



MINUTES
BEDFORD COUNTY BOARD OF SUPERVISORS
BEDFORD COUNTY ADMINISTRATION BUILDING
OCTOBER 22, 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 resolution authorizing advertising an Invitation to Bid for Renovations to the County Administration Building (Phase III).
(Resolution #R 102218-01)
 - b. Consideration of a resolution authorizing the submission of the Virginia Tourism Corporation Marketing Leverage Grant in the amount of \$126,000.00 (the 2:1 local match will be met using current FY2018-2019 adopted budget funds).
(Resolution #R 102218-05)
- (7) Approval of Minutes – there are no sets of minutes ready for approval**
- (8) Public Hearings & Presentations**
 - a. **Public Appearance** - Damien Cabezas, Chief Executive Officer of Horizon Behavioral Health, with an annual update.
- (9) Action & Discussion Items**
 - a. Consideration of a resolution authorizing Dedication and Acceptance of real property for public street purposes for the Corporate Park Drive Extension.
(Resolution #R 102218-02)
 - *Staff Presentation by County Attorney Patrick Skelley*

- b. Consideration of a resolution authorizing a transfer from the Contingency Fund of \$140,000 and a Supplemental Appropriation of \$10,000 for insurance reimbursement (*Resolution #R 102218-03*)

- *Staff Presentation by County Attorney Patrick Skelley*

(10) Board Committee Reports

(11) Board Member Comments

- a. Consideration of a Resolution in Support of Improvements to Interstate 81 and a Regionally Dedicated Fund for Corridor Improvements. (*Resolution #R 102218-04*)

- *Presented by Supervisor Andy Dooley*

(12) Board Appointments - none

(13) County Attorney Report

(14) County Administrator Report

- a. Consensus is needed for VACo Voting Credentials
- b. 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 recruitment of the County Administrator, and Section 2.2-3711 (A) (7) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter; and Section 2.2-3711(A) (29) Discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body.

(15) Board Information

- a. Bedford Public Library System Board of Trustees meeting minutes from September 4, 2018 and program attendance reports
- b. Bedford Communication Center report for September 2018
- c. Bedford Regional Water Authority Board of Directors meeting minutes from August 21, 2018

(16) Board Calendar and Reminders

- November 8th – CIP Work Session with the School Board – beginning at 5:00 pm
(Held in the large conference room across the hall from the Administration Office)
- November 26th – Regular Meeting at 7:00 pm
- December 10th - Regular Meeting at 7:00 pm (Work Session – 5:00 to 6:30 pm)

Adjourn

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, Captain Mike Miller, Director of Social Services Andy Crawford, 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

Supervisor Sharp made a motion to approve the agenda.

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

Voting no: None

Motion passed.

(5) Citizen Comments

- *none*

(6) Consent Agenda

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

- a. Consideration of a resolution authorizing advertising an Invitation to Bid for Renovations to the County Administration Building (Phase III). (*Resolution #R 102218-01*)
- b. Consideration of a resolution authorizing the submission of the Virginia Tourism Corporation Marketing Leverage Grant in the amount of \$126,000.00 (the 2:1 local match will be met using current FY2018-2019 adopted budget funds). (*Resolution #R 102218-05*)

In response to a question from Supervisors Sharp and Bansley, Mr. Boggess said the County's contribution for item #6b would be \$64,000.00.

Supervisor Sharp 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 - no sets were ready for approval at this time

(8) Public Hearings & Presentations

(8a) Damien Cabezas, Chief Executive Officer from Horizon Behavioral Health, addressed the Board with his annual update. Mr. Cabezas thanked the Board for their local contribution, and distributed a packet to the Board which detailed the annual report and numbers of the population served. (*This information will be kept on file in the Administration Office for public review.*) Mr. Cabezas noted they have been able to serve more of the population due to having moved to a larger location. He stated that "family treatment court" will be starting in November; the Social Services Department is coordinating this program with Horizon. He touched on other aspects of the services, such as technology upgrades to assist in keeping clients engaged in their treatment.

(9) Action & Discussion Items

(9a) County Attorney Patrick Skelley addressed the Board with a resolution authorizing dedication and acceptance of real property for public street purposes for the Corporate Park Drive Extension. Attorney Skelley briefly reviewed the process that led to this request coming before the Board this evening.

Supervisor Sharp made a motion to approve Resolution #R102218-02.

