

BOARD OF SUPERVISORS

July 10, 2017 Agenda





AGENDA

BEDFORD COUNTY BOARD OF SUPERVISORS

BEDFORD COUNTY ADMINISTRATION BUILDING

JULY 10, 2017

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- 5:00 P.M.** **WORK SESSION – GROUND FLOOR MEETING ROOM**
- (1) Joint Meeting with the Bedford County Planning Commission
- a. Short Term Rentals/Transient Occupancy Tax
 - *Staff Presentation by Community Development Director Gregg Zody*
 - b. Up-zoning from C1 to C2 – in the Forest area
 - *Staff Presentation by County Administrator Carl Boggess, Community Development Director Gregg Zody, and Planner Jordan Mitchell*
 - c. Drainage Easements and Reserve Areas
 - *Staff Presentation by Planner Jordan Mitchell*
 - d. Discussion Regarding Offsetting Costs of Residential Development
- 6:30 P.M.** Break for Dinner

Draft V2, 06292017 GZ

Work Session Item #a
Short Term Rental Amendment
July 10, 2017

Sec. 30-100-18. Short-term rentals.

~~(A)~~ The following regulations shall apply to all short-term rentals on parcels ~~within five hundred feet (500') of the seven hundred and ninety five foot (795') elevation contour~~ for any period less than thirty (30) days of residential dwelling units in AP, AR, AV, R-1, R-2, PCD, and PRD zoning districts:

[...]

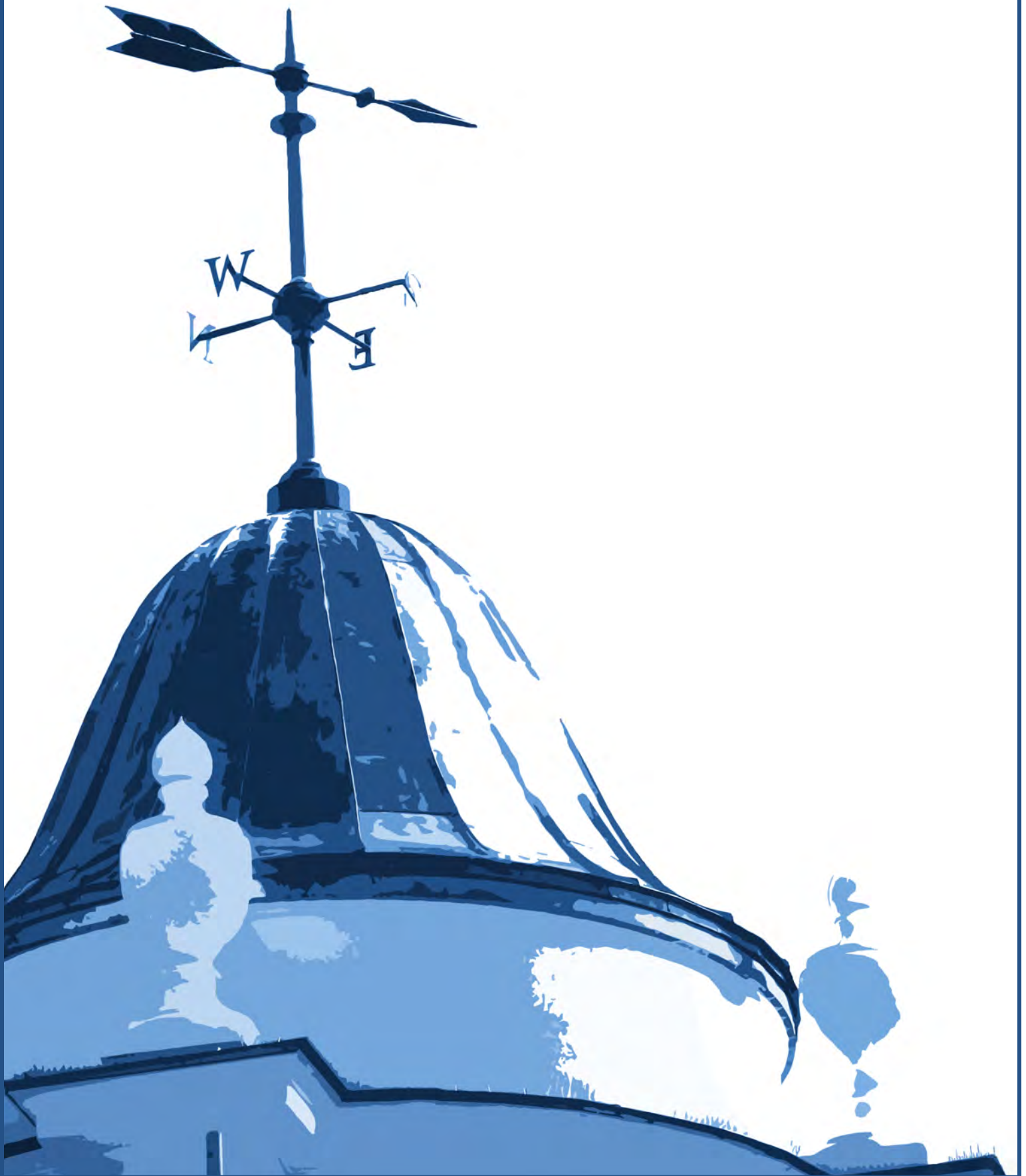
~~(7) (a) An owner's failure to register a short-term rental property (including single and multiple rooms in a residential structure) with the County will result in civil penalties, as now authorized by new Va. Code sec. 15.2-983(C).~~ will result in a civil penalty of \$500.00 per violation.

