



**MINUTES**

**BEDFORD COUNTY BOARD OF SUPERVISORS**

**BEDFORD COUNTY ADMINISTRATION BUILDING**

**JULY 22, 2019**

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**5:00 P.M. WORK SESSION**

- a. Closed Session pursuant to §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.
- b. Update and discussion regarding the Solid Waste Department
  - *Staff presentation by Public Works Director Sheldon Cash and Solid Waste Manager Mike Dorsey*

*Adjourn the Work Session*

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**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 the advertisement of a public hearing regarding Bedford County Nursing Home rates. *(Resolution #R 072219-01)*
  - b. Consideration of a resolution requesting acceptance of a Virginia Commission for the Arts Creative Communities Partnership Grant. *(Resolution #R 072219-02)*

- c. Consideration of a resolution authorizing the County Administrator to execute the Juvenile Detention contract. (*Resolution #R 072218-03*)
- d. Consideration of a resolution authorizing a Work Order for Permitting and Preparation of Construction Documents to Modify the Transfer Operation. (*Resolution #R 072219-04*)

**(7) Approval of Minutes – April 15, 2019**

**(8) Public Hearings & Presentations**

- a. Resolution recognizing the Huddleston Volunteer Rescue Department's 50<sup>th</sup> Anniversary
- b. Resolution recognizing the Huddleston Volunteer Fire Department's 60<sup>th</sup> Anniversary

**(9) Action & Discussion Items - none**

**(10) Board Committee Reports - none**

**(11) Board Member Comments**

**(12) Board Appointments - none**

**(13) County Attorney Report**

- a. Closed Session pursuant to Section 2.2-3711 (A) (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, specifically pertaining to the New London Airport, Highpoint Road, and the Fire & Rescue Department.

**(14) County Administrator Report**

**(15) Board Information**

- a. Bedford Public Library System Board of Trustees meeting minutes for June 4, 2019 and schedule of meetings
- b. Bedford Communications E-911 report for June 2019
- c. Bedford County Transportation Safety Commission minutes from May 16, 2019

**(16) Board Calendar and Reminders**

- August 12 – Work Session (5:00 – 6:30 pm); Regular Meeting at 7:00 pm

- *Note: only one meeting in August*
- September 9 – Work Session at 5:00 pm (Human Resources Policy Changes) (*no regular meeting*)
- September 23 – Regular Meeting at 7:00 pm

### **Adjourn**

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#### **5:00 P.M. WORK SESSION**

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

*\*Arrived at 5:10 pm*

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**Staff:** County Administrator Robert Hiss, County Attorney Patrick Skelley, Public Works Director Sheldon Cash, Solid Waste Manager Mike Dorsey, and Executive Assistant Brigitte Lockett

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Chairman Scott called the worksession to order and turned the meeting over to County Administrator Robert Hiss, Public Works Director Sheldon Cash, Solid Waste Manager Mike Dorsey, and Lynn Klappich, Program Director from Draper Aden Associates, for an update regarding Solid Waste.

Mr. Hiss stated the first part of the worksession would cover the schematic design for the transfer station and the steps needed to move forward. This would be followed by a closed session to cover the results of several requests for proposals that were issued for matters related to Solid Waste.

Mrs. Klappich then addressed the Board with a presentation, which covered the history leading up to this request. She noted that this is not just a question of capacity – it also involves the type and tonnage of the waste that is coming in, as well as the compaction of that waste. Ms. Klappich stated that the first layer of waste cannot be compacted and is considered a “fluff” layer; compaction risks puncturing the protective liner. She explained that due to the fluff layer, Bedford is down to about 800 pounds per cubic yard (versus our former average of 1,000 to 1,100 pounds per cubic yard). She said some of this will be gained back as we fill over it, but the reduced density needs to be taken into account when estimating how much use is left in the cell. She noted that some of the tonnage in Cell A (from previous overflow) will also need to be relocated to Cell C to match Cell A’s permit, further reducing the space available in Cell C. Mrs. Klappich said what this means for capacity (without getting on the slopes and tearing them up after we’ve just gotten them stabilized) is one-and-a-half to two years use left. She explained that “operational” capacity is about 80% of theoretical capacity; around December of 2020 we will see a very different look at the landfill and the next operation will need to be up and running.

