



AGENDA

BROADBAND AUTHORITY MEETING BEDFORD COUNTY ADMINISTRATION BUILDING

OCTOBER 23, 2017

6:45 P.M. BROADBAND AUTHORITY MEETING

- a. Consideration of a request to submit a grant application to the Tobacco Commission.
(*Resolution #R102317-BA1*)
- *Staff Presentation by County Administrator Carl Boggess*

Adjournment of Broadband Authority Meeting

BOARD OF SUPERVISORS MEETING

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 Bedford Communications Center to submit an application for the Virginia Information Technologies Agency FY19 PSAP grant in the amount of \$2,000 (no local match is required). (*Resolution #R102317-01*)
 - b. Consideration of a request from the Sheriff's Office to accept the DMV Selective Enforcement – Alcohol Grant award in the amount of \$15,100 (50% local in-kind match which will be met by using the cost of fuel and vehicle maintenance included in the FY 2017-2018 adopted budget), and for a

Supplemental Appropriation in the amount of \$10,000. (*Resolution #R102317-02*)

- c. Consideration of a request from the Sheriff's Office to accept the DMV Selective Enforcement – Speed Grant award in the amount of \$10,200 (50% local in-kind match which will be met by using the cost of fuel and vehicle maintenance included in the FY 2017-2018 adopted budget), and for a Supplemental Appropriation in the amount of \$7,000. (*Resolution #R102317-03*)
- d. Consideration of a request from the Sheriff's Office for a Supplemental Appropriation of the DMV Selective Enforcement – Speed Grant in the amount of \$6,548.27 (This grant was awarded in the amount of \$10,880 for the period October 1, 2016 to September 30, 2017; \$4,000.00 was appropriated, and \$4,331.73 was expended in FY 2016-2017.) (*Resolution #R102317-04*)
- e. Consideration of a request from the Fire & Rescue Department to submit an application in the amount of \$500 for the NARCAN Grant to the Virginia Office of Emergency Medical Services (no local match is required). (*Resolution #R102317-11*)

(7) Approval of Minutes – August 14 and September 11, 2017

(8) Public Hearings & Presentations

- a. Consideration of a request to approve the purchase of a 2017 Pierce Pumper Fire Truck by the Stewartsville-Chamblissburg Volunteer Fire Department. (*Resolution #R102317-05*)
 - *Staff Presentation by County Attorney Patrick Skelley*
- b. Consideration of a request to amend Bedford County Code Chapter 17, Taxation, through the addition of Article III, Division 4, “Exemptions for Surviving Spouses of Certain Persons Killed in the Line of Duty”. (*Ordinance #O 102317-06*)
 - *Staff Presentation by County Attorney Patrick Skelley*
- c. Consideration of a request to amend Bedford County Code Chapter 14, Noise, Section 14-4, Excessive Noise – Specific Prohibitions. (*Ordinance #O 102317-07*)
 - *Staff Presentation by County Attorney Patrick Skelley*

(9) Action & Discussion Items

- a. Discussion and Possible Action regarding the Performance Management Policy. (*Resolution #R102317-10*)
 - *Staff Presentation by Deputy County Administrator Reid Wodicka*
- b. Consideration of a request to modify the Bedford County Pay and Classification Plan within the Departments of Tourism and Economic Development (*Resolution #R102317-09*)
 - *Staff Presentation by County Administrator Carl Boggess*
- c. Discussion and Possible Action regarding Enterprise Resource Planning (ERP) system procurement. (*Resolution #R102317-08*)
 - *Staff Presentation by Fiscal Management Director Susan Crawford*
- d. Discussion and Possible Action regarding the Draft Legislative Priorities. (*Resolution #R102317-12*)
 - *Staff Presentation by County Administrator Carl Boggess*

(10) Board Committee Reports - none

(11) Board Member Comments

(12) Board Appointments - none

(13) County Attorney Report

- a. Closed Session pursuant to Section 2.2-3711 (A) (1) as to the discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; specifically related to the County Attorney.

(14) County Administrator Report

- a. Consensus is needed for the Supervisor Voting Delegate and Alternate Voting Delegate for the VACo 2017 Annual Meeting in November.

(15) Board Information

- a. Department of Community Development's Building Report for September 2017
- b. Planning Commission meeting minutes from August 15, 2017
- c. Bedford E-911 Communications Report for September 2017
- d. Bedford Regional Water Authority Board of Directors meeting minutes from August 15, 2017

(16) Board Calendar and Reminders

- November 9 (*Thursday*) – Joint Work Session with the School Board for a follow-up on CIP at 5:00 pm at the Bedford Area Welcome Center; will include a Special Meeting to award the contract for County Administration Building Improvements, Phase II
- November 27 – Regular Meeting at 7:00 pm
- December 11 – Regular Meeting at 7:00 pm (Work Session from 5:00 – 6:30 pm)

Adjournment of Board of Supervisors Meeting

6:45 P.M. BROADBAND AUTHORITY MEETING

Authority Members: Curry Martin, Chairman, District 2; Bill Thomasson, Vice-Chairman, District 1; Steve Wilkerson, District 3; John Sharp, District 4; Tommy Scott, District 5; and Kevin Willis, District 7

Absent: Andy Dooley, District 6

Staff: County Administrator Carl Boggess, Deputy County Administrator Reid Wodicka, County Attorney Patrick Skelley, Human Resources Director Dawn Fields, Captain Mike Miller, Commissioner of the Revenue Julie Creasey, Planner Mark Jordan, Fire & Rescue Chief Jack Jones, Jr., Fiscal Management Director Susan Crawford, LAN Administrator Gary Underwood, and Executive Assistant Brigitte Lockett

Chairman Martin called the Broadband Authority to order, and then turned the meeting over to County Administrator Carl Boggess.