(b) Unless and until the subject property is registered, and any penalty imposed under subsection (a) is paid in full, the subject property may not be offered as a short-term rental.

(c) Upon three or more violations of any applicable state or local laws, ordinances or regulations as relating to a specific property offered for short-term rental (including, but not limited to, the requirement to register any such property), the County may prohibit such property from being registered and offered as a short-term rental.

(8) No person shall be required to register a short-term rental pursuant to this section if such person is (i) licensed by the Real Estate Board or is a property owner who is represented by a real estate licensee; (ii) registered pursuant to the Virginia Real Estate Time-Share Act (§55-360 et seq.); (iii) licensed or registered with the Department of Health, related to the provision of room or space for lodging; or (iv) licensed or registered with the locality, related to the rental or management of real property, including licensed real estate professionals, hotels, motels, campgrounds, and bed and breakfast establishments.

Work Session - B
(no documentation for this item)



**Proposed Drainfield Reserve Area
And Easement Ordinance
July 10, 2017**

That **Section 31-396, Private Waste Disposal Systems**, be added to the Subdivision Ordinance to establish standards for a full reserve area of and to restrict the use of drainfield easements

Sec. 31-396. - Private Waste Disposal Systems

- (a) *Private waste disposal systems.* All private waste disposal systems, including the reserve areas pursuant to subsection (b) herein, shall be located on the same lot as the building site that the private waste disposal system benefits. All private waste disposal systems shall be reviewed and approved by the Bedford County Virginia Department of Health.
- (b) *Reserve Area.* All new lots of a minor or major subdivision plat that are served with a private waste disposal system shall be required to have a full reserve area in the event their primary waste disposal system fails. Reserve areas for private waste disposal systems shall be reviewed and approved by the Bedford County Virginia Department of Health.
- (c) *Grandfathered subdivisions.* Any subdivision plat (major or minor) that was recorded, currently under official review (submitted with applicable associated filing fee), or had been to the Technical Review Committee prior to (adoption date of ordinance place here), shall not be subject to the requirements of Sec. 31-396(a) and Sec. 31-396(b).
- (d) *Waiver requests.* Waivers of any requirement of Sec. 31-396 shall not be permitted.

Work Session Item #d
Offsetting Cost of Residential Development
Voluntary Proffers As A Means Of Accommodating Growth

Proffers (a/k/a “Conditional Zoning”) Generally

Where proposed development creates additional burdens on public facilities, proffers are a means of offsetting the costs of improvements to such facilities.

Conditional zoning means the allowing of reasonable conditions (proffers) governing the use of property, where the conditions are in addition to, or the modification of, the regulations provided for in a particular zoning district.

When proffers are accepted by the locality's governing body, they become part of the zoning ordinance.

Proffered conditions allow a rezoning to be approved that might not otherwise occur because the proffers impose additional regulations or conditions on the land being rezoned for the protection of the community that are not generally applicable to land similarly zoned.

