



BROADBAND AUTHORITY AGENDA
BEDFORD COUNTY BOARD OF SUPERVISORS
BEDFORD COUNTY ADMINISTRATION BUILDING
MAY 14, 2018

5:00 PM BROADBAND AUTHORITY

- a. Discussion with consultant regarding tower placement, cost of towers, etc.
- b. Authorization for PPEA

6:30 PM JOINT WORK SESSION WITH THE PLANNING COMMISSION

- (1) Where Are We Now - Brief review of residential development between 2008 and 2018
- (2) Where and how do we want to grow - Future Land Use Map discussion
- (3) Where is the infrastructure - BRWA's current and long-range sewer/water plans
- (4) Next Steps
- (5) Consideration of a Growth Cost Model study
- (6) Adjourn

7:00 PM SPECIAL MEETING OF THE BOARD OF SUPERVISORS

- (1) **Call to Order & Welcome**
- (2) **Moment of Silence**
- (3) **Pledge of Allegiance**
- (4) **Approval of Agenda**
- (5) **Public Hearings**
 - a. **Joint with Planning Commission** - Consideration of an ordinance to amend and readopt the Bedford County Zoning Ordinance by changing the zoning district designation of a portion of a parcel identified as Tax Map #86-A-43.(Ordinance #O 051418-01)

- *Staff Presentation by Planner Mariel Fowler*
- b. Consideration of an ordinance amending select provisions of the Bedford County Zoning Ordinance regarding the Master Plan. (*Ordinance #O 051418-03*)
 - *Staff Presentation by Community Development Director Gregg Zody*

(6) Action Items

- a. Consideration of a request for approval of the Bedford County and Bedford County School Division Budgets for Fiscal Year 2018 - 2019.
 - *Staff Presentation by Deputy County Administrator Reid Wodicka*

~~(7) 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 Administrator. Postponed to the May 29th meeting~~

(8) Board Member Comments

(9) Board Calendar and Reminders

- May 29th – VDOT Work Session 5:00 – 6:30 pm; Regular Meeting at 7:00 pm (*Tuesday*)
- June 11th – Work Session beginning at 5:00 pm

Adjourn

5:00 P.M. Broadband Authority 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

County Staff: County Administrator Carl Boggess, Deputy County Administrator Reid Wodicka, County Attorney Patrick Skelley, Economic Development Director Traci Blido, Community Development Director Gregg Zody, Fiscal Management Director Susan Crawford, and Executive Assistant Brigitte Luckett

Chairman Thomasson called the work session to order, and then turned the meeting over to Mr. George Condyles, President of The Atlantic Group, for a presentation on the recent study that has been conducted regarding improving broadband in the County.

Mr. Condyles stated that the Board had been given the full report, and this evening he would just cover the highlights. (*The full study and the presentation will be kept on file in the Administration office for public review.*) He stated that there is not one specific technology that will suit every one, so the solution he is proposing is a hybrid with multiple delivery systems and infrastructure requirements. Mr. Condyles said he is proposing an eleven-site wireless system on county-owned property to provide county-wide coverage, as well as an estimated fifteen miles of fiber optic cables. He suggested public-private partnerships and grant funding to fulfill the capital requirement of \$3.5 million, which includes infrastructure, site-plans, engineering, fiber optic, etc. He noted available providers for this region and the areas they currently serve, and commented on the need for the services areas to crisscross each other to provide the best coverage. Throughout his presentation, Mr. Condyles displayed a variety of maps illustrating current coverage, and the proposed locations for towers to provide 98% coverage in the county. He explained how the towers would be constructed, and then reviewed the strategy plan which included site plans, test site installations, air space studies, etc. Worst case scenario has the infrastructure project taking one year; best case scenario would have all nine sites built by the end of 2018. Mr. Condyles said it would be approximately \$75,000 per year for the site's maintenance costs; he then answered questions from the Board.

The Board reached a consensus to allow the County Administrator to begin the process for a public/private partnership. The Board also determined that they would only require public comments for Comcast in writing for a 30-day period (in line with the requirements of the Tobacco Commission), instead of also holding a public comment period at a future Board meeting in addition to written comments.

There being no further discussion, the Broadband Authority recessed for dinner at 5:55 pm.

