



MINUTES

BEDFORD COUNTY BOARD OF SUPERVISORS

BEDFORD COUNTY ADMINISTRATION BUILDING

JUNE 25, 2018

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 Department of Social Services for a Supplemental Appropriation in the amount of \$120,000.00 to cover anticipated expenditures for the year due to increases in foster care placements (will be reimbursed with state and federal funds). (*Resolution #R 062518-01*)
 - b. Consideration of a request from the Sheriff's Office for a Supplemental Appropriation of the balance of the FY2016 State Internet Crimes Against Children grant for the Southern Virginia Internet Crimes Against Children Task Force in the amount of \$837,000.00. (*Resolution #R 062518-02*)
 - c. Consideration of a request from the Sheriff's Office to accept an award in the amount of \$500,000.00 from the Commonwealth of Virginia for the Southern Virginia Internet Crimes Against Children Task Force (no local match required); and for a Supplemental Appropriation in the amount of \$300,000.00. (*Resolution #R 062518-03*)
 - d. Consideration of a request from Fiscal Management for a Supplemental Appropriation in the amount of \$25,322.50 from funds deposited with the Treasurer by VDOT for the Corporate Park Drive extension revenue sharing project. (*Resolution #R 062518-04*)

- e. Consideration of a request from the Clerk of the Circuit Court for authorization to submit a grant application to the Library of Virginia in the amount of \$15,209.00; funds would be used to conserve four record books (no local match required). (*Resolution #R 062518-05*)
- f. Consideration of a resolution authorizing the advertisement of a public hearing for EMS (Emergency Medical Services) rate increases. (*Resolution #R 062518-08*)
- g. Consideration of a resolution authorizing the issuance of an Invitation to Bid for the construction of a replacement convenience center for the Thaxton Area. (*Resolution #R 062518-11*)

(7) Approval of Minutes– May 29, 2018

(8) Public Hearings & Presentations

- a. **Public Hearing** – Consideration of an ordinance amending Chapter 5 of the Bedford County Code, “Building and Development Regulations” by adding Article III, “Abatement of Derelict and Blighted Buildings” (*Ordinance #O 062518-09a and #O 062518-09b*)
 - *Staff Presentation by County Attorney Patrick Skelley*

(9) Action & Discussion Items

- a. Consideration of a resolution authorizing various modifications to the Bedford County Pay and Classification Plan for positions within the Department of Information Technology. (*Resolution #R 062518-12*)
 - *Staff Presentation by County Administrator Carl Boggess*
- b. Consideration of a resolution appropriating the FY2019 Bedford County Adopted Budget and the FY2019 Bedford County School Board Budget. (*Resolution #R 062518-10*)
 - *Staff Presentation by Fiscal Management Director Susan Crawford*
- c. Consideration of a resolution authorizing the advertisement of Bedford County Nursing Home Rates (*Resolution #R 062518-07*)
 - *Staff Presentation by County Administrator Carl Boggess*

(10) Board Committee Reports - none

(11) Board Member Comments

(12) Board Appointments

- a. Two appointments are needed for the Bedford Public Library System Board of Trustees (*applications to follow under separate cover*).
- b. An appointment is needed for the Bedford County Representative on the Central Virginia Community College Board (*application to follow under separate cover*).

(13) County Attorney Report

- a. Consensus needed from the Board as to repealing County ordinances that compensate citizens for loss of livestock killed by dogs.

(14) County Administrator Report

(15) Board Information

- a. Bedford Public Library System Board of Trustees Meeting Minutes from May 1, 2018
- b. Community Development's Building Report for May 2018
- c. E-911 Communications Report for May 2018

(16) Board Calendar and Reminders

- July 9th – Regular Meeting at 7:00 pm (Work Session – 5:00 to 6:30pm)
- July 23rd – Regular Meeting at 7:00 pm
- August 13th – Regular Meeting at 7:00 pm (Work Session – 5:00 to 6:30pm)

Adjourn the Board of Supervisors

BROADBAND AUTHORITY MEETING

(1) Call to Order

- (2) Action Item** - Consideration of a resolution authorizing the issuance of a Request for Proposals. (*Resolution #R 062518-01BA*)

- *Staff Presentation by County Administrator Carl Boggess*

Adjourn the Broadband Authority

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, County Attorney Patrick Skelley, Fiscal Management Director Susan Crawford, Assistant Fiscal Management Director Sherrie Goodwin, Human Resources Director Dawn Fields, Chief Information Technology Officer Jeff Maresic, Public Works Director Sheldon Cash, 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.
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(4) Approval of Agenda

County Administrator Carl Boggess noted that under #8a, it should be noted that it is amending Chapter 5 and 17.

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

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

- Robert Ashwell, 1282 Ashwell Circle, Huddleston, addressed the Board regarding his concerns for funds the Board had approved for A&E services. Mr. Ashville asked that before tax money is spent on expansion at Forest Middle, school redistricting be considered.

(6) Consent Agenda

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

- a. Consideration of a request from the Department of Social Services for a Supplemental Appropriation in the amount of \$120,000.00 to cover anticipated expenditures for the year due to increases in foster care placements (will be reimbursed with state and federal funds). *Resolution #R 062518-01)*
- b. Consideration of a request from the Sheriff's Office for a Supplemental Appropriation of the balance of the FY2016 State Internet Crimes Against Children grant for the Southern Virginia Internet Crimes Against Children Task Force in the amount of \$837,000.00. *(Resolution #R 062518-02)*
- c. Consideration of a request from the Sheriff's Office to accept an award in the amount of \$500,000.00 from the Commonwealth of Virginia for the Southern Virginia Internet Crimes Against Children Task Force (no local match required); and for a Supplemental Appropriation in the amount of \$300,000.00. *(Resolution #R 062518-03)*
- d. Consideration of a request from Fiscal Management for a Supplemental Appropriation in the amount of \$25,322.50 from funds deposited with the Treasurer by VDOT for the Corporate Park Drive extension revenue sharing project. *(Resolution #R 062518-04)*
- e. Consideration of a request from the Clerk of the Circuit Court for authorization to submit a grant application to the Library of Virginia in the amount of \$15,209.00; funds would be used to conserve four record books (no local match required). *(Resolution #R 062518-05)*
- f. Consideration of a resolution authorizing the advertisement of a public hearing for EMS (Emergency Medical Services) rate increases. *(Resolution #R 062518-08)*

- g. Consideration of a resolution authorizing the issuance of an Invitation to Bid for the construction of a replacement convenience center for the Thaxton Area. (*Resolution #R 062518-11*)

Mr. Boggess and Ms. Crawford answered brief clarifying questions from the Board regarding items on the consent agenda.

Supervisor Tuck 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

The Board reached a consensus to delay approval of the minutes until the July 9th meeting.

(8) Public Hearings & Presentations

(8a) County Attorney Patrick Skelley addressed the Board with ordinances amending Chapter 5 of the Bedford County Code regarding “Building and Development Regulations” by adding Article III, “Abatement of Derelict and Blighted Buildings”. Attorney Skelley stated there is a gap in our current enforcement ability, which is addressed by these two ordinances; he then briefly reviewed how the new ordinances would be enforced.

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

Supervisor Dooley made a motion to approve Ordinance #O 062518-09a and #O 062518-09b.

WHEREAS, derelict, vacant, and dilapidated buildings detract from the well-being and general welfare of the citizens of Bedford County.

NOW, THEREFORE, BE IT ORDAINED by the Bedford County Board of Supervisors that the Bedford County Code be amended to add Section III “Abatement of Derelict and Blighted Buildings” to Chapter 5, as follows:

ARTICLE III—Abatement of Derelict and Blighted Buildings

Section 5-122.-Removal, repair, etc., of buildings that are declared to be derelict.