Nature of Proffers

Proffered conditions are intended to be voluntary;

Proffers must be reasonable conditions that are in addition to the applicable zoning regulations;

The rezoning itself must give rise to the need for the conditions;

Conditions must have a reasonable relation to the rezoning;

Proffers must be consistent with the comprehensive plan; and

Proffers run with the land until the property is rezoned.

Key Terms

"Offsite proffer"

Addresses impacts outside the boundaries of the rezoned property

All cash proffers are deemed "offsite proffers"

The "reasonableness" standard is much more stringent than for onsite proffers

"Onsite proffer"

Addresses impacts within the boundaries of the rezoned property

No cash proffers qualify as "onsite proffers"

"Public facilities" and "Public facility improvement"

These terms refer to only four specified categories: transportation; public safety; public school; and public park facilities and improvements

No other forms of public infrastructure (e.g., libraries) are included in this definition

"Small area comprehensive plan"

Refers to a portion of a comprehensive plan that applies only within a delineated area and not the locality as a whole

Proffers Must be Reasonable

Localities may not request or accept an unreasonable proffer.

Locality may not deny an application if the denial is wholly or partly based on applicant's refusal to submit an unreasonable proffer

Standard for Reasonable Proffers

All proffers - onsite and offsite - are deemed unreasonable unless they address an impact that is "specifically attributable" to the project

Inquiry for reasonableness of an onsite proffer ends here

Additionally, offsite proffers are deemed unreasonable unless they address an impact to an offsite public facility to the following extent:

The project "creates a need, or an identifiable portion of a need, for one or more public facility improvements in excess of existing public facility capacity at the time of the rezoning or proffer"; and

The project receives a "direct and material benefit" from a proffer related to such a public facility improvement

Remedies for Violation

Applicant or landowner must sue in circuit court within 30 days of decision pursuant to § 15.2-2285(F).

Where an application has been denied, and the applicant can prove by a preponderance of the evidence that it refused to submit an unreasonable proffer that was "suggested, requested, or required" by the locality, "the court shall presume, absent clear and convincing evidence to the contrary, that such refusal or failure was the controlling basis for the denial"

Attorneys fees may be assessed against the locality

Court may order the local governing body to approve the project as applied for- without the unreasonable proffer- within 90 days, and enjoin the local governing body from interfering with development of the project if it fails to do so

Practical Considerations

The staff and ultimately the Planning Commission and the governing body, each need to identify all of the anticipated impacts resulting from the proposed rezoning.

These impacts need to be substantiated and documented in the record before the planning commission and the governing body as part of the public hearing.

It is then up to the applicant to decide whether it wants to provide proffers to address all or some of those impacts. If the impacts are not completely addressed, the applicant can then try to persuade the locality that the impacts need not be addressed or that the proposed project has

other public benefits that would justify accepting the impacts and approving the rezoning.

If the locality denies the rezoning and the owner did not volunteer proffers to address all of the identified impacts, the decision must be based on the impacts of the zoning (a reasonable proffer) and not simply on the fact that the owner did not proffer an inappropriate (unreasonable) proffer.

Other Mechanics of the Proffer System

Once proffers are accepted and rezoning is approved, the locality has seven years from the payment to begin (i) construction, (ii) site work, (iii) engineering, (iv) right-of-way acquisition, (v) surveying, or (vi) utility relocation on the improvements for which the cash payments were proffered.

Cash proffers may not be used for any capital improvement to an existing facility, such as a renovation or technology upgrade, that does not expand the capacity of such facility, or for any operating expense of any existing facility such as ordinary maintenance or repair.

Any locality eligible to accept cash proffers must (i) include in its capital improvements program or as an appendix to it, the amount of all proffered cash payments received during the most recent fiscal year, and (ii) include in its annual capital budget the amount of proffered cash payments projected to be used for expenditures or appropriated for capital improvements in the ensuing year.

The locality must annually report to the Commission on Local Government whether cash proffers were collected by the locality, the amount of cash proffers collected, the amount of such payments expended by the locality, and a list of the public improvements on which the amount was expended.