WHEREAS PTI, LLC is the owner of a tract of land known as Lot 1, Radford Meadows, containing 1.17 acres (Tax Map No. 116-5-1), as shown on a plat of survey entitled "Right-of-Way Dedication and Easements Property of PTI, LLC Corporate Park Drive Extension", dated 2 January 2018, made by Hurt &

Proffitt; and a tract of land known as Lot 17, Radford Meadows, containing 5.730 acres (Tax Map No. 116-5-17), as shown on a plat of survey entitled “Right-of-Way Dedication, Easements, and Subdivision Property of PTI, LLC Corporate Park Drive”, dated 2 January 2018, made by Hurt & Proffitt; and

WHEREAS Acme Holdings, LLC is the owner of a tract of land known as Parcel 1, containing 20.258 acres (Tax Map No. 117-A-1E) as shown on a plat of survey entitled “Right-of-Way Dedication and Easements Property of Acme Holdings, LLC Corporate Park Drive Extension”, dated 2 January 2018, made by Hurt & Proffitt; and

WHEREAS Triple S. Enterprises, Inc. is the owner of a tract of land known as Lot 18, Radford Meadows, containing 8.58 acres (Tax Map No. 116-5-18), as shown on a plat of survey entitled “Right-of-Way Dedication and Easements Property of Triple S. Enterprises, Inc. Corporate Park Drive Extension”, dated 2 January 2018, made by Hurt & Proffitt; and

WHEREAS the County of Bedford has entered into a revenue share agreement with the Virginia Department of Transportation for the extension of Corporate Park Drive from its current terminus through the above-described properties; and

WHEREAS PTI, LLC, Acme Holdings, LLC, and Triple S. Enterprises desire to convey the necessary property for the roadway and related easements without monetary consideration, together with land for the required detention pond; and,

WHEREAS the County of Bedford desires to obtain said Properties under said terms.

NOW, THEREFORE BE IT RESOLVED, that the County of Bedford accepts a Deed of Dedication from PTI, LLC for property containing 0.839 acre, from Acme Holdings, LLC for property containing 2.250 acres and from Triple S. Enterprises, Inc. for property containing 0.242 acre, and that the County Administrator is authorized to execute said deeds facilitating the conveyance of the aforesaid property to the County of Bedford.

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

Voting no: None

Abstained: Mr. Scott

Motion passed.

(9b) County Attorney Patrick Skelley addressed the Board with a resolution authorizing a transfer from the Contingency Fund of \$140,000 and a Supplemental Appropriation of \$10,000 for insurance reimbursement. Attorney Skelley noted this is the result of a law suit brought by a former employee and negotiated by outside counsel; claims against the County fall under his budget.

Supervisor Tuck made a motion to approve Resolution #R 102218-03.

WHEREAS, the Bedford County Administrator recently settled litigation involving the County; and

WHEREAS, payments were processed in regards to the settlement and charged to the County Attorney's budget. and

WHEREAS, expenditures of this nature are not considered during the budget process; and

WHEREAS, staff is requesting a Transfer from the Contingency Fund of \$140,000 and a Supplemental Appropriation of \$10,000 for Insurance Reimbursement in regards to the claim.

NOW THEREFORE, BE IT RESOLVED, that the Bedford County Board of Supervisors authorizes a Transfer from the Contingency Fund of \$140,000 to the County Attorney's budget and a Supplemental appropriation of \$10,000 to the County Attorney's budget, both to cover the cost of litigation settlement claims.

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

Voting no: None

Abstained: Mr. Thomasson

Motion passed.

(10) Board Committee Reports

Supervisor Dooley asked Mr. Boggess to assemble some meeting notes from today's earlier Town/County Committee meeting, to be included in a future Board packet.

(11) Board Member Comments

Mr. Boggess addressed the Board with a resolution in support of improvements to Interstate 81 and a regionally dedicated fund for corridor improvements. He noted that I81 is the lifeblood of this region. In response to a question from Supervisor Sharp, Mr. Boggess said that he is not sure how the "regionally dedicated fund" would be funded or how it would work. He said it was not really addressed at the Roanoke Valley Regional Transportation Committee meeting he attended, but it might come in the form of additional gas tax or truck tolls.

Supervisor Dooley stated he recently attended the Roanoke Valley Regional Transportation Committee meeting, and noted that the purpose of the Committee is help administer transportation funding from Federal and State sources. He said there has been a lot of discussion on Interstate 81.

In response to a question from Chairman Thomasson, Mr. Boggess stated that the resolution does not financially bind the County in any way.

Supervisor Dooley made a motion to approve Resolution #R 102218-04.