Mr. Boggess addressed the Board with a request to submit grant applications to the Tobacco Region Revitalization Commission (TRRC), with the intent to secure some of the funds the Commission has earmarked for assistance in constructing last-mile broadband infrastructure in un-served areas. Mr. Boggess briefly reviewed the process that brought this request to the Board, noting that Delegate Byron has worked very diligently on this issue as well. He then answered clarifying questions from the Board, noting the County’s grant matching funds would be roughly \$200,000.

**Supervisor Scott made a motion to approve Resolution #R102317-BA1 and #R102317-BA2.
R102317-BA1**

WHEREAS, in May 2017 the Research & Development Committee of the Tobacco Region Revitalization Commission (TRRC) recommended, and the Commission approved, setting aside \$10 million dollars as a multi-year commitment to assist in constructing “last-mile” broadband telecommunications infrastructure in the unserved areas of the tobacco region. Guidelines for the grant

applications were posted in August of 2017 and the deadline for applications has been set for 15 November 2017; and

WHEREAS, the program guidelines for grant application, requires a government entity as the applicant with a qualified and experienced private sector broadband provider as the co-applicant; and

WHEREAS, Comcast Corporation has recently discussed its plans to rebuild parts of its system in the southern end of the County. This project will bring high speed internet to the southern portion of Bedford County and could involve many miles of reconstruction.

NOW, THEREFORE, BE IT RESOLVED, by the Bedford County Broadband Authority does hereby approve the submittal of a grant application to the Tobacco Region Revitalization Commission to assist in constructing “last-mile” broadband telecommunications infrastructure in the unserved areas of the tobacco region and authorizes the County Administrator to take such action necessary to file the grant application with the Commission with the co-applicant, Comcast Corporation.

R102317-BA2

WHEREAS, in May 2017 the Research & Development Committee of the Tobacco Region Revitalization Commission (TRRC) recommended, and the Commission approved, setting aside \$10 million dollars as a multi-year commitment to assist in constructing “last-mile” broadband telecommunications infrastructure in the unserved areas of the tobacco region. Guidelines for the grant applications were posted in August of 2017 and the deadline for applications has been set for 15 November 2017; and

WHEREAS, the program guidelines for grant application, requires a government entity as the applicant with a qualified and experienced private sector broadband provider as the co-applicant; and

WHEREAS, Shenandoah Telecommunications Company (“Shentel”) has recently discussed its plans to add to its system in the Chapel Woods Subdivision area of Bedford County.

NOW, THEREFORE, BE IT RESOLVED, by the Bedford County Broadband Authority does hereby approve the submittal of a grant application to the Tobacco Region Revitalization Commission to assist in constructing “last-mile” broadband telecommunications infrastructure in the unserved areas of the tobacco region and authorizes the County Administrator to take such action necessary to file the grant application with the Commission with the co-applicant, Shenandoah Telecommunications Company (“Shentel”).

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

Voting no: None

Absent: Mr. Dooley

Motions passed.

The Chairman adjourned the Broadband Authority meeting at 6:56 pm.

7:00 P.M.

Authority Members: Curry Martin, Chairman, District 2; Bill Thomasson, Vice-Chairman, District 1; Steve Wilkerson, District 3; John Sharp, District 4; Tommy Scott, District 5; and Kevin Willis, District 7

Absent: Andy Dooley, District 6

Staff: County Administrator Carl Boggess, Deputy County Administrator Reid Wodicka, County Attorney Patrick Skelley, Human Resources Director Dawn Fields, Captain Mike Miller, Commissioner of the Revenue Julie Creasey, Planner Mark Jordan, Fire & Rescue Chief Jack Jones, Jr., Fiscal Management Director Susan Crawford, LAN Administrator Gary Underwood, 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 Willis made a motion to approve the agenda as presented.

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

Voting no: None

Absent: Mr. Dooley

Motion passed.