No locality may require payment of a cash proffer prior to payment of any fees for the issuance of a building permit for construction on property that is the subject of a rezoning. However, a landowner petitioning for a zoning change may voluntarily agree to an earlier payment. If the landowner voluntarily agrees to an earlier payment, the proffered condition may be enforced as to the landowner and any successor in interest according to its terms as part of an approved rezoning.

No cash proffer amount can be scheduled to increase annually from the

time of proffer until tender of payment by a percentage greater than the annual rate of inflation.

No cash proffer can purport to waive future legal rights against the locality or its agents.

Exemptions

Localities are given more latitude when the proffers are sought for a development in a "small area comprehensive plan" in which the delineated area:

- is designated as a revitalization area,

- encompasses mass transit, which includes "rubber-tired, rail or other surface conveyance" providing "shared ride services open to the public on a regular and continuing basis",

- includes mixed use development, and

- "allows" a density of at least 3.0 Floor/Area Ratio in at least a portion of the area

Work Session Item #d
Offsetting Cost of Residential Development
Voluntary Proffers As A Means Of Accommodating Growth

Code of Virginia

Title 15.2. Counties, Cities and Towns

Chapter 22. Planning, Subdivision of Land and Zoning

§ 15.2-2298. Same; additional conditions as a part of rezoning or zoning map amendment in certain high-growth localities

A. Except for those localities to which § 15.2-2303 is applicable, this section shall apply to (i) any locality which has had population growth of 5% or more from the next-to-latest to latest decennial census year, based on population reported by the United States Bureau of the Census; (ii) any city adjoining such city or county; (iii) any towns located within such county; and (iv) any county contiguous with at least three such counties, and any town located in that county.

However, any such locality may by ordinance choose to utilize the conditional zoning authority granted under § 15.2-2303 rather than this section.

In any such locality, notwithstanding any contrary provisions of § 15.2-2297, a zoning ordinance may include and provide for the voluntary proffering in writing, by the owner, of reasonable conditions, prior to a public hearing before the governing body, in addition to the regulations provided for the zoning district or zone by the ordinance, as a part of a rezoning or amendment to a zoning map, provided that (i) the rezoning itself gives rise to the need for the conditions; (ii) the conditions have a reasonable relation to the rezoning; and (iii) all conditions are in conformity with the comprehensive plan as defined in § 15.2-2223.

Reasonable conditions may include the payment of cash for any off-site road improvement or any off-site transportation improvement that is adopted as an amendment to the required comprehensive plan and incorporated into the capital improvements program, provided that nothing herein shall prevent a locality from accepting proffered conditions which are not normally included in a capital improvement program. For purposes of this section, "road improvement" includes construction of new roads or improvement or expansion of existing roads as required by applicable construction standards of the Virginia Department of Transportation to meet increased demand attributable to new development. For purposes of this section, "transportation improvement" means any real or personal property acquired, constructed, improved, or used for constructing, improving, or operating any (i) public mass transit system or (ii) highway, or portion or interchange thereof, including parking facilities located within a district created pursuant to this title. Such improvements shall include, without limitation, public mass transit systems, public highways, and all buildings, structures, approaches, and facilities thereof and appurtenances thereto, rights-of-way, bridges, tunnels, stations, terminals, and all related equipment and fixtures.

Reasonable conditions shall not include, however, conditions that impose upon the applicant the requirement to create a property owners' association under Chapter 26 (§ 55-508 et seq.) of Title 55 which includes an express further condition that members of a property association pay an assessment for the maintenance of public facilities owned in fee by a public entity, including open space, parks, schools, fire departments, and other public facilities not otherwise provided

for in§ 15.2-2241;however, such facilities shall not include sidewalks, special street signs or markers, or special street lighting in public rights-of-way not maintained by the Department of Transportation. The governing body may also accept amended proffers once the public hearing has begun if the amended proffers do not materially affect the overall proposal. Once proffered and accepted as part of an amendment to the zoning ordinance, the conditions shall continue in

effect until a subsequent amendment changes the zoning on the property covered by the conditions; however, the conditions shall continue if the subsequent amendment is part of a comprehensive implementation of a new or substantially revised zoning ordinance.