WHEREAS, the 2018 Virginia General Assembly directed the Commonwealth Transportation Board to develop and adopt an Interstate 81 Corridor Improvement Plan and evaluate financing options for Interstate 81 corridor improvements; and

WHEREAS, during the June 6 - August 6 public comment period, the Virginia Department of Transportation received 161 congestion comments, 138 safety comments, and 104 policy comments; and,

WHEREAS, data from the Virginia Department of Transportation shows that Interstate 81 has the highest proportion of incident delay compared to all other Virginia interstates, and the loss of one lane leads to a 65 percent reduction in highway capacity; and,

WHEREAS, Interstate 81 is critical to the economic vitality of western Virginia, carrying \$312 billion in goods each year; and,

WHEREAS, the Roanoke Valley Transportation Planning Organization (RVTPO) recently approved a "Regional Study on Transportation Project Prioritization for Economic Development and Growth which stated that widening and improving 1-81, between the Roanoke and New River Valleys (Exit 150 to Exit 118), was a priority for the local governments in the RVTPO service area; and,

WHEREAS, potential capital improvements identified by the Office of Intermodal Planning and Investment are estimated to cost \$3 billion corridor-wide, with \$1.6-2.1 billion in the Salem transportation district; and,

WHEREAS, the Virginia Office of Intermodal Planning and Investment will assess a variety of funding mechanisms and will report on the economic impact of truck-only tolling on Virginia manufacturing, agriculture, and logistics sector companies; and,

WHEREAS, existing revenues are not sufficient to fund the identified improvements to Interstate 81, and the highest investment on other Virginia interstates is sourced from regionally dedicated funds.

NOW, THEREFORE, BE IT RESOLVED, that following the completion of the 1-81 Corridor Improvement Plan and its approval by the Commonwealth Transportation Board, the Roanoke Valley Transportation Planning Organization urges the General Assembly to consider solutions to support improvements to Interstate 81 through designated funding, which would specifically benefit the 1-81 Corridor region.

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

Voting no: Mr. Sharp

Motion passed.

Supervisor Tuck commented on the passing on Mr. Calvin Woodford, who was a charter member of many organization including the Ruritan Club, the medical center, the fire department, etc., and was an example of a life well lived.

(12) Board Appointments - none

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

(14) **County Administrator Report**

(14a) *heard after the closed session*

(14b) **Supervisor Dooley made a motion for the Board to enter into Closed Session pursuant to Section 2.2-3711 (A) (1)** as to the discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; specifically related to the recruitment of the County Administrator, **and Section 2.2-3711 (A) (7)** Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter; **and Section 2.2-3711(A) (29)** Discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body.

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

Voting no: None

Motion passed.

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

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

Voting no: None

Motion passed.

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

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

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

<u>MEMBERS:</u>	<u>VOTE:</u>
Bill Thomasson, Chairman	Yes
Tommy Scott, Vice-Chairman	Yes
Edgar Tuck	Yes
Charla Bansley	Yes
John Sharp	Yes
Andy Dooley	Yes
Kevin Willis	Yes

Mr. Boggess requested a motion from the Board for Chairman Bill Thomasson to serve as their voting delegate at the upcoming VACo Conference (*heard after the closed session*)

Supervisor Bansley made the motion for Chairman Bill Thomasson to serve as their voting delegate at the upcoming VACo Conference, and for Supervisor Edgar Tuck to serve as the alternate delegate.

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

Voting no: None

Motion passed.

Mr. Boggess stated that VDOT has given its authorization to bid out Corporate Park Drive. He also noted that an update from VDOT is at each Supervisors station.

(15) Board Information

(15a) The Board was given a copy of the Bedford Public Library System Board of Trustees meeting minutes from September 4, 2018 and program attendance reports for review.

(15b) The Board was given a copy of the Bedford Communication Center report for September 2018 for review.

(15c) The Board was given a copy of the Bedford Regional Water Authority Board of Directors meeting minutes from August 21, 2018 for review.

(16) Board Calendar & Reminders

November 8th – CIP Work Session with the School Board – beginning at 5:00 pm (*to be held in the large conference room across the hall from the Administration Office*); November 26th – Regular Meeting at 7:00 pm; and December 10th - Regular Meeting at 7:00 pm (Work Session – 5:00 to 6:30 pm).

Adjourn

Vice-Chairman Scott made a motion to adjourn the meeting at 8:50 pm.

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

Voting no: None

Motion passed.