



MINUTES
BEDFORD COUNTY BOARD OF SUPERVISORS
BEDFORD COUNTY ADMINISTRATION BUILDING
FEBRUARY 12, 2018

5:00 P.M. WORK SESSION

- a. Discussion regarding the Capital Improvement Plan

6:30 P.M. Break for Dinner

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 Sheriff's Office to submit an application for the DMV Selective Enforcement – Speed Grant in the amount of \$15,750.00 (local match of \$5,250.00 will be met by using the cost of fuel and vehicle maintenance included in the FY2018-2019 budget proposal). (*Resolution #R021218-02*)
- b. Consideration of a request from the Sheriff's Office to submit an application for the DMV Selective Enforcement – Alcohol Grant in the amount of \$33,028.50 (local match of \$11,009.50 will be met by using the cost of fuel and vehicle maintenance included in the FY2018-2019 budget proposal). (*Resolution #R021218-03*)
- c. Consideration of a request from the Domestic Violence Program to accept the VSTOP Program Grant in the amount of \$16,788.00, and for a Supplemental Appropriation in the amount of \$8,394.00 (local match of \$4,197.00 will be

covered by donations to the Domestic Violence Program). *Resolution #R021218-04*).

- d. Consideration of a request from the Department of Fire & Rescue to accept the Office of Emergency Management Services Rescue Squad Assistance Fund in the amount of \$14,448.00, and for a Supplemental Appropriation in the amount of \$7,224.00 (local match of \$7,224.00 is requested from available “EMS for Future” reserves). (*Resolution #R021218-05*)
- e. Consideration of a request to compensate Douglas D. Maynard in the amount of \$300 for the loss of a calf killed by a dog not his own.
(*Resolution #R021218-06*)
- f. Consideration of a request from the Virginia Department of Transportation to add Jameson Court, State Route #1358, to the Secondary System of State Highways. (*Resolution #R021218-09*)

(7) Approval of Minutes – November 27 and December 11, 2017

(8) Public Hearings & Presentations - none

(9) Action & Discussion Items

- a. Consideration of a request from the Department of Public Works for authorization of a contract for a replacement boiler for the County Administration Building. (*Resolution #R021218-07*)
 - *Staff Presentation by Public Works Director Sheldon Cash*
- b. Consideration of a request from the Department of Public Works for authorization of a contract for the purchase of a replacement track loader.
(*Resolution #R021218-08*)
 - *Staff Presentation by Public Works Director Sheldon Cash*
- c. Consideration of a request from the Electoral Board for authorization to advertise for a public hearing for the purpose of revising Chapter 6 “Elections”.
(*Resolution #R021218-10*)
 - *Staff Presentation by County Attorney Patrick Skelley*
- d. Consideration of a request from the Sheriff’s Office to modify the Bedford County Play and Classification Plan for two part-time Deputy Sheriff positions.
(*Resolution #R021218-01*)
 - *Staff Presentation by County Attorney Patrick Skelley*

(10) Board Committee Reports - none

(11) Board Member Comments

(12) Board Appointments - none

(13) County Attorney Report

- a. Closed Session §2.2-3711 (7) – Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter.

(14) County Administrator Report

(15) Board Information

- a. Bedford County Planning Commission meeting minutes from December 19, 2017
- b. Bedford County Board of Zoning Appeals Annual Report for 2017
- c. E-911 Bedford Communications Report for December 2017 and January 2018
- d. Bedford Regional Water Authority Board of Directors meeting minutes from December 19, 2017
- e. Department of Community Development's Building Report for January 2018

(16) Board Calendar and Reminders

- February 26th - Regular Meeting (Work Session – 5:00 to 6:00 pm) (Annual report and Dinner w/Extension Office at 6:00 pm following the work session)
- March 12th - Regular Meeting (Work Session – 5:00 to 6:30 pm)

Adjourn

5:00 P.M. WORK SESSION

Board of Supervisors: Bill Thomasson, Chairman, District 1; Tommy Scott, Vice-Chairman, District 5; Edgar Tuck, District 2; Charla Bansley, District 3; John Sharp, District 4; Andy Dooley, District 6; and Kevin Willis, District 7

County Staff: County Administrator Carl Boggess, Assistant County Administrator Reid Wodicka, County Attorney Patrick Skelley, Fiscal Management Director Susan Crawford, Assistant Fiscal Management Director Sherri Goodwin, and Executive Assistant Brigitte Lockett

Chairman Thomasson called the work session to order, and then turned the meeting over to Deputy County Administrator Reid Wodicka.