1. The owners of property within the County shall, at such time or times as the Board of Supervisors may prescribe, submit a plan to demolish or renovate any building that has been declared a "derelict building." For purposes of this section, "derelict building" shall mean a residential or nonresidential building or structure, whether or not construction has been completed, that might endanger the public's health, safety, or welfare and for a continuous period in excess of six months, has been (i) vacant, (ii) boarded up in accordance with the building code, and (iii) not lawfully connected to electric service

from a utility service provider or not lawfully connected to any required water or sewer service from a utility service provider.

2. If a building qualifies as a derelict building, the County shall notify the owner of the derelict building in writing that the owner is required to submit to the County a plan, within 90 days, to demolish or renovate the building to address the items that endanger the public's health, safety, or welfare as listed in such written notification. Such plan shall include a proposed time within which the plan will be commenced and completed. The plan may include one or more adjacent properties of the owner, whether or not all of such properties may have been declared derelict buildings. The plan shall be subject to approval by the County. The County shall deliver the written notice to the address listed on the real estate tax assessment records of the locality. Written notice sent by first-class mail, with the locality obtaining a U.S. Postal Service Certificate of Mailing, shall constitute delivery pursuant to this section.

3. If, after being sent the notice specified above, the owner of the derelict building has not submitted a plan to the County within 90 days, the County may exercise such remedies as provided in this section or as otherwise provided by law.

4. The owner of a building may apply to the County and request that such building be declared a derelict building for purposes of this section.

5. The County, upon receipt of the plan to demolish or renovate the building, at the owner's request, shall meet with the owner submitting the plan and provide information to the owner on the land use and permitting requirements for demolition or renovation.

6. If the property owner's plan is to demolish the derelict building, the building permit application of such owner shall be expedited as is reasonably practicable. If the owner has completed the demolition within 90 days of the date of the building permit issuance, the locality shall refund any building and demolition permit fees.

7. If the property owner's plan is to renovate the derelict building, and no rezoning is required for the owner's intended use of the property, the site plan or subdivision application and the building permit, as applicable, shall be expedited as is reasonably practicable. The site plan or subdivision fees may be refunded, all or in part, but in no event shall the site plan or subdivision fees exceed the lesser of 50 percent of the standard fees established by the ordinance for site plan or subdivision applications for the proposed use of the property, or \$5,000 per property. The building permit fees may be refunded, all or in part, but in no event shall the building permit fees exceed the lesser of 50 percent of the standard fees established by the ordinance for building permit applications for the proposed use of the property, or \$5,000 per property.

8. Prior to commencement of a plan to demolish or renovate the derelict building, at the request of the property owner, the real estate assessor shall make an assessment of the property in its current derelict condition. On the building permit application, the owner shall declare the costs of demolition,

or the costs of materials and labor to complete the renovation. At the request of the property owner, after demolition or renovation of the derelict building, the real estate assessor shall reflect the fair market value of the demolition costs or the fair market value of the renovation improvements, and reflect such value in the real estate tax assessment records. The real estate tax on an amount equal to the costs of demolition or an amount equal to the increase in the fair market value of the renovations shall be abated for a period of not less than 15 years, and is transferable with the property. The abatement of taxes for demolition shall not apply if the structure demolished is a registered Virginia landmark or is determined by the Department of Historic Resources to contribute to the significance of a registered historic district.

9. Notwithstanding the provisions of this section, the County may proceed to make repairs and secure the building under Section 5-9 hereof, or the locality may proceed to abate or remove a nuisance under Virginia Code § 15.2-900. In addition, the County may exercise such remedies as may exist under the Uniform Statewide Building Code and may exercise such other remedies available under general and special law.

Section 5-123.-Removal, repair, abatement, etc., of buildings and other structures harboring illegal drug use.

1. As used in this section:

"Affidavit" means the affidavit prepared by a locality in accordance with subdivision 2(a) hereof.

"Controlled substance" means illegally obtained controlled substances or marijuana, as defined in § 54.1-3401 of the Code of Virginia, as amended.

"Corrective action" means the taking of steps which are reasonably expected to be effective to abate drug blight on real property, such as removal, repair or securing of any building, wall or other structure.

"Drug blight" means a condition existing on real property which tends to endanger the public health or safety of residents of a County and is caused by the regular presence on the property of persons under the influence of controlled substances or the regular use of the property for the purpose of illegally possessing, manufacturing or distributing controlled substances.

"Owner" means the record owner of real property. "Property" means real property.

2. In the event a property located in the County is subject to drug blight as defined hereinabove, the County may undertake corrective action with respect to property in accordance with the following procedures:

- a. The County shall execute an affidavit, citing this section, to the effect that (i) drug blight exists on the property and in the manner described therein; (ii) the County has used reasonable diligence without effect to abate the drug blight; and (iii) the drug blight constitutes a present threat to the public's health, safety or welfare.

b. The County shall then send a notice to the owner of the property, to be sent by regular mail to the last address listed for the owner on the locality's assessment records for the property, together with a copy of such affidavit, advising that (i) the owner has up to 30 days from the date thereof to undertake corrective action to abate the drug blight described in such affidavit and (ii) the County will, if requested to do so, assist the owner in determining and coordinating the appropriate corrective action to abate the drug blight described in such affidavit.

c. If no corrective action is undertaken during such 30-day period, the County shall send by regular mail an additional notice to the owner of the property, at the address stated in the preceding subdivision, stating the date on which the locality may commence corrective action to abate the drug blight on the property, which date shall be no earlier than 15 days after the date of mailing of the notice. Such additional notice shall also reasonably describe the corrective action contemplated to be taken by the County. Upon receipt of such notice, the owner shall have a right, upon reasonable notice to the locality, to seek equitable relief, and the locality shall initiate no corrective action while a proper petition for relief is pending before a court of competent jurisdiction.

3. If the locality undertakes corrective action with respect to the property after complying with the provisions of subdivision 2, the costs and expenses thereof shall be chargeable to and paid by the owner of such property and may be collected by the County as taxes are collected.

4. Every charge authorized by this section with which the owner of any such property has been assessed and which remains unpaid shall constitute a lien against such property with the same priority as liens for unpaid local real estate taxes and enforceable in the same manner as provided in Articles 3 (§ 58.1-3940 et seq.) and 4 (§ 58.1-3965 et seq.) of Chapter 39 of Title 58.1 of the Code of Virginia, as amended.

5. If the owner of such property takes timely corrective action pursuant to this ordinance, the County shall deem the drug blight abated, shall close the proceeding without any charge or cost to the owner and shall promptly provide written notice to the owner that the proceeding has been terminated satisfactorily. The closing of a proceeding shall not bar the County from initiating a subsequent proceeding if the drug blight recurs.

WHEREAS, derelict, vacant, and dilapidated buildings detract from the well-being and general welfare of the citizens of Bedford County; and

WHEREAS, the Bedford County Board of Supervisors desires to provide financial incentives and enforcement procedures for the rehabilitation or removal of derelict buildings within and

WHEREAS, providing a partial tax exemption is one means of providing such incentives, and is also necessary for the County to establish certain enforcement measures to address derelict buildings.

NOW, THEREFORE, BE IT ORDAINED by the Bedford County Board of Supervisors that the Bedford County Code be amended to add to Division 4, Section II “Partial Real Property Tax Exemption for Certain Rehabilitated Real Property” to Chapter 17, Section 3, as follows:

DIVISION 4.