(5) Citizen Comments - none

(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 Communications Center to submit an application for the Virginia Information Technologies Agency FY19 PSAP grant in the amount of \$2,000 (no local match is required). (*Resolution #R102317-01*)

- b. Consideration of a request from the Sheriff's Office to accept the DMV Selective Enforcement – Alcohol Grant award in the amount of \$15,100 (50% local in-kind match which will be met by using the cost of fuel and vehicle maintenance included in the FY 2017-2018 adopted budget), and for a Supplemental Appropriation in the amount of \$10,000. (*Resolution #R102317-02*)
- c. Consideration of a request from the Sheriff's Office to accept the DMV Selective Enforcement – Speed Grant award in the amount of \$10,200 (50% local in-kind match which will be met by using the cost of fuel and vehicle maintenance included in the FY 2017-2018 adopted budget), and for a Supplemental Appropriation in the amount of \$7,000. (*Resolution #R102317-03*)
- d. Consideration of a request from the Sheriff's Office for a Supplemental Appropriation of the DMV Selective Enforcement – Speed Grant in the amount of \$6,548.27 (This grant was awarded in the amount of \$10,880 for the period October 1, 2016 to September 30, 2017; \$4,000.00 was appropriated, and \$4,331.73 was expended in FY 2016-2017.) (*Resolution #R102317-04*)
- e. Consideration of a request from the Fire & Rescue Department to submit an application in the amount of \$500 for the NARCAN Grant to the Virginia Office of Emergency Medical Services (no local match is required). (*Resolution #R102317-11*)

Supervisor Thomasson made a motion to approve the consent agenda.

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

Voting no: None

Absent: Mr. Dooley

Motion passed.

(7) Approval of Minutes

Supervisor Scott made a motion to approve the minutes of August 14 and September 11, 2017 as presented.

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

Voting no: None

Absent: Mr. Dooley

Motion passed.

(8) Public Hearings & Presentations

(8a) County Attorney Patrick Skelley addressed the Board with a request to approve the purchase of a 2017 Pierce Pumper Fire Truck by the Stewartsville-Chamblissburg Volunteer Fire Department. Attorney Skelley clarified that the Board is being asked to approve the tax-exempt financing for the truck; the funds have already been appropriated in the budget for this purchase.

The citizen comment portion of the meeting 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 #R102317-05.

WHEREAS, Stewartsville-Chamblissburg Volunteer Fire Department (hereinafter “Stewartsville-Chamblissburg”) has entered into a contract to purchase one (1) 2017 Pierce Pumper Fire Truck; and

WHEREAS, the bank financing for the truck is tax exempt as provided by Section 147(f) of the Internal Revenue Code of 1986, as amended; and

WHEREAS, as required by the aforesaid code section, Stewartsville-Chamblissburg conducted a public hearing as to the financing of one (1) 2017 Pierce Pumper Fire Truck; and

WHEREAS, by previous resolutions, the Bedford County Board of Supervisors has approved the establishment of the Stewartsville-Chamblissburg Volunteer Fire Department and Stewartsville-Chamblissburg has been assigned a primary fire response area in the County; and accordingly, Stewartsville-Chamblissburg is designated as an integral part of the County’s safety program and as such provides a critical component to the County’s goal of providing fire services to the County.

NOW THEREFORE, BE IT RESOLVED, that the Bedford County Board of Supervisors pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended, hereby approves the entering into by Stewartsville-Chamblissburg of an Agreement in an aggregate principal amount not to exceed \$200,000 to finance equipment consisting of one (1) 2017 Pierce Pumper Fire Truck which will be located at the fire house of the Stewartsville-Chamblissburg Volunteer Fire Department and that the Chairman of the Board of Supervisors is authorized to execute a copy of this resolution.

FURTHER BE IT RESOLVED, that Stewartsville-Chamblissburg has provided firefighting and other services for the County for many years and Stewartsville-Chamblissburg hereby agrees to meet the requirement to continue to provide firefighting and other services for the County.

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

Voting no: None

Absent: Mr. Dooley

Motion passed.

(8b) County Attorney Patrick Skelley addressed the Board with a request to amend Bedford County Code Chapter 17, Taxation, through the addition of Article III, Division 4, "Exemptions for Surviving Spouses of Certain Persons Killed in the Line of Duty". Attorney Skelley stated this request is in response to state legislation enacted earlier this year which allows localities to offer this relief to spouses of first responders killed in the line of duty. He noted it would be retroactive to January 1, 2017, and would apply to surviving spouses who do not remarry; if they change residences, they would have to reapply for the tax relief.

The citizen comment portion of the meeting 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 #R102317-06.

BE IT ORDAINED by the Board of Supervisors of Bedford County, Virginia:

(1) That the Code of the County of Bedford is amended and re-enacted by inserting the following Division of Chapter 7, Article III:

DIVISION 4

EXEMPTION FOR SURVIVING SPOUSES OF CERTAIN PERSONS KILLED IN THE LINE OF DUTY

Sec. 17-59. - Title.

This article shall be known as the "Exemption for Surviving Spouses of Certain Persons Killed in the Line of Duty".

The purpose of this article is to provide an exemption from taxation for the qualifying real property of spouses of any law enforcement officer, firefighter, search and rescue personnel, or emergency medical services personnel who are killed in the line of duty.

Sec. 17-60. – Authority for article.

This article is authorized by the Code of Virginia, Title 58.1, Chapter 32, Article 2.5, Sections 58.1-3219.13 through 58.1-3219.16.

Sec. 17-61. - Definitions.

As used in this article, unless the context requires otherwise:

"Covered person" means any person set forth in the definition of "deceased person" in Section 9.1-400 of the Code of Virginia whose beneficiary, as defined in Section 9.1-400 of the Code of Virginia, is entitled to receive benefits under Section 9.1-402 of the Code of Virginia, as determined by the Comptroller prior to July 1, 2017, or as determined by the Virginia Retirement System on and after July 1, 2017.