6:00 P.M. Joint Work Session with the Planning Commission

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

Planning Commission: Tom Woodford, Chairman, District 7; Jeff Burdett, District 2; Ron Steele, District 3; Josiah Tillett, District 4; David Mays, District 6

Absent: Lewis Huff, District 1 and John Dawson, District 5

County Staff: County Administrator Carl Boggess, Deputy County Administrator Reid Wodicka, County Attorney Patrick Skelley, Economic Development Director Traci Blido, Community Development

Director Gregg Zody, Planner Mariel Fowler, Planner Jordan Mitchell, and Executive Assistant Brigitte Lockett

Chairman Thomasson called the work session to order and turned the meeting over to the Planning Commission, who then turned the meeting over to Community Development Director Gregg Zody.

Mr. Zody gave a presentation which included a review of residential development in the county over the last 10 years. He noted that the population has increased 13.5%, with the largest increase being in the Forest area. He reviewed the demographic and regulatory factors that led to the growth in specific areas. He noted the infrastructure issues and projects with regard to the water authority, and the impacts we need to anticipate from schools, fire and rescue, and roads that come with future growth and development. He then reviewed proposed next steps, which included adopting a UDA for the Forest and New London areas, considering how we can meet the demands generated by growth, and taking a long-range view for the County's future. He said we need to consider how we are going to invest the taxpayer's money to maintain sustainable growth. There followed a discussion between Mr. Zody, Mr. Boggess, the Board of Supervisors, and the Planning Commission regarding the need to plan for future growth without limiting development.

Mr. Zody received consensus to issue an RFP for the costs involved to conduct a full community services study.

There being no further discussion, the work session ended at 7:00 pm.

7:00 P.M. – Special 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

Planning Commission: Tom Woodford, Chairman, District 7; Jeff Burdett, District 2; Ron Steele, District 3; Josiah Tillett, District 4; David Mays, District 6

Absent: Lewis Huff, District 1 and John Dawson, District 5

County Staff: County Administrator Carl Boggess, Deputy County Administrator Reid Wodicka, County Attorney Patrick Skelley, Economic Development Director Traci Blido, Community Development Director Gregg Zody, Planner Mariel Fowler, Fiscal Management Director Susan Crawford, Assistant Fiscal Management Director Sherri Goodwin, Administrative Manager Patricia Robinson, Nursing Home Administrator Sue Ellen Clark, and Executive Assistant Brigitte Lockett

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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

County Administrator Carl Boggess noted that there will be a committee report from Supervisor Bansley; the he will have a comment under “County Administrator’s Report”; and that the closed session has been postponed to May 29th.

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

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

Voting no: None

Motion passed.

(5) Public Hearings & Presentations

Planning Commission Chairman Woodford called the Planning Commission to order.

(5a) Planner Mariel Fowler addressed the Board with an ordinance to amend and readopt the Bedford County Zoning Ordinance by changing the zoning district designation of a portion of a parcel identified as Tax Map #86-A-43. Mrs. Fowler noted that the property owner is David Wayne Nelson, and is located at 12776 West Lynchburg Salem Turnpike in Blue Ridge. The applicant wishes to rezone 1.5 acres (after subdividing his parcel) from Agricultural/Rural Preserve to General Commercial to accommodate changing an existing garage into a commercial use for automobile repair services. Mrs. Fowler displayed the concept plan, as well as a variety of maps and photographs illustrating the current and proposed future use. She noted that the anticipated impacts come from the proposed use, and not the rezoning itself.

Attorney Jeff Hubbard, representative for the applicant, addressed the Board regarding this request. Attorney Hubbard stated the property is located next to a commercial use, and a two-bay garage is already on the property. He then answered brief clarifying questions from the Board, and noted the surrounding properties was also owned by the applicant. Mr. Nelson stated that there is parking for 3 or 4 cars, and that he would gravel the area if needed.

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

Chairman Thomasson then turned the meeting over to the Planning Commission for discussion and a possible motion regarding this application.

Planning Commissioner Mays made a motion for approval of Rezoning Application #RZ180006; seconded by Commissioner Burdett.

Voting yes: Mr. Woodford, Mr. Burdett, Mr. Steele, Mr. Tillett, and Mr. Mays

Voting no: none

Absent: Mr. Huff and Mr. Dawson

Motion passed.

Commissioner Burdett made a motion to adjourn the Planning Commission; the motion passed unanimously.

Supervisor Dooley made a motion to approve Ordinance #O 051418-01.