SECTION I-

ENTERPRISE ZONE EXEMPTION FOR CERTAIN REAL ESTATE

SECTION II-

PARTIAL REAL PROPERTY TAX EXEMPTION FOR CERTAIN REHABILITATED REAL PROPERTY

SECTION I-ENTERPRISE ZONE EXEMPTION FOR CERTAIN REAL ESTATE

Sec. 17-59 - Definitions.

Definitions. For the purposes of this section, the following words and phrases shall have the meanings respectively ascribed to them by this subsection unless another meaning shall appear clearly from the context:

Enterprise zone means an area of the County of Bedford (whether or not located within the boundaries of the Town of Bedford) designated as an Enterprise Zone under the provisions of chapter 49 of Title 59.1 of the Code of Virginia, 1950, as amended.

Mixed-use means the use of a building partially for residential use in which a minimum of thirty (30) percent of the usable floor space is devoted to commercial, office, or industrial use.

Owner means the person or entity in whose name the structure is titled or lessee who is legally obligated to pay real estate taxes assessed against the structure.

Qualified real property investment means the amount properly chargeable to a capital account for rehabilitation, renovation, expansion of depreciable real property associated with (a) any exterior, interior, structural, mechanical or electrical improvements necessary to construct, expand or rehabilitate a building for commercial, industrial or mixed-use; (b) excavations; (c) grading and paving; (d) installing driveways; and (e) landscaping or land improvements. Qualified real property investments shall include, but not be limited to, costs associated with demolition, carpentry, sheetrock, plaster, painting, ceilings, fixtures, doors, windows, fire suppression systems, roofing, flashing, exterior repair, cleaning and cleanup.

Qualified real property investments shall not include:

- (1) The cost of acquiring any real property or building.
- (2) Other costs including: (i) the cost of furnishings; (ii) any expenditure associated with appraisal, interior design fees; (iii) loan fees, points, or capitalized interests; (iv) legal, accounting, realtor, sales and marketing, or other professional fees; (v) closing costs, permits, user fees, zoning fees, impact fees, and inspection fees; (vi) bids, insurance, signage, utilities, bonding, copying, rent loss, or temporary facilities incurred during construction; (vii) utility connection or access fees; (viii) outbuildings; (ix)

cost of any well or septic or sewer system; (x) roads; and (xi) architectural, engineering and surveying fees.

(3)The basis of any property: (i) for which a grant under this section was previously provided; (ii) for which a tax credit under § 59.1-280.1 was previously granted; (iii) which was previously placed in service in Virginia by the qualified zone investor, a related party as defined by Internal Revenue Code § 267(b), or a trade or business under common control as defined by Internal Revenue Code § 52(b); or (iv) which was previously in service in Virginia and has a basis in the hands of the person acquiring it, determined in whole or in part by reference to the basis of such property in the hands of the person from whom it was acquired or Internal Revenue Code § 1014(a).

Substantial rehabilitation or renovation shall mean expenditure of a minimum of five thousand dollars (\$5,000.00) in qualified real property investment. Complete replacement of a commercial or industrial building by demolition and replacement for commercial or industrial or mixed-use may qualify as rehabilitation or renovation. When rehabilitation or renovation is achieved through demolition and replacement of an existing structure, the exemption shall not apply when any structure demolished is a registered Virginia landmark, contributes to the significance of a registered landmark, or if the rehabilitation or renovation is located in the Main Street Centertown District. Strictly cosmetic work, which does not contribute to the structural integrity or architectural character of the structure, is not included in the term.

Sec. 17-60. - Grant of exemption.

A partial exemption from the County of Bedford real estate taxation is hereby granted for any real estate within the county on which any structure or other improvement has undergone substantial rehabilitation or renovation for commercial, industrial, or mixed-use purposes, subject to the following conditions:

(1)The real estate structure is located in an Enterprise Zone in the County of Bedford (including structures located within an Enterprise Zone in the Town of Bedford) and shall be no less than fifteen (15) years old.

(2)The structure or other improvements must have been substantially rehabilitated.

Sec. 17-61. - Amount of exemption.

The partial exemption granted by this section shall be in an amount equal to fifty (50) percent of the qualified real property investment as determined by the commissioner of revenue or in an amount equal to the increase in assessed value resulting from the rehabilitation or renovation, whichever is greater. The exemption shall commence on January 1 of the tax year following completion of the rehabilitation or renovation and shall run with the real estate for a period of no longer than five (5) years, unless terminated earlier pursuant to provisions of this section. The exemption shall run with the land, and the owner of the real estate during each of the years of the exemption shall be entitled to the amount of the exemption. The exemption provided by this section shall not apply to the assessed value of the land, but only to the assessed value of improvements as assessed after the completion of rehabilitation or renovation.

Sec. 17-62. - Eligibility requirements.

(1)An application to qualify a structure as a substantially rehabilitated or renovated commercial, industrial, or mixed use structure must be filed with the commissioner of revenue. Applications may be obtained from the county administrator's office. The commissioner of the revenue may accept copies of applications for exemption and related documents filed with the Town of Bedford Finance Director.

(2)Upon receipt of an application for rehabilitated or renovated real estate tax exemption, the commissioner of revenue shall cause a physical inspection of the structure to be made. The base value for purposes of the application shall be the assessed value as of the date of the application.

(3)The application to qualify shall be effective for a period of two (2) years from the date of filing. No extensions of this time period will be granted.

(4)Upon completion of the rehabilitation or renovation the owner of the property shall notify the commissioner of revenue in writing and provide proof of the amount of qualified real property investment expended within the two (2) year period from the date of filing. The commissioner of the revenue shall cause an after rehabilitation or renovation assessment to be conducted.

(5)Upon review of the assessments and the amount of qualified real property investment, if the commissioner of revenue determines that the property has been substantially rehabilitated or renovated pursuant to the terms of this section, the commissioner of revenue shall order exemption from tax on the real property in the amount provided in section 17-61 herein for five (5) years. During each year of exemption, the commissioner of revenue annually shall issue a credit memorandum for such exemption to the county treasurer. Nothing in this section shall be construed so as to permit the commissioner of the revenue to list upon the Land Book any reduced value due to the exemption provided in this section.

(6)Prior to a determination that the property has been substantially rehabilitated or renovated, the owner of the property shall continue to be subject to taxation upon the full value of the property, as otherwise authorized by law.

(7)No improvements made upon vacant land shall be eligible for rehabilitated or renovated real estate tax exemption as provided by this section.

(8)No property shall be eligible for such exemption unless the appropriate building permits have been acquired and the commissioner of the revenue has verified that the rehabilitation or renovation indicated on the application has been completed.

(9)There shall be no fee for processing applications under this section.

(10)The property must at all times be in compliance with Bedford County codes including, without limitation, the building code, the county zoning ordinance and all other codes that relate to the real estate within the County of Bedford (and Town of Bedford, as applicable). Failure to correct any violation within the required time, as provided by the building or property maintenance official, will void the remainder of the exemption. If a structure is damaged or destroyed and found to be uninhabitable, the exemption will be terminated.

(11) No exemption shall be granted if access to the property is denied to the county and county inspection divisions (and those of the Town of Bedford, as applicable).

(12) All taxes must be paid and current to be eligible for an exemption. If the commissioner of revenue is notified that the property is more than thirty (30) days delinquent on taxes (whether county, town, or both), then the remainder of the exemption will be void.

(13) Only one rehabilitation or renovation exemption granted by the county under this division may be active for a parcel at a given time; provided, however, that the owner may elect not to claim the entire five (5) year partial exemption and file a new application for an additional five (5) year partial exemption under the above provisions based upon the assessed value at the time of the new application and a new rehabilitation or renovation assessment upon completion of the improvements.

(14) The applicant must be in compliance with all county taxes and performance agreement obligations to qualify or remain qualified for a partial exemption from real estate taxation.