Sec. 17-62. - Exemption from taxes on property of surviving spouses of certain persons killed in the line of duty.

(a) Pursuant to Article X, Section 6-B of the Constitution of Virginia, for tax years beginning on or after January 1, 2017, the county exempts from taxation the real property described in subsection (b) of

the surviving spouse of any covered person who occupies the real property as his principal place of residence. If the covered person's death occurred on or prior to January 1, 2017, and the surviving spouse has a principal residence on January 1, 2017, eligible for the exemption under this section, then the exemption for the surviving spouse shall begin on January 1, 2017. If the covered person's death occurs after January 1, 2017, and the surviving spouse has a principal residence eligible for the exemption under this section on the date that such covered person dies, then the exemption for the surviving spouse shall begin on the date that such covered person dies. If the surviving spouse acquires the property after January 1, 2017, then the exemption shall begin on the date of acquisition, and the previous owner may be entitled to a refund for a pro rata portion of real property taxes paid pursuant to Section 58.1-3360 of the Code of Virginia. The county shall not be liable for any interest on any refund due to the surviving spouse for taxes paid prior to the surviving spouse's filing of the affidavit or written statement required by Section 58.1-3219.15 of the Code of Virginia.

(b) Those dwellings in the county with assessed values in the most recently ended tax year that are not in excess of the average assessed value for such year of a dwelling situated on property that is zoned as single-family residential shall qualify for a total exemption from real property taxes under this article. If the value of a dwelling is in excess of the average assessed value as described in this subsection, then only that portion of the assessed value in excess of the average assessed value shall be subject to real property taxes, and the portion of the assessed value that is not in excess of the average assessed value shall be exempt from real property taxes. Single-family homes, condominiums, town homes, manufactured homes as defined in Section 46.2-100 of the Code of Virginia whether or not the wheels and other equipment previously used for mobility have been removed, and other types of dwellings of surviving spouses, whether or not the land on which the single-family home, condominium, town home, manufactured home, or other type of dwelling of a surviving spouse is located is owned by someone other than the surviving spouse, that (i) meet this requirement and (ii) are occupied by such persons as their principal place of residence shall qualify for the real property tax exemption. If the land on which the single-family home, condominium, town home, manufactured home, or other type of dwelling is located is not owned by the surviving spouse, then the land is not exempt. For purposes of determining whether a dwelling, or a portion of its value, is exempt from county real property taxes, the average assessed value shall be such average for all dwellings located within the county that are situated on property zoned as single-family residential.

(c) The surviving spouse shall qualify for the exemption so long as the surviving spouse does not remarry and continues to occupy the real property as his principal place of residence. The exemption applies without any restriction on the spouse's moving to a different principal place of residence.

(d) The county shall provide for the exemption from real property taxes of (i) the qualifying dwelling, or that portion of the value of such dwelling and land that qualifies for the exemption pursuant

to subsection (b), and (ii) with the exception of land not owned by the surviving spouse, the land, not exceeding five contiguous acres, upon which it is situated. A real property improvement other than a dwelling, including the land upon which such improvement is situated, shall also be exempt from taxation so long as the principal use of the improvement is (a) to house or cover motor vehicles or household goods and personal effects as classified in subdivision A 14 of Section 58.1-3503 of the Code of Virginia and as listed in Section 58.1-3504 of the Code of Virginia and (b) for other than a business purpose.

(e) For purposes of this exemption, real property of any surviving spouse of a covered person includes real property (i) held by a surviving spouse as a tenant for life, (ii) held in a revocable inter vivos trust over which the surviving spouse holds the power of revocation, or (iii) held in an irrevocable trust under which the surviving spouse possesses a life estate or enjoys a continuing right of use or support. Such real property does not include any interest held under a leasehold or term of years.

(f) (1) In the event that (i) a surviving spouse is entitled to an exemption under this section by virtue of holding the property in any of the three ways set forth in subsection (e) and (ii) one or more other persons have an ownership interest in the property that permits them to occupy the property, then the tax exemption for the property that otherwise would have been provided shall be prorated by multiplying the amount of the exemption by a fraction the numerator of which is 1 and the denominator of which equals the total number of people having an ownership interest that permits them to occupy the property. (2) In the event that the principal residence is jointly owned by two or more individuals including the surviving spouse, and no person is entitled to the exemption under this section by virtue of holding the property in any of the three ways set forth in subsection (e), then the exemption shall be prorated by multiplying the amount of the exemption by a fraction the numerator of which is the percentage of ownership interest in the dwelling held by the surviving spouse and the denominator of which is 100.

Sec. 17-63. - Application for exemption.

(a) The surviving spouse claiming the exemption under this article shall file with the commissioner of the revenue of the county on forms to be supplied by the county, an affidavit or written statement (i) setting forth the surviving spouse's name, (ii) indicating any other joint owners of the real property, (iii) certifying that the real property is occupied as the surviving spouse's principal place of residence, and (iv) including evidence of the determination of the Comptroller or the Virginia Retirement System pursuant to subsection (a). The surviving spouse shall also provide documentation that he is the surviving spouse of a covered person and of the date that the covered person died. The surviving spouse shall be required to refile the information required by this section only if the surviving spouse's principal place of residence changes.