WHEREAS, David Wayne Nelson has submitted application #RZ180006 to rezone a portion (1.5 acres) of a parcel identified as Tax Map Number 86-A-43 (10.12 acres according to instrument # 120000422) from AP, Agricultural/Rural Preserve District, to C-2, General Commercial District, for the purpose of establishing an "Automobile Repair Services, Minor" use at an existing residential detached garage; and

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

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

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

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

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

THEREFORE, BE IT ORDAINED, by the Bedford County Board of Supervisors on this the 14th day of May, 2018, that the Bedford County Zoning Ordinance be and it hereby is amended and readopted by changing the zoning district designation of 1.5 acres, a portion of a 10.12-acre parcel identified as 86-A-43 to C-2, General Commercial; and

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

of the ordinance as a whole, or any part of the ordinance other than the part held to be unconstitutional or invalid.

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

Voting no: None

Motion passed.

(5b) Community Development Director Gregg Zody addressed the Board with of an ordinance amending select provisions of the Bedford County Zoning Ordinance regarding the Master Plan. Mr. Zody briefly reviewed that led to this request being brought to the Board, noting that this amendment will give the Master Plan owner sixty days to either affirm or deny a property owner's request to change their Master Plan. This amendment would apply to PRD, PCD and PID districts, and clarifies that if the time period lapses without a response it will be deemed as approved, and the property owner may then proceed with a normal review and hearing process. This way the process can be kept moving instead of ending up in a holding pattern, as has been the case with a recent request.

The citizen comment portion of the public hearing was opened.

- John Reburn, Montview Lane, said there hasn't been enough notice regarding this issue, and requested it postponed another 30 days. He said the residents in the area do not understand the amendment and it is very confusing.

A discussion followed between Mr. Reburn, the Board, Mr. Boggess, and Attorney Skelley, during which it was clarified that the issue that created the need for this amendment had already been removed from tonight's agenda. This amendment was simply to correct the language in the Zoning Ordinance so that the process would remain in the hands of the Board instead of lingering indefinitely with any holder of an original Master Plan. It was noted that Mr. Thomas* will still need to go through the application process if he wishes to make his requested changes to the property.

- Mike Everton, 1046 Lockview Lane, stated that an impact analysis is needed before moving forward with Mr. Thomas' request to add in the townhouses and other changes to the Master Plan. *
- Glen Thomas, 1167 Presidential Circle, addressed the Board with a brief history of the property and his original request*, and reiterated that the amendment before the Board this evening would give rights back to landowners. It will also eliminate complications in the event the original plan owner passes away, moves away, etc.

** This is a reference to the public hearing that was pulled from the original agenda on May 11, 2018, which was a request for approval of an ordinance to amend and readopt the*

Bedford County Zoning Ordinance by amending the master plan for the Thomas Jefferson Crossing development.

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

Supervisor Sharp reiterated that Mr. Thomas will have to go through the application process if he wishes to make changes, and this amendment does not in any way approve Mr. Thomas' prior request to make an application.

Supervisor Sharp made a motion to approve Ordinance #O 051418-03.

BE IT HEREBY ORDAINED by the Board of Supervisors of Bedford County, Virginia, that after having conducted a duly advertised public hearing and upon receiving the recommendation forwarded by the Bedford County Planning Commission, that the regulations of the Bedford County Zoning Ordinance be amended and readopted as follows:

PART I.

That Article III. District Regulations, Secs. 30-47-6 (PRD); 30-57-7(PCD); 30-63-30(PID); and 67-6 7(PD1) shall be amended to include the following language:

Revisions to Final Master Plan for PRD, PCD, and PID

(c) If an owner of a parcel located within a PRD district (1) wishes to apply for a rezoning of the parcel, or a major revision of the final master plan concerning the parcel; and (2) is required to seek approval from the owner of the master plan or other private entity (e.g., a property owners' association) prior to submitting such application, the owner of the parcel shall provide proof to the zoning administrator that such approval has been expressly requested in writing from the appropriate entity. If more than sixty (60) days have elapsed from the request for approval, and there is no written response thereto, the zoning administrator shall deem such approval to have been granted, and shall accept the parcel owner's application for further action accordingly.

PART I. (Continued)

Revisions to Final Master Plan for PR1

(b) If an owner of a parcel located within a PD-1 district (1) wishes to apply for a rezoning of the parcel, or a major revision of the final master plan concerning the parcel; and (2) is required to seek approval from the owner of the master plan or other private entity (e.g., a property owners' association) prior to submitting such application, the owner of the parcel shall provide proof to the zoning administrator that such approval has been expressly requested in writing from the appropriate entity. If more than sixty (60) days have elapsed from the request for approval, and there is no written response thereto, the zoning administrator shall deem such approval to have been granted, and shall accept the parcel owner's application for further action accordingly.