SECTION II- PARTIAL REAL PROPERTY TAX EXEMPTION FOR CERTAIN REHABILITATED REAL PROPERTY

Sec. 17-62.1 - Definitions.

The words and phrases defined in this section, when used in this article, shall have the following meaning except in those instances where the context clearly indicates a different meaning:

Commercial or industrial use shall mean improved real property that is used for commercial or industrial purposes, but that term does not include any hotel or motel.

Commissioner shall mean the Commissioner of Revenue of Bedford County or the designated agent of that Commissioner.

Multifamily residential real estate shall mean improved real property containing two or more dwelling units, and not classified as a single-family attached dwelling, as that term is defined by section 32-100 of the Bedford County Code.

Qualifying property shall mean an improvement to real property that is qualified to receive a tax credit pursuant to this article.

Residential real estate shall mean improved real property containing no more than one dwelling unit, as that term is defined by section 32-100 of the Bedford County Code.

Sec. 17-62.2 - Partial property tax exemption for certain rehabilitated, renovated or replacement residential or multifamily structures.

(a) This section authorizes a partial exemption for improved real property from the general real estate tax by providing tax credits for residential real estate or multifamily real estate that is rehabilitated, renovated or replaced for residential use in accordance with Code of Virginia, § 58.1-3220 and the provisions of this article. For purposes of this section, residential real estate shall be deemed to be substantially rehabilitated, renovated or replaced when a structure, which is no less than 15 years old, has been so improved or replaced that the fair market value of the improved or replacement structure is increased by no less than 25 percent.

"Multifamily residential real estate" shall be deemed to be substantially rehabilitated, renovated or replaced when a residential structure, which is no less than 15 years old, has been so improved or replaced so that the fair market value of the improvement to the property, is increased by no less than 25 percent.

In addition to all other qualification criteria set forth in this article, residential real estate and multifamily residential real estate that is substantially rehabilitated, renovated or replaced for residential use may not exceed the total square footage of the original, unimproved structure by more than 30 percent and be eligible for the tax credit authorized by the section. If residential real estate and multifamily residential real estate contains more than one residential structure, then each improved or replacement structure shall not exceed the total square footage of each corresponding original, unimproved structure by more than 30 percent. No improvements made to unimproved real property shall be eligible for partial property tax exemption pursuant to this section. No property shall be eligible for a partial property tax exemption pursuant to this section unless all appropriate building permits have been acquired for the substantial rehabilitation, renovation or replacement of the structure on the property. No property shall be eligible for a partial property tax exemption pursuant to this section if that property is substantially rehabilitated by the demolition and replacement of any structure that (i) is a registered Virginia landmark, or (ii) is determined by the Department of Historic Resources to contribute to the significance of a registered historic district.

(b) The owner of any residential real estate or multifamily residential real estate who seeks to obtain the partial property tax exemption authorized by this section shall apply for such an exemption to the Commissioner at the same time that the owner applies for a building permit to rehabilitate, renovate or replace the structure. Upon receipt of an application for partial property tax exemption, the Commissioner shall determine a base fair market value assessment (hereinafter "base value") for the structure prior to commencement of rehabilitation, renovation or replacement. That base value shall serve as the basis for determining whether the rehabilitation, renovation or replacement increases the fair market value of the structure by at least 25 percent in the case of residential real estate and at least 25 percent for multifamily residential real estate. The application to qualify for tax exemption shall be effective until December 31 of the third calendar year following the year in which the application is submitted. If by such expiration date, the rehabilitation, renovation or replacement has not progressed to such a point that the assessed fair market value of the improvement to the property is at least the minimum required percent greater than the base value of such structure and if the applicant desires to proceed with the application, then a new application for partial tax exemption shall be filed with the Commissioner, and thereafter the Commissioner shall establish a new base value. All initial and subsequent applications for the partial exemption authorized by this section shall be accompanied by payment of a nonrefundable \$50.00 fee for processing the application. During the period between the receipt of the application and the time when the Commissioner may ascertain that the fair market value of the structure has increased in value by at least the minimum percent specified in subsection (a) above, the owner of the property shall be subject to real property taxation upon the full fair market value of the property. At any time prior to November 1 of any calendar year in which

rehabilitation, renovation or replacement of a structure is complete, an owner may submit a written request to the Commissioner to inspect the structure to determine if it then qualifies for a partial real property tax exemption. After the Commissioner has determined that the assessed fair market value of a substantially rehabilitated, renovated or replaced structure exceeds the base value by the percentage specified by subsection (a) above, the tax exemption shall become effective beginning on January 1 of the next calendar year.

(c) Subject to the provisions of subsection (d) below and sections 17-62.4 and 17-62.5, the owner of any residential or multifamily residential structure qualifying for partial exemption from the real estate tax because of substantial rehabilitation, renovation or replacement shall be issued a credit for the general real property tax otherwise due on the fair market value of that property in the amount that is equal to the value of the real property tax levy calculated on the difference in value between the base value and the initial fair market value of the substantially rehabilitated, renovated or replaced structure. That credit shall be applied for each year of the ten-year period following completion of the substantial rehabilitation, renovation or replacement. In each year of the four-year period following the initial ten-year period, the owner of a qualifying property shall be issued a credit for the real estate tax otherwise due on the fair market value of that property in an amount equal to the value of the real property levy calculated on the difference in value between the base value and the initial fair market value of the substantially rehabilitated, renovated or replaced structure, less 20 percent for each year following the expiration of the initial ten-year period of exemption. Credits against the real estate tax for any residential or multifamily real estate qualifying pursuant to this section shall run with the land, and, except as otherwise provided by subsection (d) of this section and by sections 17-62.4 and 17-62.5, the owner of such property during each of the 14 years of the exemption period shall be entitled to receive a credit in the amount specified by this subsection.

(d) In the event that the fair market value of a qualifying residential or multifamily residential structure increases after the first year of such substantial rehabilitation, renovation or replacement, the credit specified by subsection (c) above shall not be increased. In the event that the fair market value of a qualifying property decreases after the first year of substantial rehabilitation, renovation or replacement, the credit specified in subsection (c) above shall be limited to the extent that the credit shall not reduce the real property tax on a qualifying property below an amount equal to the amount of the real property tax computed on the base value. If any tax credit computed in accordance with subsection (c) above is reduced in accordance with this subsection, that credit reduction shall not be applied to any other property or to real property taxes assessed in any other calendar year.

If the fair market value of any qualifying property decreases below the base value, then that qualifying property shall be assessed at the fair market value, and no credit against the general real property tax shall be allowed. If no tax credit can be granted because the fair market value of a qualifying property is below the base value, that unused credit shall not be applied to any other property or to real property taxes assessed in any other calendar year.

(e) The credits against the real estate tax specified in subsection (c) of this section shall not affect any special district taxes or levies within the county. All ad valorem special district taxes or levies shall be computed on the full fair market value of all qualifying property.

(f) In determining the base value of any structure, and in determining whether any structure has been substantially rehabilitated, renovated or replaced to the extent that the fair market value of the improved or replaced structure exceeds the base value by the percent specified in this section, the Commissioner shall employ usual and customary methods of assessing real property and improvements thereon.

(g) This section shall be applicable to assessments of qualifying residential and multifamily real estate made on and after January 1, 2019.

Sec. 17-62.3. - Partial property tax exemption for certain rehabilitated, renovated or replacement commercial or industrial structures.

(a) This section authorizes a partial exemption for improved commercial or industrial real property from the general real estate tax by providing tax credits for real property that is substantially rehabilitated, renovated or replaced in accordance with Code of Virginia, § 58.1-3221 and the provisions of this article. For purposes of this section, any commercial or industrial structure that is substantially rehabilitated, renovated or replaced for commercial or industrial use shall be deemed to be substantially rehabilitated, renovated or replaced when a structure, which is no less than 20 years old, has been so improved or replaced that the fair market value of the improved or replacement structure to the property is increased by no less than 25 percent.