Dr. Wodicka stated he would be reviewing the revised funding strategy and several improvement projects, and then turned the work session over to Mr. Ben Motley, Architect and Senior Partner at RRMM Architects, for a presentation of the feasibility study for renovations and additions to Forest Middle School.

Mr. Motley discussed the needed improvements, such as the inadequate design for the traffic flow; the need for more classroom space so the students aren't in the "learning cottages"; and the need to accommodate potential student population growth. He reviewed two concept plans with the Board that included field expansions, a second gym, building additions, and reconfiguring the parking spaces and the bus loop. Mr. Motley also briefly touched on funding for the project, noting the total estimated cost of the project would be \$22,500,000. Delaying the project could result in a 3.5% escalation per year to the final costs. He stated that if the architectural selection process began by April 2018, construction could start at an optimal time in 2019. He reminded the Board that the school would be occupied for some of the time during the construction.

There followed a question and answer session between Mr. Motley, County staff, members of the School Board, School Administration staff, and the Board of Supervisors. Some concerns raised included whether a second gym was necessary instead of expanding the current gym; whether it is fair to spend funds in that area of the County when there are other schools that are also in desperate need of repairs; the need for more comprehensive projections regarding student growth; whether there is a need to redistrict the school zones; and how to balance spending between projects like this with the need to increase teacher pay. School Superintendent Doug Schuch suggested waiting on redistricting until the new Liberty Middle School is open so the student population can be better gauged after possible future zone transfers.

Dr. Wodicka then gave a review of the draft Capital Improvement Plan (CIP), briefly touching on the first two spending options that were presented to the Board in November 2017. At that meeting, the Board had requested a third hybrid option containing elements of both spending proposals. The hybrid option (Option 1A) includes total funding of \$65.6 million, adding \$1.5 million for county-wide broadband, and \$250,000 for Courthouse security; the new County Administration building project has been removed. Dr. Wodicka touched on a few other aspects of Option 1A, noting that it utilizes \$10.3 million in Fund Balance (leaving \$8.5 million). This plan has \$30.8 million in new debt service projects and, while it is not included in this plan, funding for projects involving the Huddleston Elementary School could be addressed through the additional debt capacity that would be available. At the conclusion of his presentation, Dr. Wodicka answered questions from the Board. The Board gave its consensus to

proceed with Option 1A, with Supervisor Bansley dissenting due to no funding being included for the Huddleston Elementary School.

There being no further discussion, the Board recessed for dinner at 6:20 pm.

7:00 P.M. – Regular Meeting

Board of Supervisors: Bill Thomasson, Chairman, District 1; Tommy Scott, Vice-Chairman, District 5; Edgar Tuck, District 2; Charla Bansley, District 3; John Sharp, District 4; Andy Dooley, District 6; and Kevin Willis, District 7

Staff: County Administrator Carl Boggess, Assistant County Administrator Reid Wodicka, County Attorney Patrick Skelley, Public Works Director Sheldon Cash, and Executive Assistant Brigitte Luckett

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

(4) Approval of Agenda

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

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

Voting no: None

Motion passed.

(5) Citizen Comments

- *none*

(6) Consent Agenda

County Administrator Carl Boggess reviewed the items on the consent agenda as follows:

- a. Consideration of a request from the Sheriff's Office to submit an application for the DMV Selective Enforcement – Speed Grant in the amount of \$15,750.00 (local match of \$5,250.00 will be met by using the cost of fuel and vehicle maintenance included in the FY2018-2019 budget proposal). (*Resolution #R021218-02*)
- b. Consideration of a request from the Sheriff's Office to submit an application for the DMV Selective Enforcement – Alcohol Grant in the amount of \$33,028.50 (local match of

\$11,009.50 will be met by using the cost of fuel and vehicle maintenance included in the FY2018-2019 budget proposal). (*Resolution #R021218-03*)