(b) The surviving spouse shall promptly notify the commissioner of the revenue of any remarriage.

Sec. 17-64. - Absence from residence.

The fact that surviving spouses who are otherwise qualified for tax exemption pursuant to this article are residing in hospitals, nursing homes, convalescent homes, or other facilities for physical or mental care for extended periods of time shall not be construed to mean that the real estate for which tax exemption is sought does not continue to be the sole dwelling of such persons during such extended periods of other residence, so long as such real estate is not used by or leased to others for consideration.

(2) *That this ordinance shall become effective immediately and retroactive to January 1, 2017.*

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

Voting no: None

Absent: Mr. Dooley

Motion passed.

(8c) County Attorney Patrick Skelley addressed the Board with a request to amend Bedford County Code Chapter 14, Noise, Section 14-4, "Excessive Noise – Specific Prohibitions". Attorney Skelley reviewed the process that led to this request, noting that the Virginia Supreme Court has legislated that these types of ordinances must not be vague in their wording. The proposed amendments would extend the distance to 250 feet, and prohibit excessive noise from 11:00 pm to 6:00 am.

The citizen comment portion of the public hearing was opened. The following citizens spoke in favor of amending the ordinance: Gary Fisher, 148 Gross Point Drive, Huddleston; Kandy Shackelford, 1398 Jefferson Lane, Bedford; David Gray, 142 Gross Point Drive, Huddleston; and Amanda Brewster, Huddleston.

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

Following a short discussion, the Board decided to amend the distance in the proposed ordinance to 1,000 feet.

Vice-Chairman Thomasson made a motion to approve Ordinance #102317-07.

Supervisor Wilkerson made a motion to amend Vice-Chairman Thomasson's motion to include extending the distance to 1,000.

BE IT HEREBY ORDAINED, that the Board of Supervisors of the County of Bedford, Virginia, hereby amends Chapter 14, "Noise", Section 14-4 "Excessive Noise---Specific Prohibitions" to provide specific hours regarding certain noise prohibitions, and increase the distance certain sound can travel without causing a violation.

Section 14-4. Excessive noise -- Specific prohibitions

Subject to the exceptions provided in section 14-5, any of the following acts, or the causing or permitting thereof, is declared to be excessive noise constituting a Class 3 Misdemeanor and a public nuisance:

(a) *Radios, television sets, musical instruments and similar devices.* Operating, playing or permitting the operation or playing of any radio, television, record, tape or compact disc player, drum, musical instrument, or similar device **between the hours of 11:00 p.m. and 6:00 a.m.** as follows:

- (1) In such a manner as to permit sound to be heard across a residential real property boundary or through partitions common to two (2) dwelling units within a building; or
- (2) In such a manner as to be plainly audible at a distance of **one thousand (1,000) fifty** ~~(50)~~ feet or more from the building in which it is located; or
- (3) When the sound is plainly audible at a distance of **one thousand (1,000) fifty** ~~(50)~~ feet or more from its source.

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

Voting no: None

Absent: Mr. Dooley

Motion passed.

(9) Action & Discussion Items

(9a) Deputy County Administrator Reid Wodicka addressed the Board with a request for approval of the Performance Management Policy. Dr. Wodicka briefly reviewed the process the team followed to develop this policy, and commented that it had been a few years since the yearly review process had been updated. He touched on the core commitments and the rating system, explaining how positive and negative ratings would affect an individual’s merit pay, as well as how this policy would enhance performance management, clarify goals, and address performance issues. Dr. Wodicka walked the Board through the proposed employee evaluation form, stating that he hoped employees would find the policy fair and participate in the process.

Throughout his presentation, Dr. Wodicka answered clarifying questions from the Board. The Board was unified in its decision that the “gold star” award should be a one-time bonus instead of a permanent raise.

Supervisor Willis made a motion to approve Resolution #R102317-10, with the amendment that the gold star raise be awarded instead as a gold star bonus.

WHEREAS, the Board of Supervisors has directed staff to develop a comprehensive performance management program that ties performance to pay decisions; and

WHEREAS, the County has a vested interest in proactively managing the job performance of its employees; and

WHEREAS, county-wide performance evaluations have not been completed in several years; and

WHEREAS, employees benefit from meaningful and constructive feedback related to their job performance; and

WHEREAS, staff has developed a performance management policy and program which has been reviewed by the Personnel Committee;

NOW, THEREFORE, BE IT RESOLVED, that the Bedford County Board of Supervisors does hereby adopt the proposed Performance Management Policy.

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

Voting no: None

Absent: Mr. Dooley

Motion passed.

(9b) County Administrator Carl Boggess addressed the Board with a request to modify the Bedford County Pay and Classification Plan within the Departments of Tourism and Economic Development. Mr. Boggess stated the he feels the vacant Business Development Specialist position in Economic Development is not necessary as a full-time position. He stated that Tourism could use a part-time position for marketing assistance, so he proposed a new position that would be shared between the two departments. Mr. Boggess asked that the Business Development Specialist be reclassified as a Marketing Coordinator position (at the same pay grade). He said this position would be utilized by both Economic Development and Tourism.