In addition to all other qualification criteria set forth in this article, no commercial or industrial structure that has been substantially rehabilitated, renovated or replaced may exceed the total square footage of the original unimproved structure by more than 100 percent and be eligible for the tax credits authorized by this section. If such commercial or industrial property contains more than one structure, then any improved or replacement structure or structures may exceed the total square footage of the original, unimproved structures by no more than 100 percent.

No improvements made to unimproved real property shall be eligible for partial property tax exemption pursuant to this section. No property shall be eligible for a partial property tax exemption pursuant to this section unless all appropriate building permits have been acquired for the substantial rehabilitation, renovation or replacement of the structure on the property. No property shall be eligible for partial property tax exemption pursuant to this section if that property is substantially rehabilitated by the demolition and replacement of any structure that (i) is a registered Virginia landmark, or (ii) is determined by the Department of Historic Resources to contribute to the significance of a registered historic district.

(b) The owner of any commercial or industrial property who seeks to obtain the partial exemption authorized by this section shall apply for such an exemption to the Commissioner at the same time that the owner applies for a building permit to rehabilitate, renovate or replace a structure. Upon receipt of an application for partial property tax exemption, the Commissioner shall determine a base fair market value

assessment (hereinafter "base value") for the structure prior to commencement of rehabilitation, renovation or replacement. That base value shall serve as the basis for determining whether the rehabilitation, renovation or replacement increases the fair market value of the structure by at least 25 percent. The application to qualify for tax exemption shall be effective December 31 of the third calendar year following the year in which application is submitted. If by such expiration date, rehabilitation, renovation or replacement has not progressed to such a point that the assessed fair market value of the improvement to the property is at least the minimum required percent greater than the base value of such structure, and if the applicant desires to proceed with the application, then a new application for partial tax exemption shall be filed with the Commissioner, and thereafter the Commissioner shall establish a new base value. All initial and subsequent applications for the partial exemption authorized by this section shall be accompanied by payment of a nonrefundable \$50.00 fee for processing the application. During the period between the receipt of the application and the time when the Commissioner may ascertain that the fair market value of the structure has increased in value by at least the minimum percent specified in subsection (a) above, the owner of the property shall be subject to real property taxation upon the fair market value of the property. At any time prior to November 1 of any calendar year in which rehabilitation, renovation or replacement of a structure is complete, an owner may submit a written request to the Commissioner to inspect the structure to determine if it then qualifies for a partial real property tax exemption. After the Commissioner has determined that the assessed fair market value of a substantially rehabilitated, renovated or replaced commercial or industrial structure exceeds the base value by the percentage specified by subsection (a) above, the tax exemption shall become effective beginning on January 1 of the next calendar year.

(c) Subject to the provisions of subsection (d) below and sections 17-62.4 and 17-62.5, the owner of any commercial or industrial structure qualifying for partial exemption from the real estate tax because of substantial rehabilitation, renovation or replacement shall be issued a credit for the general real property tax otherwise due on the fair market value of that structure in an amount that is equal to the value of the real property tax levy calculated on the difference in value between the base value and the initial fair market value of the substantially rehabilitated, renovated or replaced structure.

That credit shall be applied for each year of a ten-year period following completion of the substantial rehabilitation, renovation or replacement. In each year of a four-year period following the initial ten-year period, the owner of a qualifying property shall be issued a credit for the real estate tax otherwise due on the fair market value of that property in an amount equal to the value of the real property tax levy calculated on the difference in value between the Base value and the initial fair market value of the substantially rehabilitated, renovated or replaced structure, less 20 percent for each year following the expiration of the initial ten-year period of exemption. Credits against the real estate tax for any structure qualifying pursuant to this section shall run with the land, and, except as otherwise provided by subsection (d) below and by sections 17-62.4 and 17-62.5, the owner of such structure during each of the 14 years of the exemption period shall be entitled to receive a credit in the amount specified by this subsection.

(d) In the event that the fair market value of a qualifying property increases after the first year of such substantial rehabilitation, renovation or replacement, the credit specified by subsection (c) above shall not be increased. In the event that the fair market value of a qualifying property decreases after the first year of substantial rehabilitation, renovation or replacement, the credit specified in subsection (c) above shall be limited to the extent that the credit shall not reduce the real property tax levy on a qualifying structure below an amount equal to the amount of the real property tax computed on the base value. If any tax credit computed in accordance with subsection (c) above is reduced in accordance with this subsection, that credit reduction shall not be applied to any other property or to real property taxes assessed in any other calendar year.

If the fair market value of any qualifying property decreases below the base value, then that qualifying property shall be assessed at full fair market value, and no credit against the general real property tax shall be allowed. If no tax credit can be granted because the fair market value of a qualifying property is below the base value, that unused credit shall not be applied to any other property or to real property taxes assessed in any other calendar year.

(e) The credits against the real tax specified in subsection (c) above shall not affect any special district taxes or levies within the county. All ad valorem special district taxes or levies shall be computed on the full fair market value of all qualifying property.

(f) In determining the base value of any structure, and in determining whether any structure has been substantially rehabilitated, renovated or replaced to the extent that the fair market value of the improved or replaced structure exceeds the base value by the percent specified in this section, the Commissioner shall employ usual and customary methods of assessing property and improvements thereon.

(g) This section shall be applicable to assessments of qualifying commercial or industrial structures real estate made on and after January 1, 2019.

Sec. 17-62.4. - Limitations on amount and eligibility for partial tax exemption and tax credit.

(a) No property owner shall be eligible to apply for the partial tax exemption and tax credit provided by this article for any property which has delinquent taxes, penalties, and interest due the county.

(b) If any property, for which an application for the partial tax exemption and tax credit provided by this article is made, has been damaged or destroyed as a result of a sudden natural or manmade disaster prior to the application, and that property will be repaired, rehabilitated or replaced through the use of any insurance or self-insurance proceeds, then the base value of the property, as provided herein, shall be computed based upon the fair market value of the property immediately prior to the sudden disaster. For purposes of this article, a sudden natural or manmade disaster shall include, but is not limited to damage or destruction caused by fire, flood, windstorm, and explosion.

(c) Notwithstanding any other provisions of this article, the partial property tax exemption and tax credit provided in sections 17-62.2, and 17-62.3 shall be limited to a total maximum tax exemption and tax credit

amount of \$750,000.00 for each approved application. There shall be only one application approved for any single property at any one time.

Sec. 17-62.5. - Failure to pay real estate taxes in a timely manner; forfeiture of partial exemptions and tax credits, and further qualification limitations.

(a) No tax credit described in sections 17-62.2, and 17-62.3 shall be issued to any owner of any substantially rehabilitated, renovated or replaced structure if the real estate tax on that property has not been paid on or before June 5 and December 5 of any year as required by section 17-2. Failure to pay the real estate tax on improved real property in any year on, or before, the date on which the real estate tax is due shall result in the forfeiture of any partial tax exemption and tax credit that otherwise would have been applied to the real estate tax due in that year and in any future year. In such cases, the property shall be removed from the partial tax exemption program and the annual real estate tax shall be assessed on the full fair market value of the improved real property. Late payment of the real estate tax on real property and any substantially rehabilitated, renovated or replaced structure thereon shall be subject to late payment penalties and interest in accordance with section 17-2. However, the Commissioner of Revenue may waive any penalty and interest and reinstate any tax exemption and credit if the failure to pay the real estate tax was not in any way the fault of the taxpayer.