- c. Consideration of a request from the Domestic Violence Program to accept the VSTOP Program Grant in the amount of \$16,788.00, and for a Supplemental Appropriation in the amount of \$8,394.00 (local match of \$4,197.00 will be covered by donations to the Domestic Violence Program). *Resolution #R021218-04*.
- d. Consideration of a request from the Department of Fire & Rescue to accept the Office of Emergency Management Services Rescue Squad Assistance Fund in the amount of \$14,448.00, and for a Supplemental Appropriation in the amount of \$7,224.00 (local match of \$7,224.00 is requested from available “EMS for Future” reserves). (*Resolution #R021218-05*)
~~Consideration of a request to compensate Douglas D. Maynard in the amount of \$300 for the loss of a calf killed by a dog not his own. (*Resolution #R021218-06*)—(moved to Action Items, #9e)~~
- e. Consideration of a request from the Virginia Department of Transportation to add Jameson Court, State Route #1358, to the Secondary System of State Highways. (*Resolution #R021218-09*)

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

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

Voting no: None

Motion passed.

(7) Approval of Minutes

Supervisor Willis made a motion to approve the minutes of November 27, 2017 as presented.

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

Voting no: None

Abstained: Mrs. Bansley

Motion passed.

Supervisor Willis made a motion to approve the minutes of December 11, 2017 as presented.

Voting yes: Mr. Thomasson, Mr. Tuck, Mr. Sharp, Mr. Scott, Mr. Dooley and

Mr. Willis

Voting no: None

Abstained: Mrs. Bansley

Motion passed.

(8) Public Hearings & Presentations - none

(9) Action & Discussion Items

(9a) Public Works Director Sheldon Cash addressed the Board with a request for authorization of a contract for a replacement boiler for the County Administration Building. Mr. Cash explained the situation that led to this request coming before the Board this evening, the details of which are given in the resolution below. Mr. Cash then answered minor clarifying questions from the Board.

Supervisor Willis made a motion to approve Resolution #R021218-07.

WHEREAS, the boiler which provides the only heat source for the County Administration Building experienced a total failure on January 2, 2018; and

WHEREAS, expenditures in the amount of \$31,000 were incurred for temporary heating sources and the installation of a temporary boiler; and

WHEREAS, a new replacement boiler is needed to provide a long-term heat solution for the building; and

WHEREAS, a new boiler is available at a cost of \$56,000 through Trane with cooperative procurement contract pricing; and

NOW, THEREFORE, BE IT RESOLVED, by the Bedford County Board of Supervisors that the Board does hereby authorize staff to execute a contract with Trane for the purchase of a replacement boiler; and

BE IT FURTHER RESOLVED, that the Bedford County Board of Supervisors does hereby authorize a transfer of up to \$87,000 from the contingency fund to cover the expenditures for both the temporary solutions and the long-term boiler.

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

Voting no: None

Motion passed.

(9b) Public Works Director Sheldon Cash addressed the Board with a request for authorization of a contract for the purchase of a replacement track loader. Mr. Cash stated this would replace a 1998 track loader with over 13,000 operating hours.

Supervisor Dooley made a motion to approve Resolution #R021218-08.

WHEREAS, the County of Bedford operates a Landfill; and

WHEREAS, heavy equipment is critical to the operation; and

WHEREAS, the existing 1998 Track Loader is recommended for replacement; and

WHEREAS, a replacement Caterpillar Track Loader is available from Carter Machinery with cooperative procurement contract pricing of \$310,651; and

WHEREAS, funds were appropriated in the current operating budget to cover the necessary lease purchase payments; and

NOW, THEREFORE, BE IT RESOLVED, by the Bedford County Board of Supervisors that the Board does hereby authorize staff to execute a contract with Carter Machinery for a replacement Track Loader.

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

Voting no: None

Motion passed.

(9c) County Attorney Patrick Skelley addressed the Board with a request from the Electoral Board for authorization to advertise for a public hearing for the purpose of revising Chapter 6 “Elections”. Attorney Skelley reviewed the process that led to this request being brought to the Board this evening, noting that the current location at Forest Youth Athletic does not have enough parking (details are in the resolution below). In response to a question from Supervisor Bansley, Registrar Barbara Gunter stated there is a sufficient number of voting machines and security cages available; five poll workers will be pulled from New London to the new facility, leaving six to seven at the New London Academy precinct after it is split. Therefore, one to two new poll workers would be needed (on election days only).

Supervisor Bansley made a motion to approve Resolution #R021218-10.

