**Absent: Mr. Martin and Mr. Wilkerson**

**Motion passed.**

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**(8b)** Community Development Director Gregg Zody addressed the Board with a request from the Community Development Department to amend and readopt the Bedford County Zoning Ordinance By changing the zoning district designation of properties identified as Tax Map #92-A-35, 92-A-36, 92-A-39, 92-A-44, 92-A-44A, 92-A-45, and 92-A-48. Mr. Zody stated the area is currently zoned both AR and AV, and briefly described the area. He stated that the rezoning would allow the property owners commercial opportunities. Existing property owners were sent letters to determine whether they wished to have their property rezoned; several expressed concerns regarding how this rezoning would impact their taxes. Mr. Zody stated that staff has explained to the property owners that taxes are not affected by zoning, but rather by the structures and use on a given site. He said that on June 20, 2017, the Planning Commission voted 7-0 to recommend this request for approval to the Board, with the stipulation that staff reach out to the property owners to determine who did and did not want to participate in the rezoning. Mr. Zody said letters were sent out to the nineteen property owners, resulting in eight ‘no’ responses and seven ‘yes’ responses. Four other property owners have not responded; per the letter, if no response was received by July 14, 2017, it was an affirmation of consent to the rezoning. Mr. Zody noted that additional development may increase the need for public services such as water and sewer, and displayed a variety of maps and photographs of the study area.

In response to a question from Supervisor Sharp, Mr. Zody stated that the four property owners could be included in an amended future ordinance. Supervisor Sharp replied that this is inconsistent with the letter that was sent to these property owners, and that they should be included in this resolution; Attorney Skelley concurred with Supervisor Sharp.

In response to a question from Supervisor Sharp, Mr. Boggess said that since the proposed zoning is AV, the taxes would not be affected if the owner continues to live in their home. Mr. Boggess stated he had confirmed this with the Commissioner of the Revenue. Attorney Skelley added that, in this case, it's the use of the property that affects the taxes, not the zoning designation.

The citizen comment portion of the public hearing was opened; the following citizens were signed up to speak:

Mr. Tony Claytor, 4276 Big Island Highway, Bedford, stated that he is against the process that was followed to rezone this area; he feels there was no transparency. He also disagreed that the rezoning won't impact property taxes. Mr. Claytor then digressed from the topic and was ruled out of order by the Chairman.

Mr. Steve Wood, 1748 Croft Lane, stated that he was speaking for seven other family members. He said they are opposed to this change in zoning, and that the letter sent to them by the Community Development staff indicated they could opt out of the rezoning. Mr. Wood said he disagrees that the rezoning will not increase their taxes.

Mrs. Kristy Milton, 1545 Forbes Mill Road, Bedford, said this looks like spot zoning, which will be confusing to appraisers, difficult for realtors and could potentially raise property taxes.

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

Supervisor Dooley asked if those not wishing to rezone their property would have to go through the rezoning process if they changed their mind at a later date; several staff members answered in the affirmative.

In response to a question from Supervisor Sharp, Mr. Zody confirmed that the Ordinance does not contain any of the property owners who objected to the change. Supervisor Sharp asked that the four properties from the owners who did not respond also be included in this ordinance, per the letter that was sent out by staff. Supervisor Sharp stated that he was going to oppose this rezoning because he agreed with Mr. Claytor, and feels that the one individual who needed the rezoning to begin with should have gone through that process instead of asking the County to rezone the whole area. He said he also agrees with Mrs. Milton, and is concerned how this will affect selling parcels that are being sold together but zoned differently, etc.

Mr. Zody and Mr. Boggess then answered brief clarifying questions from the Board on this request.