(b) Notwithstanding any other provision of this article, no improved property which has qualified for a tax credit in accordance with this article by means of substantial rehabilitation, renovation or replacement shall be eligible to submit any application for further tax credits based on subsequent improvements during the pendency of the initial tax credit period.

Sec. 17-62.6. - Administration.

The Commissioner shall prepare and distribute application forms for persons who apply for partial property tax exemption pursuant to sections 17-62.2, and 17-62.3. The Commissioner may prescribe rules and procedures for the administration of this article that are not in conflict with this article. Copies of such application forms and any prescribed rules and procedures shall be available to the public during regular office hours at the office of the Commissioner.

Sec. 17-62.8. - Effective date.

Section II-Partial Real Property Tax Exemption For Certain Rehabilitated Real Property shall be effective on January 1, 2019.

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

Voting no: None

Motion passed.

(9) Action & Discussion Items

(9a) County Administrator Carl Boggess addressed the Board with a resolution authorizing various modifications to the Bedford County Pay and Classification Plan for positions within the Department of Information Technology (position details are given in the resolution below). Mr. Boggess noted that the Personnel Committee meeting discussed this request at their last meeting, and stated that the funds would come from the Contingency Fund.

Supervisor Willis made a motion to approve Resolution #R 062518-12.

WHEREAS, the Chief Information Technology Officer, with the concurrence of the County Administrator, has brought forth recommendations with respect to positions within the Department of Information Technology pertaining to re-classification and the adding of a new position, and

WHEREAS, these recommendations have been reviewed by and received approval of the Board of Supervisor Personnel Committee and are now submitted to the Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED, by the Bedford County Board of Supervisors that the Board does add the position of one FTE Network Administrator position, pay grade 132, effective July 1, 2018.

BE IT FURTHER RESOLVED, that the Board does hereby amend the County's Pay and Classification Plan effective July 1, 2018 to:

1. Re-classify one (1) FTE IT Operations Manager position from the pay grade 133 to pay grade 135; and
2. Re-classify one (1) FTE Business Analyst position from pay grade 126 to pay grade 133.

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

Voting no: None

Motion passed.

(9b) Fiscal Management Director Susan Crawford addressed the Board with a resolution appropriating the FY2019 Bedford County Adopted Budget and the FY2019 Bedford County School Board Budget. Ms. Crawford detailed the following adjustments to the County's budget:

- Health Insurance was allocated to General Fund departments based on open enrollment - \$68,404; the remainder was allocated to the Contingency Fund
- EMS positions to take Big Island and Goode to 12/7 were allocated to the Emergency Management Department - \$114,172
- SOC Chief part-time salary was allocated to the Emergency Management Department - \$9,720
- APS Worker salaries and benefits were allocated to Welfare Administration - \$52,630
- Foster Care Prevention Worker salaries and benefits were allocated to Welfare Administration - \$52,630
- Tourism Marketing and Administration Supervisor salaries and benefits were allocated to Tourism - \$62,300

- Poplar Forest Trail system and new entrance request was allocated to Cultural Enrichment - \$25,000
- IT position regrades and an additional position were allocated to the Information Technology Department - \$147,250
- Medicaid Expansion funding was allocated to Welfare Administration - \$209,701
- After allocating the above items, the Contingency Fund balance is \$633,833

Ms. Crawford then answered minor clarifying questions from the Board.

Supervisor Tuck made a motion to approve Resolution #R 062518-10.

WHEREAS, the Board adopted the Fiscal Year 2017-2018 County Budget on May 14, 2018; and

WHEREAS, the Fiscal Year 2018-2019 Bedford County School Board Budget was adopted by the Bedford County School Board on June 14, 2018;

NOW, THEREFORE, BE IT RESOLVED, by the Bedford County Board of Supervisors that the Board does hereby appropriate the Fiscal Year 2018-2019 County Budget for the functions or purposes as follows:

GENERAL FUND	
<u>GENERAL GOVERNMENT ADMINISTRATION</u>	
LEGISLATIVE	
Board of Supervisors	132,037
GENERAL & FINANCIAL ADMINISTRATION	
County Administration	458,784
County Attorney	137,425
Legislative Auditor	68,000
Commissioner of the Revenue	644,911
Treasurer	687,863
Fiscal Management	698,659
Information Technology	882,719
Human Resources	276,426
BOARD OF ELECTIONS	
Electoral Board & Officials	195,622
Registrar	208,570
<u>JUDICIAL ADMINISTRATION</u>	
COURTS	
Circuit Court	92,150
General District Court	18,100
Magistrates	2,800
Juvenile & Domestic Relations Court	16,178
Clerk of the Circuit Court	1,038,727
Victim Witness Program	218,933
Other Court Services	12,000
COMMONWEALTH ATTORNEY	
Commonwealth Attorney	980,947
<u>PUBLIC SAFETY</u>	
SHERIFF	
Sheriff	6,799,073
FIRE & RESCUE SERVICES	
Dept of Fire & Rescue - Fire Division	1,522,561
Dept of Fire & Rescue - Rescue Division	951,522
Ancillary Fire & Rescue Services	74,200

CORRECTION & DETENTION		
Blue Ridge Regional Jail		1,975,000
Juvenile Court Services		160,290
Juvenile Secure Detention Facility		300,000
INSPECTIONS		
Building Inspections		510,126
OTHER PROTECTION		
Animal Shelter		212,013
Animal Control		300,201
Emergency Management		3,417,918
Communications Center		2,854,536
Transportation Safety		1,045
<u>PUBLIC WORKS</u>		
SANITATION & WASTE REMOVAL		
Refuse Collection		3,101,044
MAINTENANCE OF GENERAL BUILDINGS & GROUNDS		
General Properties - Housekeeping		431,997
General Properties - Maintenance		1,273,102
Central Garage		313,573
<u>HEALTH & WELFARE</u>		
COMMUNITY HEALTH & WELFARE AGENCIES		
Local Health Department		488,509
Central Virginia Area Agency on Aging		88,000
Horizon Behavioral Health		116,000
Other Community Health & Welfare Agencies		15,000
WELFARE & SOCIAL SERVICES		
Social Services - Administration		5,959,201
Social Services - Public Assistance		3,462,486
Comprehensive Services Act - County		3,629,000
Domestic Violence Grants		506,613
<u>EDUCATION</u>		
COMMUNITY COLLEGE		
Central Virginia Community College		1,891

<u>RECREATION & CULTURAL</u>		
PARKS & RECREATION		
Recreation		1,392,756
CULTURAL		
Community Cultural Organizations		168,750
LIBRARY		
Regional Library		1,622,616
<u>COMMUNITY DEVELOPMENT</u>		
PLANNING & COMMUNITY DEVELOPMENT		
Planning Commission		60,270
Planning & Zoning		710,831
Geographic Information Systems		319,096
Board of Appeals, Zoning		3,455
Board of Appeals, Building Department		1,153
Economic Development		599,737
Reversion Settlement		750,000
Tourism		778,670
ENVIRONMENTAL MANAGEMENT		
Natural Resources		305,129
Peaks of Otter District		14,250
Tri-County Lake Administrative Committee		60,690
COOPERATIVE EXTENSION PROGRAM		
Cooperative Extension Program		78,530
New London Cannery		27,032
<u>NON-DEPARTMENTAL</u>		
Contingency Fund		633,833
Debt Service		9,090,524
Transfer to Vehicle Replacement Fund		497,760
Transfer to School Operating		35,649,174
Transfer to CIP - General Fund		7,400,910
Reserve for Solid Waste Expansion		500,000
Reserve for Tourism - Transient Occupancy Tax		24,640
Reserve for School Debt - Debt Service Savings		81,334
Reserve for Future EMS		29,333
Reserve for e-Summons		25,000
TOTAL GENERAL FUND WITHOUT TRANSFERS		61,853,074
TOTAL GENERAL FUND WITH TRANSFERS		\$ 106,061,225