WHEREAS, the Electoral Board of Bedford County has recently completed a post-election review of polling places to evaluate any issues or needed changes; and

WHEREAS, the review identified two polling places that have insufficient space for accommodating the voters, those locations are Forest Youth Athletic Association and New London Academy. Forest Youth Athletic Association polling place is in a small conference room and can accommodate only eight to ten voters at a time with all others having to wait outside in the weather. New London Academy is the county’s largest voting precinct, with greater than 3,700 voters assigned to that polling place, and has an insufficient number of parking spaces causing traffic issues and many voters to have to park in the surrounding ball fields; and

WHEREAS, it was the decision of the Electoral Board that a more spacious facility should be identified for Forest Youth Athletic Association polling place and that the New London Academy polling place should be split to reduce the volume of voters it currently serves; and,

WHEREAS, The Well Church located at 2450 Thomas Jefferson Road, approximately 9/10 mile north of Forest Youth Athletic Association polling place can provide adequate facilities that meet the requirements for a polling place, the proposed site is within one mile of the precinct boundary line as provided in Code, and the Electoral Board has verified with The Well Church that they are willing to serve their community in the capacity of a polling place; and,

WHEREAS, the Electoral Board has identified a second facility that will enable the New London Academy voting precinct to be split into two separate voting precincts, thus providing the needed relief to parking issues at that polling place. The Forest Fire Station #2 located at 1043 Meade Road in the New London Business and Technology Center can accommodate approximately 35% of the registered voters currently assigned to the New London Academy polling place. The Electoral Board is recommending that the precinct be split with the most populous areas around New London Academy remaining at the current polling place and the balance being assigned to the Business and Technology Center Fire Station as shown on the attached map; and

WHEREAS, the proposed changes were recommended and approved by the Bedford County Electoral Board to provide better access and an improved voting experience,

NOW, THEREFORE, BE IT RESOLVED, that the County Attorney is hereby authorized to advertise for a Public Hearing to be held on the 26th day of March 2018 for the purpose of revising Chapter 6 “Elections”; specifically, to change the precinct polling places in District 3.

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

Voting no: None

Motion passed.

(9d) County Administrator Carl Boggess addressed the Board with a request from the Sheriff’s Office to modify the Bedford County Play and Classification Plan for two part-time Deputy Sheriff positions. Mr. Boggess said he didn’t have anything to add to the email the Sheriff sent out regarding the need for additional deputies to address security concerns at the Courthouse, as well as having enough bailiffs to cover all four courtrooms on busier days. He said he didn’t think the upcoming positions analysis in the CIP would really affect this request. Mr. Boggess then answered minor clarifying questions from the Board regarding this request. Supervisor Willis stated for the record that he did not appreciate how this issue was brought (via email) to the Board from the Sheriff’s Office.

Supervisor Dooley made a motion to approve Resolution #R021218-01; Supervisor Willis voted no and Supervisor Dooley voted yes; Supervisor Dooley then rescinded his motion so that Vice-Chairman Scott could ask a question.

In response to a question from Vice-Chairman Scott, Mr. Boggess stated there are sufficient funds available in the Sheriff's current budget; the funds would need to be included in the 2018-19 budget. No benefits would be included, and it is likely these positions would not be provided with vehicles.

Supervisor Dooley made a motion to approve Resolution #R021218-01.

WHEREAS, the Bedford County Sheriff is requesting two part time Deputy Sheriff's for the Bedford County Courthouse, and

WHEREAS, the United States Marshals assisted with a security assessment of the Bedford County Courthouse on December 12, 2017. Their professional findings were recorded and indicated, in addition to other public safety concerns, that additional staffing of bailiffs needs to be increased for safety and security of daily operations, and

WHEREAS, safety of the citizens, along with the judges, carries a foreseeable liability which will increase greatly should the analysis of such an incident show that the security response and considerations for public and employee safety were inadequate, and

NOW, THEREFORE, BE IT RESOLVED, by the Bedford County Board of Supervisors that the Board does hereby approve two part time Deputy Sheriff positions effective immediately for twenty five hours a week each at a rate of \$16.00 an hour. This amount will be taken out of FY 2017-2018 salary budget for the Sheriff's Office.

BE IT FURTHER RESOLVED, by the Bedford County Board of Supervisors that the Board approves the two part time Deputy Sheriff positions. These part time positions are incorporated with the budget request for FY 2018-2019, and the Bedford County Pay and Classification Plan shall be modified accordingly.