In response to a question from Supervisor Scott, Mr. Boggess said that he would be the person who would determine how this position would have its time prioritized between the two department heads. Several Board members expressed their concern that it would be very difficult for anyone in this new position to please two different directors, since naturally both department heads would want their own projects and deadlines to be priorities. There was also concern that not filling the Business Development Specialist would leave the Economic Development Department understaffed. Vice-Chairman Thomasson commented that cross-training is good for morale. Chairman Martin said these two departments already have a lot of cross-over, and a shared position makes sense. Several Board members voiced their concerns that it would be difficult for this person to be co-managed, considering the new evaluation process that is being put in place; it might have some shared duties, but it should be managed by one department head.

Vice-Chairman Thomasson made a motion to approve Resolution #R102317-09.

WHEREAS, on July 7, 2017, the position of Economic Development Specialist was vacated; and

WHEREAS, since that time, staff has completed a thorough analysis of the job functions. We have been able to reassign portions of the work to existing employees and the attendance of meetings and preparation of minutes has been contracted out. In the opinion of staff, the remaining portion of the job does not justify a full-time position within the Department of Economic Development.

WHEREAS, the Department of Tourism has been advocating the need of a marketing coordinator to assist in the mission of tourism. Staff feels that the both departments will benefit from the use of a shared position that would assist both departments in marketing efforts, managing website content and assisting in social media.

NOW, THEREFORE, BE IT RESOLVED, by the Bedford County Board of Supervisors that the Board does hereby reclassify the current Economic Development Specialist position into a new shared position to be titled: "Marketing Coordinator"; the position would remain a grade 123.

Voting yes: Mr. Thomasson, Mr. Martin, and Mr. Willis

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

Absent: Mr. Dooley

Motion failed.

(9c) Fiscal Management Director Susan Crawford addressed the Board for discussion and possible action regarding the Enterprise Resource Planning (ERP) system procurement. Ms. Crawford reviewed the RFP process for this software selection and what the software would be used for across multiple departments. She noted the current software faces many challenges including no integration between department systems, no tech support, insufficient reporting, lack of automation, outdated technology, and poor end-user experience.

Ms. Crawford addressed the Board's concerns regarding the price of the product, stating that the estimated cost of the project is \$1.8 million; implementation costs may be slightly less than projected which may lower the final costs. She stated the current software was purchased for \$700,000 fifteen to twenty years ago; it does not include human resources, grants management, procurement, business license modules, etc. The new software would include these modules. To meet the estimated cost of the new software, staff is recommending that the Board continue to appropriate \$200,000 annually in the C.I.P to fund this, as well as future software needs of the County. Ms. Crawford concluded her presentation by stating that numerous localities in Virginia are using Tyler products.

Dr. Wodicka stated that staff is now seeking guidance from the Board on whether they may award the contract to Tyler, or if the Board wants to staff to go back out for more bids. There followed a discussion between the members of the Board and staff regarding the merits of this request, the large cost

difference between the selected bidder and the second choice vendor, and whether enough bids were received to make an informed decision.

Supervisor Scott made a motion to reject the ERP proposals and to reissue the RFP.

Voting yes: Mr. Sharp and Mr. Scott

Voting no: Mr. Thomasson, Mr. Martin, Mr. Wilkerson, and Mr. Willis

Absent: Mr. Dooley

Motion failed.

Supervisor Sharp made a motion to reject the bids.

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

Voting no: Mr. Thomasson, Mr. Wilkerson, and Mr. Willis

Absent: Mr. Dooley

Motion failed.

Supervisor Willis made a motion to accept the staff recommendation to award the contract to Tyler.

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

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

Absent: Mr. Dooley

Motion failed.

Staff was directed to bring this issue back to the next meeting on November 9th, as there will be a full Board in attendance.

(9d) County Administrator Carl Boggess reviewed the drafted Legislative Priorities with the Board, and then requested their input.

Supervisor Sharp requested that the Lacey Putney Memorial Highway be expedited so that it could be dedicated on Delegate Putney's 90th birthday on June 27th, 2017.

In response to a question from Supervisor Scott, Mr. Boggess stated that the annexation moratorium extension is addressed every five years. Mr. Boggess said he can add a priority regarding the extension of this moratorium. Attorney Skelley noted the moratorium is currently extended to 2024.

Supervisor Sharp made a motion to approve Resolution #R102317-12 as amended.

MEMORIAL HIGHWAY RESOLUTION

WHEREAS, the Board of Supervisors of Bedford County is profoundly grateful for the more than fifty years of service of Lacey E. Putney in the House of Delegates of the Virginia General Assembly; and

WHEREAS, the Board of Supervisors desires to honor Lacey E. Putney for his exemplary service to Bedford County; and

NOW THEREFORE, BE IT RESOLVED, that the Bedford County Board of Supervisors request that the Virginia House of Delegates and the Virginia Senate pass a joint resolution designating that portion of U.S. Highway 221 from the corporate limits of the town of Bedford to the corporate limits of the city of Lynchburg as the Delegate Lacey E. Putney Memorial Highway. The Department of Transportation shall place and maintain appropriate markers indicating the designation of this highway.