<u>APPROPRIATIONS OF OTHER FUNDS</u>	
VEHICLE REPLACEMENT FUND	716,000
LAW LIBRARY FUND	14,050
CIP GENERAL FUND	
Reassessment	225,000
Election Equipment	30,000
Fiscal Management Financial Software	224,000
Computer Enhancements	82,500
Server Upgrades	104,285
Software Upgrades	30,000
Emergency Apparatus	500,000
EMS Fee for Service	83,125
Hydrant Location & Installation	20,000
Fire & Rescue Station Development	75,000
RIT Rescue & Ladder Truck Replacement	75,000
Air Pack Replacement	200,000
Burn Building Maintenance	35,000
Special Operations Equipment Upgrades	15,000
E911 Addition/Replacement Equipment	20,000
Revenue Sharing Road Fund	400,000
County Buildings	1,630,000
Maintenance Equipment Replacement	18,000
Flooring Replacement	30,000
County Building Security Improvements	40,000
BPS Improvements	1,218,000
Engineering Studies	50,000
School Security & Safety Improvements	273,000
Welcome Center	25,000
Recreation Facility Repairs/Improvements	91,000
Montvale Park	13,000
New London Business & Tech Center	450,000
Broadband Towers	1,500,000
County Wide Water & Sewer Phases	2,000,000
TOTAL CIP GENERAL FUND	9,456,910
NURSING HOME FUND	7,428,671
SOLID WASTE FUND	3,068,686

BE IT FURTHER RESOLVED, that the Board does hereby adopt and appropriate the Fiscal Year 2018-2019 Bedford County Public School Budget for the functions or purposes as follows:

SCHOOL OPERATING FUND		
Instruction		72,457,020
Administration, Attendance, and Health		4,071,574
Transportation		8,151,500
Operation and Maintenance		8,969,823
Facilities		63,200
Technology		5,925,802
TOTAL SCHOOL OPERATING FUND		99,638,919
SCHOOL NUTRITION FUND		4,572,796
SCHOOL TEXTBOOK FUND		644,998
TOTAL SCHOOL FUNDS		104,856,713

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

Voting no: None

Motion passed.

(9c) County Administrator Carl Boggess addressed the Board with a resolution authorizing the advertisement of Bedford County Nursing Home Rates; the public hearing would be on July 23rd. Mr. Boggess reviewed the rate increases with the Board (which are detailed in the resolution below), and then answered questions regarding this request.

Supervisor Sharp made a motion to adopt Resolution #R 062518-07.

WHEREAS, staff and the contracted Nursing Home Cost Analyst have recommended a rate increase to stay competitive in the marketplace; and

WHEREAS, the current rates are: for Non-Private Rooms \$214.00; for Private Room w/Shared Bathroom \$219.00; and for Private Room \$224.00; and

WHEREAS, additionally, staff is recommending to commence charging for transportation services for private pay residents in the amount of \$25 per trip; to charge private pay residents for laundry services in the amount of \$50 per month; and to charge private pay residents for medical supplies in the amount of \$100 per month.

NOW, THEREFORE, BE IT RESOLVED, by the Bedford County Board of Supervisors that the Board does hereby authorize the advertisement of new nursing home rates and for the holding of a public hearing on July 23, 2018. The recommended rates are as follows:

- For Non-Private Rooms \$239.00
- For Private Room w/ Shared Bathroom \$244.00
- For Private Room \$249.00
- Transportation services for private pay residents of \$25 per trip
- Laundry services for private pay residents of \$50 per month
- Medical supplies for private pay residents of \$100 per month

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

Voting no: None

Motion passed.

(10) Board Committee Reports

Mr. Boggess stated that the as noted earlier, the only item the Personnel Committee discussed were the IT position discussions; there were no other committee reports.

(11) Board Member Comments

Supervisor Bansley reminded the Board that Valleywood Drive did not make the VDOT secondary six-year plan, and it was her understanding that it would have been considered if it had been included in the CIP. This means the residents there will have to wait another two years to submit another revenue share application. Supervisor Bansley asked if there was anything that the County could do to assist them.

Mr. Boggess replied that it has not been the practice of this Board to add road projects to the CIP unless it involved a business. He said that he will be meeting with the Public Works Director to fine-tune the CIP, but adding this particular project would mean the Board is committing to doing something it has not done in the past.

There followed a discussion between Attorney Skelley, Mr. Boggess, and the Board regarding this request, as well as budgetary issues regarding VDOT. Attorney Skelley noted that Valleywood has tried submitting an application twice before with no success, and that the County putting the funds in CIP was never a requirement before. However, one of the reasons it was rejected was because the County had not done this. More discussion followed regarding the need for more State funding for VDOT.

Attorney Skelley clarified that the portion of Valleywood that needs repair is not currently in the Six-Year Secondary Plan.

In response to a question from Vice-Chairman Scott, Mr. Boggess gave an update on Corporate Park Drive. He stated they are close to the end of the comment period and sending it out for bids.

Supervisor Dooley said he attended the last Planning Commission meeting, and he knows several development requests will be coming before the Board soon. He said that he feels that the Board of Supervisors, the School Board, and the Planning Commission need to meet to discuss further development

and its impact to various aspects of our infrastructure; Chairman Thomasson concurred. There followed a discussion between the Board members regarding balancing the infrastructure needs against the need for development and growth. Supervisor Bansley noted that Community Development Director Gregg Zody had recently appeared before the Board to with a very good presentation that outlined infrastructure issues with regard to future development.

Chairman Thomasson then read a thank-you card from Brandy Ferguson, thanking the Board for the resolution with which she was recently presented.

(12) Board Appointments

(12a) Supervisor Dooley made a motion to appoint Debra Morin to fill an unexpired term on the Bedford Public Library Board of Trustees (formerly held by Edgar Tuck). The term will begin immediately, and end on June 30, 2019.

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

Voting no: None

Motion passed.

Supervisor Dooley made a motion to appoint Randy Cox to fill an unexpired term on the Bedford Public Library Board of Trustees (formerly held by Max Guggenheimer). The term will begin immediately, and end on June 30, 2020.

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

Voting no: None

Motion passed.

(12b) Supervisor Willis made a motion to appoint Tamara Rosser as the Bedford County Representative to the Central Virginia Community College Board for a term beginning July 1, 2018 and ending June 30, 2022.

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

Voting no: None

Motion passed.

(13) County Attorney Report

- The County Attorney was given the unanimous consensus of the Board to draft enacting ordinances regarding eliminating compensation for citizens for the loss of livestock.

(14) County Administrator Report

Mr. Boggess reminded the Board that the Chamber's Town Hall will be held on Wednesday, June 27 at 8:30 am. The meeting will be followed by the unveiling of the highway marker honoring the late Lacey Putney. He noted that the highway signs will be installed tomorrow; an extra sign was also made to give to Lacey's wife, Carmella.

Mr. Boggess stated that the property for the Thaxton convenience center was a use by right, but it did come before the Planning Commission as a special application. The Board does not need to take any further action (unless they wish to veto).

Mr. Boggess said a new child care facility is going to start in Moneta on July first, which is badly needed in the area. He also stated that the EDA is making progress on the shell building in New London; this will be a good draw for new business prospects.