Mrs. Klappich stated that permitting at DEQ, especially Part B (the actual physical design) is approximately a two-year process. There are additional layers of permitting, such as preparing the actual construction documents, obtaining the land disturbance permit, and bidding and construction. Construction will comprise not only the liner but also significant infrastructure, some additional leachate storage and handling capabilities, any weather issues that delay work, etc., that bring the estimated timeframe to complete the project to four-and-a-half to five years. Mrs. Klappich noted that we are discussing a retrofit of the existing transfer station because of the timeframe estimates just mentioned.

Mrs. Klappich then reviewed the schematic design with the Board, noting this is only a preliminary design but will give an idea of the site design and potential costs. From this preliminary design, the estimated project costs would be \$2,694,800; equipment costs are estimated at \$828,000. She concluded her presentation by reviewing the project schedule, and stated that the schematic design has indicated modifying the transfer station is both cost effective and possible, it's the best reuse of the existing structure, and is the most efficient method in meeting the County's landfill goals. (The full presentation will be kept on file in the Administration office for public review.) Throughout her presentation, Mrs. Klappich, Mr. Cash, and Mr. Dorsey answered clarifying questions from the Board.

Mr. Hiss stated he has engaged the leadership of the Region 2000 landfill, explaining that we are not necessarily interested in joining but may need to use their landfill as a "business customer". Communication and data exchange is ongoing; Mr. Hiss will update the Board as the conversation progresses. He noted that other options exist if the Region 2000 landfill option does not work out.

There being no further discussion for open session, Attorney Skelley called for a motion to go into closed session.

**Supervisor Willis made a motion to go into Closed Session pursuant to 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.**

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**Supervisor Tuck 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.**

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**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.

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

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**7:00 P.M.      REGULAR MEETING**

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

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**Staff:** County Administrator Robert Hiss, County Attorney Patrick Skelley, Public Works Director Sheldon Cash, Community Development Director Gregg Zody, and Executive Assistant Brigitte Lockett

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

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**(4) Approval of Agenda**

- **REVISED Resolution for agenda action item #13a**, Closed Session pursuant to **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, specifically pertaining to the New London Airport, Highpoint Road, and the Fire & Rescue Department. *(discussion regarding Fire & Rescue was added)*

**Supervisor Sharp made a motion to approve the agenda as revised.**

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

**Voting no: None**

**Motion passed.**

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**(5) Citizen Comments**

- Lori Ahangan, part-owner of lot #2 in Spring Oaks subdivision, stated that she had addressed the Board at an earlier meeting regarding the negative impact the placement of a Verizon communications tower would have on their property. She said that while nothing has been decided yet, consideration is being given to relocating the tower to a different portion of the property. She thanked Mr. Thomasson for helping her family with this issue.

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**(6) Consent Agenda**

County Administrator Robert Hiss reviewed the following item on the consent agenda:

- a. Consideration of a resolution authorizing the advertisement of a public hearing regarding Bedford County Nursing Home rates. *(Resolution #R 072219-01)*
- b. Consideration of a resolution requesting acceptance of a Virginia Commission for the Arts Creative Communities Partnership Grant. *(Resolution #R 072219-02)*
- c. Consideration of a resolution authorizing the County Administrator to execute the Juvenile Detention contract. *(Resolution #R 072218-03)*
- d. Consideration of a resolution authorizing a Work Order for Permitting and Preparation of Construction Documents to Modify the Transfer Operation. *(Resolution #R 072219-04)*

**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.**

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**(7) Approval of Minutes**

**Vice-Chairman Dooley made a motion to approve the minutes of April 15, 2019 as presented.**

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

**Voting no: None**

**Motion passed.**

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**(8) Public Hearings & Presentations**

**(8a)** Supervisor Tuck presented the following to the Huddleston Volunteer Rescue Department in recognition of their 50<sup>th</sup> Anniversary:

**WHEREAS**, the Huddleston Volunteer Rescue Department was formed in 1969; and

**WHEREAS**, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

**WHEREAS**, the members of the Huddleston Volunteer Rescue Department provide these vital services twenty-four hours a day, seven days a week and provide a vital public service; and

**WHEREAS**, these volunteers have given untold thousands of hours and personal resources in the past five decades to their community; and

**WHEREAS**, the members of emergency services teams engage in thousands of hours of specialized training and continuing education to enhance their skills; and

**WHEREAS**, it is appropriate to recognize the value, contributions, and accomplishments of Huddleston Volunteer Rescue Department; now

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, in recognition of their 50<sup>th</sup> Anniversary, Bedford County Board of Supervisors does hereby recognize the Huddleston Volunteer Rescue Department, and sincerely and respectfully thanks them for their selfless service to Bedford County.

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**(8b)** Supervisor Tuck presented the following to the Huddleston Volunteer Fire Department in recognition of their 60<sup>th</sup> Anniversary:

**WHEREAS**, the Huddleston Volunteer Fire Department was formed in 1959 and was comprised of thirty volunteers; and

**WHEREAS**, emergency fire response is a vital public service; and

**WHEREAS**, the members of the Huddleston Volunteer Fire Department stand ready to provide these vital services in times of need, twenty-four hours a day, seven days a week; and

**WHEREAS**, these volunteers have given untold thousands of hours and personal resources in the past six decades to their community; and

**WHEREAS**, the members of emergency services teams engage in thousands of hours of specialized training and continuing education to enhance their skills; and

**WHEREAS**, it is appropriate to recognize the value, contributions, and accomplishments of Huddleston Volunteer Fire Department; now

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, in recognition of their 60<sup>th</sup> Anniversary, Bedford County Board of Supervisors does hereby recognize the Huddleston Volunteer Fire Department, and sincerely and respectfully thanks them for their selfless service to Bedford County.

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(9) **Action & Discussion Items** - *none*

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(10) **Board Committee Reports** - *none*

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(11) **Board Member Comments** - *none*

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(12) **Board Appointments** - *none*

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(13) **County Attorney Report**

**Supervisor Dooley made a motion to go into Closed Session pursuant to 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, specifically pertaining to the New London Airport, Highpoint Road, and the Fire & Rescue Department.

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

**Voting no: none**

**Motion passed.**

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**Supervisor Thomasson 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.**

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**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.

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

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**(14) County Administrator Report**

Mr. Hiss noted that the Fiscal Management Department has been renamed the Finance Department. He also stated that the time set aside for worksessions has usually been inadequate to cover the material staff needs to review with the Board. He suggested altering the meeting schedule to reflect the first meeting of the month as a worksession at 5:00 pm, and the second meeting of the month as a regular meeting at 7:00 pm. He said there would still be flexibility to add closed sessions, special meetings, etc. as needed. Several Board members agreed Mr. Hiss' proposed revisions to schedule were worth trying.

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**(15) Board Information**

**(15a)** The Board was given a copy of the Bedford Public Library System Board of Trustees meeting minutes for June 4, 2019 and schedule of meetings for review.

**(15b)** The Board was given a copy of the Bedford Communications E-911 report for June 2019 for review.

**(15c)** The Board was given a copy of the Bedford County Transportation Safety Commission minutes from May 16, 2019 for review.

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**(16) Board Calendar & Reminders**

Mr. Hiss reviewed the following upcoming Board meetings:

- August 12 – Work Session (5:00 – 6:30 pm); Regular Meeting at 7:00 pm
- *Note: only one meeting in August*
- September 9 – Work Session at 5:00 pm (Human Resources Policy Changes) (*no regular meeting*)
- September 23 – Regular Meeting at 7:00 pm

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**(17) Adjourn**

**Supervisor Sharp made a motion to adjourn at 8:28 pm.**

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

**Voting no: none**

**Motion passed.**

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Tommy Scott, Chairman