BE IT FURTHER RESOLVED that the Board of Supervisors humbly requests an expedited decision from the Virginia House of Delegates and the Virginia Senate regarding this proposed resolution in order to enable the County of Bedford to proceed with the dedication of the Memorial Highway on Delegate Putney's birthday on June 27th.

GENERAL PRIORITIES AND SPECIFIC LEGISLATIVE REQUESTS

WHEREAS, the Board of Supervisors of Bedford County, Virginia has identified a number of legislative issues of import to the Board and the citizens of Bedford County that it wishes to bring to the attention of the Governor of the Commonwealth, the Virginia General Assembly and others prior to the start of the 2018 Session of the Virginia General Assembly; and

NOW, THEREFORE, BE IT RESOLVED, by the Bedford County Board of Supervisors that the Board sets forth the following Legislative Priorities (General Priorities and Specific Legislative Requests) for the 2018 Session of the Virginia General Assembly:

GENERAL PRIORITIES

Education Funding

To assure each child in Virginia a quality education necessary for their success, Bedford County calls upon the Governor and General Assembly to fully fund the Standards of Quality as recommended by the Board of Education and the Standards of Accreditation.

The provision of a quality education for all Virginia's children is the most important function of state and local government. When adjusted for inflation, state per pupil spending on public education is less than funding levels in FY-2005. With increased educational mandates, increased students and state policy changes that decreased education funding local school divisions have had to eliminate important academic programs, cut instructional and support staff, and increase class sizes, despite strong local efforts to improve efficiencies in public education. Bedford County looks forward to working with the Governor and General Assembly to address these serious challenges facing public education in our Commonwealth.

Rural Broadband

Broadband Internet connectivity has become as important to business success as any other utility. It is especially important to many home-based businesses and for telecommuters. Unfortunately, reliable

high-speed broadband service is rarely available outside very urbanized areas, leaving suburbanizing and rural areas at a distinct disadvantage in the information marketplace. The Board has placed a high priority on this issue and has formed a Broadband Authority to independently research methods and means to foster the development of universal broadband coverage in Bedford County. These local efforts, while potentially productive, must compete for limited County resources resulting in slow implementation. The Board requests that the Commonwealth increase grant funds available through the Department of Housing and Community Development and other avenues for aid to rural localities.

Intergovernmental Revenue and State Mandates

The Bedford County Board of Supervisors is keenly aware of the fiscal realities facing the Commonwealth over recent years. Nevertheless, the Board wishes to remind the legislature that these conditions have also dramatically reduced the ability of the Commonwealth's local governments to absorb reductions in state funding across the board and continuing state mandates. The Board calls upon the General Assembly to stem the flow of drastic reductions in state aid to localities coupled with increasing state mandates that has been the hallmark of recent legislative sessions. The Board commends the General Assembly for eliminating the "Local Aid to the Commonwealth". The Board strongly objects to the return of "Aid to the Commonwealth" as a means of reducing or recovering state funding for local governments.

Machinery and Tools Taxation

In a period of diminishing revenues and increasing mandates and rising demand for services, the local machinery and tools tax represents a significant and reliable source of revenue for Bedford County and for all localities which are home to major manufacturers. Because several manufacturers have chosen Bedford County as a location for their facilities, eliminating or reducing the source would be crippling to Bedford County's revenue structure. Machinery and tools taxation generates more than \$2 million in reliable revenue, which would have to be raised elsewhere or result in reduced services. The Board calls upon the General Assembly to preserve and protect this source of vital local revenue.

Local-State Transportation Funding and Cooperation

Bedford County believes that the 2018 session of the General Assembly must confront the funding challenges facing Virginia's transportation systems. We requests the General Assembly and the Governor take the actions necessary to restore funding for the Six-Year Secondary Road Plan to pre-recession levels, adjusted for inflation.

Revenue Sharing

Bedford County supports a revenue sharing program that will be funded at a minimum of \$150 million on an annual basis. Reducing funding for the program will discourage local governments from seeking non-VDOT sources of revenue to meet their transportation needs.

Devolution of Secondary Roads

Predominately rural Virginia localities are simply not financially or structurally able to fully assume all responsibility for their extensive secondary road systems, even if assisted financially by the state.

SPECIFIC LEGISLATIVE REQUESTS

Training/Certification Requirements for EMS Volunteers

The Board specifically endorses supporting practical and reasonable initial certification and ongoing continuing medical education (CME) requirements for County emergency medical service (EMS) and rescue squad volunteers. The Board feels that a major deterrent to volunteer service presently exists within the current, onerous training and certification/re-certification requirements imposed on EMS personnel by the state. The Board strongly supports a comprehensive re-evaluation of such requirements in an effort to both provide adequately-trained response personnel while at the same time reducing the hardship the current training/certification program imposes on career and especially volunteer personnel rural localities must rely upon for EMS response.

Conceal-Carry by Local School Personnel

The Board urges consideration by the General Assembly to allow, as an option of the local School Board, the carrying of concealed firearms on school property by specially-trained school personnel as a means of enhancing the safety and security of children and employees.

Composite Index for School Funding

The Board supports legislation that would establish an appeals process for local governments to challenge the computation of the Local Composite Index. The Board further supports legislation that would direct the Department of Education to adjust its funding calculations for local ability to pay by using the use-value assessment of real property instead of the true value.