Lastly, Public Works Director Sheldon Cash gave a brief overview of CIP projects coming up such as courthouse security and patio improvements; County Administration renovations (ongoing); the Thaxton Convenience Center; and reroofing the courthouse. The Falling Creek Center renovation of the Old Nursing Home building is partially complete and progressing well, with the rest of the project likely wrapping up by December. He has spoken to several contractors regarding the red barn, but it is proving difficult to find a contractor who is available and can work with removing the lead-based paint. Mr. Cash noted that the boiler in the Administration building is finally installed and ready for when the colder temperatures come back. Mr. Cash was asked to send the Board a bullet list of the projects he reviewed this evening.

(15) Board Information

(15a) The Board was given a copy of the Bedford Public Library System Board of Trustees Meeting Minutes from May 1, 2018 for review.

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

(15c) The Board was given a copy of the E-911 Communications Report for May 2018 for review.

(16) Board Calendar & Reminders

Mr. Boggess recommended canceling the work session scheduled for July 9; the Board gave its consensus to cancel the work session. Mr. Boggess said the July 23rd meeting will likely be quite long.

Mr. Boggess noted the following upcoming meetings on the Board's calendar: July 9th – Regular Meeting at 7:00; July 23rd – Regular Meeting at 7:00 pm; and August 13th – Regular Meeting at 7:00 pm (Work Session – 5:00 to 6:30pm)

(17) Adjourn

Vice-Chairman Scott made a motion to adjourn the Board of Supervisors meeting at 8:09 pm.

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

Voting no: None

Motion passed.

Broadband Authority Meeting

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

Mr. Boggess addressed the Authority with a resolution authorizing the issuance of a Request for Proposals. He addressed a concern of Mr. Sharp's regarding changing the word "shall" to "may" in the first line of paragraph six. Mr. Boggess noted that this amendment had been discussed via emails between Attorney Skelley and the Board. After considerable debate, the Board reached a consensus to change "shall" to "may".

Supervisor Bansley made a motion to approve Resolution #R 062518-01BA.

WHEREAS, the Authority has adopted guidelines and is a responsible public entity under the provisions of the Public-Private Education Facilities and Infrastructure Act of 2002, Va. Code §§ 56-575.1 et seq. (the "Act"); and

WHEREAS, the Authority has made public that it desires to find a private partner to work with it to develop, operate, and maintain a system to provide "qualified communications services," as that term is used in the Virginia Wireless Service Authorities Act; and

WHEREAS, the Authority expressly finds that this partnership will be for a "qualifying project," as that term is used in the Act:

NOW THEREFORE, be it resolved by the Board of Directors of the Bedford County Broadband Authority, that:

1. The Board directs the County Administrator or his designee to cause the PPEA Solicitation to be posted to the County website and advertised for 60 days in accordance with law, as soon as practicable; and
2. The Board directs the County Administrator or his designee to procure a consultant, appropriate for the purpose, to assist the County in evaluating the proposals received; and
3. The Board authorizes the County Administrator or his designee to provide public information to, and meet with, other potential proposers during the advertising period upon request; and

4. The Board expressly finds that due to (i) the probable scope, complexity, or priority of the project, risk sharing including guaranteed cost or completion guarantees, (ii) added value or debt or equity investments proposed by the private entity, or (iii) an increase in funding, dedicated revenue source or other economic benefit that would not otherwise be available, use of the competitive sealed bidding process is not advantageous or practicable; and
5. The Board authorizes the County Administrator to form an advisory committee to evaluate proposals, which shall include:
 - a. Two Board members
 - b. The County Administrator or designee

The advisory committee shall meet with the consultant and review proposals. It shall rank the proposals, interview top proposer(s), if any, and make a recommendation to the Board at its earliest convenience of the proposer to enter an interim or comprehensive agreement with. The advisory committee is not a committee or subcommittee of the Board, but a selection committee to assist the County Administrator in making a recommendation to the Board, and is not a public body.

6. In evaluating the proposals, the advisory committee ~~shall~~ may consider (i) the proposed cost of the qualifying facility; (ii) the general reputation, industry experience, and financial capacity of the private entity; (iii) the proposed design of the qualifying project; (iv) the eligibility of the facility for accelerated selection, review, and documentation timelines under the responsible public entity's guidelines; (v) local citizen and government comments; (vi) benefits to the public; (vii) the private entity's compliance with a minority business enterprise participation plan or good faith effort to comply with the goals of such plan; (viii) the private entity's plans to employ local contractors and residents; (ix) public input at a public hearing on the matter; and (x) other criteria that the advisory committee deems appropriate, and make a written recommendation to the Board of its recommendation. The advisory committee shall recommend the proposal that constitutes the best value, meaning the overall combination of quality, price, and the various elements of required services that in total are optimal relative to the Authority's needs. The criteria are set forth in more detail in Exhibit A, which is incorporated herein by reference; and
7. The County Administrator is directed to post all proposals to the County website as soon as practical following receipt; and
8. The County Administrator is authorized to take or cause to be taken such other and further administrative actions as may be necessary to ensure that the processing of this solicitation complies with law.
9. This resolution is effective upon adoption.

Exhibit A

PPEA Advisory Committee

The function of the PPEA Advisory Committee is to work with the County Administrator to evaluate the evaluate PPEA proposals and to assist the County Administrator in making a recommendation to the Board of Directors on whether and with whom the Board should authorize negotiation and entry of an interim or comprehensive agreement.

The County Procurement Officer shall forward proposals to the Committee members as soon as they are received. The Committee should hold at least one in-person meeting at which it will evaluate, discuss, and rank proposals. It should make memoranda of its meetings and the proceedings and any decisions made. The Committee should then interview top proposers in an effort to understand, clarify, and narrow their choices and the scope of the proposals. The number of proposers to interview is in the sound discretion of the Committee.

The Committee may recommend: (1) That the Authority not move forward with any proposer; (2) that it move forward to the detailed or interim phase with one proposer; or (3) that the Authority should choose between two or more proposers who it has qualified recommendations on to move to the detailed or interim phase. It should choose the proposal that is the “best value,” that is, the proposal that represents the overall combination of quality, price, and various elements of required services that in total are optimal relative to the Authority’s needs. In making its determination, it should take a holistic approach. It should consider, in making its evaluation:

Qualifications and Experience

1. Experience with similar projects;
2. Demonstration of ability to perform work;
3. Leadership structure;
4. Project manager's experience;
5. Management approach;
6. Financial condition; and
7. Project ownership.

Project Characteristics

1. Project definition;
2. Proposed project schedule;
3. Operation of the project;
4. Technology and technical feasibility;
5. Conformity to laws, regulations, and standards;
6. Environmental impacts;
7. Condemnation impacts;
8. State and local permits; and
9. Maintenance of the project.

Community Impacts

1. Impacts, interactions, and future plans with the County's existing providers;
2. Comments at the public hearing on the proposals;
3. Neighborhood and community development impacts, if any; and
4. Economic development impacts.

In making its final recommendation, the Committee shall provide the Board a memorandum detailing its rationale for its recommendation with reference to these criteria.

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

Voting no: None

Motion passed.

Mr. Boggess said there had been discussion regarding the evaluation of the Montvale tower. He recommended waiting on further discussion until we know if we can get back (through a grant) what we will pay for it in a grant. Mr. Boggess said he would convey that information to the Board as soon as he had more information (likely by July 9th). Supervisor Sharp noted that he wants to be sure we don't pay too much for the tower. Mr. Boggess commented that the \$179,730.54 (noting considering grant money that we might get back) for the tower will not likely change, and that the tower has room for expansion of services. He said he has been working on collecting the comments for Comcast; he will forward them on later this week, and will have an update for the Board at the next meeting.

Supervisor Dooley made a motion to adjourn the Broadband Authority meeting at 8:26 pm.

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

Voting no: None

Motion passed.

Bill Thomasson, Chairman