**Supervisor Willis made a motion to approve Ordinance #O 072417-04, to include the four parcels whose owners did not respond to the notification letter.**

**WHEREAS**, certain property owners have requested voluntary rezonings for Tax Map Numbers

**WHEREAS**, the requests were 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 has determined that the requested rezonings meets the goals and objectives of the Comprehensive Plan and the purposes of the Zoning Ordinance; and

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

**NOW, THEREFORE, BE IT ORDAINED**, by the Bedford County Board of Supervisors on this the 24<sup>th</sup> day of July, 2017, that the Bedford County Zoning Ordinance be and it hereby is amended and readopted by changing the zoning district designations for property identified above as Tax Map Numbers 92-A-38, 92-A-39, 92-A-40, 92-A-40A, 92-A-44, 92-A-44A, 92-A-45, 92-A-47, and 92-A-48 from Agricultural Residential to Agricultural Village District Center; and in the case of Tax Map Parcel Numberss 92-A-35 and 92-A-36, rezoned to Agricultural Village District Center from Agricultural Residential and Low Density Residential.

**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. Thomasson, Mr. Dooley and Mr. Willis**

**Voting no: Mr. Sharp and Mr. Scott**

**Absent: Mr. Martin and Mr. Wilkerson**

**Motion passed.**

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**(9) Action & Discussion Items**

**(9a)** Fiscal Management Director Susan Crawford addressed the Board with a request for approval of a resolution appropriating funds for Fiscal Year 2016-17 budget adjustments. Ms. Crawford briefly reviewed the adjustments, which are listed in the resolution below. She noted this will leave approximately \$143,000 in the Contingency Fund.

**Supervisor Dooley made a motion to approve Resolution #R072417-05.**

**WHEREAS**, Staff has reviewed the year end balances for departments within the General Fund and made recommended transfers; and

WHEREAS, the Board of Supervisors has reviewed the recommended supplemental appropriations and transfers; now therefore

BE IT RESOLVED, that the Bedford County Board of Supervisors authorizes the supplemental appropriation and transfer of funds for yearend budget adjustments as follows:

From	To	Amount
2210 Commonwealth Attorney	2211 V-Stop Prosecution	\$ 210
3240 Other Fire Services	3550 Emergency Management	7,000
Supplemental	7100 Parks and Recreation	50,000
Contingency	3570 Transportation Safety Commission	250

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

**Voting no: None**

**Absent: Mr. Martin and Mr. Wilkerson**

**Motion passed.**

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**(10) Board Committee Reports - none**

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**(11) Board Member Comments**

Supervisor Dooley noted there will be a ceremony to honor security officers at Georgia Pacific on Thursday afternoon at 1:00 pm to thank them for their quick response in saving a two-year-old child.

Supervisor Willis thanked Brigitte Luckett and staff for the work being put into the Board Update. Mr. Boggess added that he will be giving at update at every other meeting as well.

Supervisor Thomasson said the Update is very informational to both the Board and its constituents.

In response to a question from Supervisor Dooley, Mr. Boggess said that live-streamed Board meetings can be found on the Liberty Law School website. Mr. Boggess said he would send the link to the Board in the morning.

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**(12) Board Appointments – there were no appointments**

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**(13) County Attorney Report - nothing to report**

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**(14) County Administrator Report – nothing to report**

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**(15) Board Information**

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

**(15b)** The Board was given a copy of the Social Services Board meeting minutes for June 15, 2017 for review.

**(15c)** The Board was given a copy of the Bedford E-911 Communications Report for June 2017 for review.

**(15d)** The Board was given a copy of the Bedford County Transportation Safety Commission Minutes from May 18, 2017 for review.

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**(16) Board Calendar & Reminders**

Mr. Boggess noted the following upcoming meetings on the Board's calendar: August 14 – Regular Meeting at 7:00 pm (Work Session from 5:00 to 6:30 pm) (*Note: only one meeting in August*); September 11 – Work Session beginning at 5:00 in the Ground Floor Meeting Room

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**(17) Adjourn**

**Supervisor Scott made a motion to adjourn the meeting at 7:44 pm.**

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

**Voting no: None**

**Absent: Mr. Martin and Mr. Wilkerson**

**Motion passed.**