Voting yes: Mr. Tuck, Mrs. Bansley, Mr. Sharp, Mr. Scott*, and Mr. Dooley

Voting no: Mr. Willis and Mr. Thomasson

Motion passed.

* When he voted, Vice-Chairman Scott stated that, in the future, he wants to be notified of these types of requests well in advance. He stated that senior management at the County knew about this request weeks ago. Supervisor Dooley clarified for the record that he did not have preferential treatment regarding this request – he was at the Sheriff's Office for a discussion regarding a Wounded Warriors event when the Sheriff asked how he thought they should proceed with requesting these positions.

(9e) County Attorney Patrick Skelley addressed the Board with a request to compensate Douglas D. Maynard in the amount of \$300 for the loss of a calf killed by a dog not his own (moved to tonight's

Action Items from the consent agenda). The Board briefly discussed the merits of this request, with some members questioning why the County pays for these types of losses. Attorney Skelley explained that we are following our County Code, which allows for compensation for the loss of livestock and poultry by dogs not owned by the claimant. Attorney Skelley noted that the Board can deny this request if they wish, and they can also, in the future, alter their code regarding these types of requests if they no longer feel it is necessary.

Supervisor Scott made a motion to approve Resolution #R021218-06.

WHEREAS, Douglas D. Maynard had one calf killed by a dog not his own on the 19th day of December 2017; and

WHEREAS, Mr. Maynard communicated this loss to the Bedford County Sheriff's Office; and

WHEREAS, an Animal Control Officer of the County has investigated the incident; and

WHEREAS, the dog causing the damage to Mr. Maynard is unknown; and

WHEREAS, \$300.00 is a reasonable compensation for the calf.

NOW, THEREFORE, BE IT RESOLVED, that the Bedford County Board of Supervisors authorize Animal Control (00-3120-5-4111-351) to compensate Douglas D. Maynard in the amount of \$300.00. In addition, there shall be a transfer from the contingency fund to cover the claim.

Voting yes: Mr. Tuck, Mr. Sharp, Mr. Scott, Mr. Dooley and Mr. Willis

Voting no: Mrs. Bansley and Mr. Thomasson

Motion passed.

(10) Board Committee Reports - none

(11) Board Member Comments

Supervisor Sharp requested, and received, consensus to direct staff to revise sections of the code regarding master plans. Specifically, revisions are requested with the portions of the code regarding the owner of a property, who also owns the original master plan, having to give approval for any changes if the ownership has changed hands. Mr. Boggess noted that, as the code is currently written, it is a private (rather than a public) issue.

(12) Board Appointments - none

(13) County Attorney Report

Chairman Thomasson made a motion to go into Closed Session §2.2-3711 (7) – Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or

litigating posture of the public body. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter.

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

Voting no: None

Motion passed.

Vice-Chairman Scott made a motion to go back into regular session.

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

Voting no: None

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.

MEMBERS:

VOTE:

| | |
|----------------------------|-----|
| Bill Thomasson, Chairman | Yes |
| Tommy Scott, Vice-Chairman | Yes |
| Edgar Tuck | Yes |
| John Sharp | Yes |
| Andy Dooley | Yes |
| Kevin Willis | Yes |

(14) County Administrator Report - none

(15) Board Information

(15a) The Board was given a copy of the Bedford County Planning Commission meeting minutes from December 19, 2017 for review.

(15b) The Board was given a copy of the Bedford County Board of Zoning Appeals Annual Report for 2017 for review.

(15c) The Board was given a copy of the E-911 Bedford Communications Report for December 2017 and January 2018 for review.

(15d) The Board was given a copy of the Bedford Regional Water Authority Board of Directors meeting minutes from December 19, 2017 for review.

(15e) The Board was given a copy of the Department of Community Development's Building Report for January 2018 for review.

(16) Board Calendar & Reminders

Mr. Boggess noted the following upcoming meetings on the Board's calendar: February 26th - Regular Meeting (Closed Session – 5:00 to 6:00 pm) (Annual report and Dinner w/Extension Office at 6:00 pm following the work session); March 12th - Regular Meeting (Work Session – 5:00 to 6:30 pm)

In response to a question from Supervisor Tuck, Attorney Skelley stated the paperwork has gone to the Judge regarding an interim Treasurer appointment. He will notify the Board when he hears back.

(17) Adjourn

Vice-Chairman Scott made a motion to adjourn the meeting at 8:15 pm.

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

Voting no: None

Motion passed.