Real Estate Reassessment

The Board requests authority to conduct its general reassessments at either five-year or six-year intervals.

Workforce

The Board supports changes in curriculum and funding that will increase the number of students leaving the secondary education system with workforce ready credentials. The Board also supports innovative models for schools to give academic credit for students that earn industry workforce skills through certifications, or licensure from an approved education or training provider.

Support Adequate Funding for Agriculture Best Management Practices

Robust and reliable funding of Virginia's agricultural best management practice cost-share program is essential for meeting the Commonwealth's water quality goals. Practices like fencing cattle out of streams, planting streamside trees and grasses, managing manure effectively, planting cover crops, and many others are the most cost-effective steps Virginia can take to restore the Bay and local streams

under the Chesapeake Clean Water Blueprint. To ensure we reach our Blueprint goals, the Commonwealth should deepen its financial commitment to farmers and to clean water with increased cost-share funding for these practices through the Soil and Water Conservation Districts. One indication, among many, of the need: The current stream-fencing backlog in Virginia is more than \$73 million.

Stormwater Programs

The Board supports adequate funding to enable local governments to meet ongoing costs associated with local stormwater management programs, and opposes any legislation that would impose any additional mandates or financial burdens upon local governments. The Board further supports solutions that would facilitate compliance with stormwater standards in a manner that promotes economic development while achieving water-quality goals.

Children Services Act

The Board opposes proposals to limit state participation in funding services for children and youth who are mandated to be provided with special education and foster care services. The Board supports enhancing the ability of local school divisions to serve children with disabilities in their neighborhood schools.

Prevention Services

The Board supports increased state general funding for community-based service programs, and opposes reductions to prevention programs that would cause numerous high-risk youth to enter costly CSA placements.

BE IT FURTHER RESOLVED, that the Board directs this Resolution be distributed to Bedford County's representatives within the House of Delegates and Senate of the Virginia General Assembly and the Virginia Association of Counties.

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

Voting no: None

Absent: Mr. Dooley

Motion passed.

(10) Board Committee Reports - none

(11) Board Member Comments

Supervisor Sharp asked that staff investigate cars parking in the right-of-way in neighborhoods. Captain Mike Miller clarified that if the tires are not touching the pavement, the parking is legal; if it's in the State's right-of-way, however, it can be towed. Supervisor Sharp then asked Community Development Director Gregg Zody to contact the State regarding this matter.

Chairman Martin asked for an update from the County Administrator regarding the closing of the pipeline in Montvale. Mr. Boggess said he is in contact with the managers of the terminal, but at the moment he has had no updates from Colonial. He said he would email the Board when he has more information. In response to a question from Vice-Chairman Thomasson, Mr. Boggess said there is the potential to lose between \$150,000 and \$190,000 in revenue. Chairman Martin said the price in fuel will also likely increase. A brief discussion followed regarding potential future uses of the site.

Mr. Boggess then requested, and received, consensus to designate Supervisor Thomasson as the Voting Delegate, and himself as the Alternate Voting Delegate, for the VACo 2017 Annual Meeting in November.

In response to a question from Supervisor Scott, Attorney Skelley said the Sheriff's bumper stickers may have drawn a lawsuit if they had been applied to County-owned vehicles.

(12) Board Appointments - none

(13) County Attorney Report

Supervisor Willis made a motion for the Board to enter into Closed Session pursuant to Section 2.2-3711 (A) (1) as to the discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; specifically related to the County Attorney.

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

Voting no: None

Absent: Mr. Dooley

Motion passed.

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

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

Voting no: None

Absent: Mr. Dooley

Motion passed.

WHEREAS, the Bedford County Board of Supervisors has convened a Closed Meeting, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, §2.2-3712 of the Code of Virginia requires a certification by the Bedford County Board of Supervisors that such closed meeting was conducted in conformity with Virginia Law.

NOW, THEREFORE BE IT RESOLVED, that the Bedford County Board of Supervisors does hereby certify that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting was heard, discussed or considered by the Bedford County Board of Supervisors.

<u>MEMBERS:</u>	<u>VOTE:</u>
Curry Martin, Chairman	Yes
Bill Thomasson, Vice Chairman	Yes
Steve Wilkerson	Yes
John Sharp	Yes
Tommy Scott	Yes
Andy Dooley	Absent
Kevin Willis	Yes

(14) County Administrator Report

(14a) *This item was heard under Board comments instead.*

(15) Board Information

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

(15b) The Board was given a copy of the Planning Commission meeting minutes from August 15, 2017 for review.

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

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

(16) Board Calendar & Reminders

Mr. Boggess noted the following upcoming meetings on the Board's calendar: November 9 (*Thursday*) – Joint Work Session with the School Board for a follow-up on CIP at 5:00 pm at the Bedford Area Welcome Center; will include a Special Meeting to award the contract for County Administration Building Improvements, Phase II; November 27 – Regular Meeting at 7:00 pm; December 11 – Regular Meeting at 7:00 pm (Work Session from 5:00 – 6:30 pm)

(17) Adjourn

Vice-Chairman Thomasson made a motion to adjourn meeting at 9:06 pm.

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

Voting no: None

Absent: Mr. Dooley

Motion passed.