PART II.

Should any portion or provision of this ordinance be held by any court to be unconstitutional or invalid, that decision shall not affect the validity of the ordinance as a whole, or any part of the ordinance other than the part held to be unconstitutional or invalid. This ordinance shall become effective immediately upon its adoption.

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

Voting no: None

Motion passed.

(6) Action & Discussion Items

(6a) Deputy County Administrator Reid Wodicka addressed the Board with a request for approval of the Bedford County and Bedford County School Division budgets for Fiscal Year 2018-19. Dr. Wodicka noted that the budget will be appropriated in June, and stated that guidance from the Board was needed on three undecided issues prior to adoption: funding for the Lynchburg Regional Business Alliance, whether the County would fully absorb the employee's insurance increase, and where to transfer the remaining \$239,000 in the Contingency Fund or the C.I.P.

Supervisor Dooley made a motion to decrease funding to the Lynchburg Regional Business Alliance from 125% to 70% per capita.

Voting yes: Mr. Dooley and Mr. Thomasson

Voting no: Mr. Tuck, Mrs. Bansley, Mr. Sharp, Mr. Scott, and Mr. Willis

Motion failed.

Supervisor Dooley made a motion for the County to fully absorb the employee's health insurance increase.

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

Voting no: Mrs. Bansley, Mr. Sharp, and Mr. Scott

Motion passed.

Supervisor Dooley made a motion to transfer the remaining \$239,000 to the School Board. After a brief discussion between the Board members, and clarification that the schools have projects included in the C.I.P., Supervisor Dooley withdrew his motion.

A discussion between the members of the Board and Dr. Wodicka followed regarding the merits of adding the funds to the Contingency Fund versus the C.I.P., and the need to have flexible income for additional staffing if it's determined to be needed for Fire & Rescue. The Board reached a consensus to

transfer the \$239,000 to the Contingency Fund. Dr. Wodicka then answered minor clarifying questions from the Board.

Supervisor Dooley made a motion to approve Ordinance #O 051418-04.

WHEREAS, the FY 2018-2019 Budget has been duly prepared and presented to the Board of Supervisors; and

WHEREAS, the appropriate advertisements and public hearings, as required by the Code of Virginia, have been conducted; and

WHEREAS, numerous budget work sessions, open to the general public have been conducted; and

WHEREAS, the Board of Supervisors has considered the services required and desired by the citizens of Bedford County.

NOW, THEREFORE, BE IT RESOLVED, that the FY 2018-2019 Budget is established as follows:

General Fund	\$	105,851,524
Law Library Fund	\$	14,050
Vehicle Replacement Fund	\$	716,000
General Capital Improvement Fund	\$	9,456,910
Nursing Home Fund	\$	7,413,797
Solid Waste Fund	\$	3,068,686

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

Voting no: None

Motion passed.

(7) *The Closed Session scheduled for this portion of the meeting has been postponed to May 29th.*

(8) Board Member Comments

Supervisor Bansley gave a committee report on the Department of Social Services Board. She stated that if Medicaid expansion is passed in Virginia, it will increase the number of Bedford citizens utilizing the program (currently at 7,553) by an estimated 2,500 people. This estimated 33% increase would require an additional 4-5 Benefit Program Specialists, resulting in \$32,000 more that would be needed in the county budget to cover our share (15.5%) for the new positions. The positions would be needed January 1st, so the first year would be a half-year expense.

Supervisor Tuck stated that there was a 'cruise in' held as a benefit at the former Body Camp School, which raised \$5,000 for a resident in need. Supervisor Tuck thanked the community for their support of the benefit and the use of the facility.

(9) Board Calendar & Reminders

Mr. Boggess stated that he will be retiring at the end of the year, and will therefore bring a request to advertise for a Deputy County Administrator to the Board at their next meeting. Mr. Boggess noted the following upcoming meetings on the Board's calendar: May 29th – VDOT Work Session 5:00 – 6:30 pm; Regular Meeting at 7:00 pm (*Tuesday*); the June 11th meeting has been cancelled.

(10) Adjourn

Vice-Chairman Scott made a motion to adjourn the meeting at 8:13 pm.

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

Voting no: None

Motion passed.