No proffer shall be accepted by a locality unless it has adopted a capital improvement program pursuant to § 15.2-2239 or local charter. In the event proffered conditions include the dedication of real property or payment of cash, the property shall not transfer and the payment of cash shall not be made until the facilities for which the property is dedicated or cash is tendered are included in the capital improvement program, provided that nothing herein shall prevent a locality from accepting proffered conditions which are not normally included in a capital improvement program. If proffered conditions include the dedication of real property or the payment of cash, the proffered conditions shall provide for the disposition of the property or cash payment in the event the property or cash payment is not used for the purpose for which proffered.

B. In the event proffered conditions include a requirement for the dedication of real property of substantial value, or substantial cash payments for or construction of substantial public improvements, the need for which is not generated solely by the rezoning itself, then no amendment to the zoning map for the property subject to such conditions, nor the conditions themselves, nor any amendments to the text of the zoning ordinance with respect to the zoning district applicable thereto initiated by the governing body, which eliminate, or materially restrict, reduce, or modify the uses, the floor area ratio, or the density of use permitted in the zoning district applicable to the property, shall be effective with respect to the property unless there has been mistake, fraud, or a change in circumstances substantially affecting the public health, safety, or welfare.

C. Any landowner who has prior to July 1, 1990, proffered the dedication of real property of substantial value, or substantial cash payments for or construction of substantial public improvements, the need for which is not generated solely by the rezoning itself, but who has not substantially implemented such proffers prior to July 1, 1990, shall advise the local governing body by certified mail prior to July 1, 1991, that he intends to proceed with the implementation of such proffers. The notice shall identify the property to be developed, the zoning district, and the proffers applicable thereto. Thereafter, any landowner giving such notice shall have until July 1, 1995, substantially to implement the proffers, or such later time as the governing body may allow. Thereafter, the landowner in good faith shall diligently pursue the completion of the development of the property. Any landowner who complies with the requirements of this subsection shall be entitled to the protection against action initiated by the governing body affecting use, floor area ratio, and density set out in subsection B above, unless there has been mistake, fraud, or a change in circumstances substantially affecting the public health, safety, or welfare, but any landowner failing to comply with the requirements of this subsection shall acquire no rights pursuant to this section.

D. The provisions of subsections B and C of this section shall be effective prospectively only, and not retroactively, and shall not apply to any zoning ordinance text amendments which may have been enacted prior to March 10, 1990. Nothing contained herein shall be construed to affect any litigation pending prior to July 1, 1990, or any such litigation nonsuited and thereafter refiled.

Nothing in this section shall be construed to affect or impair the authority of a governing body to:

1. Accept proffered conditions which include provisions for timing or phasing of dedications, payments, or improvements; or
2. Accept or impose valid conditions pursuant to subdivision A 3 of § 15.2-2286 or other provision of law.

1989, c. 697, § 15.1-492.2:1; 1990, c. 868; 1991, c. 233; 1997, c. 587; 2001, c. 703; 2006, cc. 450, 882; 2007, c. 324.

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

Code of Virginia
Title 15.2. Counties, Cities and Towns
Chapter 22. Planning, Subdivision of Land and Zoning

§ 15.2-2299. Same; enforcement and guarantees

The zoning administrator is vested with all necessary authority on behalf of the governing body of the locality to administer and enforce conditions attached to a rezoning or amendment to a zoning map, including (i) the ordering in writing of the remedy of any noncompliance with the conditions; (ii) the bringing of legal action to insure compliance with the conditions, including injunction, abatement, or other appropriate action or proceeding; and (iii) requiring a guarantee, satisfactory to the governing body, in an amount sufficient for and conditioned upon the construction of any physical improvements required by the conditions, or a contract for the construction of the improvements and the contractor's guarantee, in like amount and so conditioned, which guarantee shall be reduced or released by the governing body, or agent thereof, upon the submission of satisfactory evidence that construction of the improvements has been completed in whole or in part. Failure to meet all conditions shall constitute cause to deny the issuance of any of the required use, occupancy, or building permits, as may be appropriate.

1978, c. 320, § 15.1-491.3; 1983, c. 221 ; 1997, c. 587.

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

Code of Virginia

Title 15.2. Counties, Cities and Towns

Chapter 22. Planning, Subdivision of Land and Zoning

§ 15.2-2300. Same; records

The zoning map shall show by an appropriate symbol on the map the existence of conditions attaching to the zoning on the map. The zoning administrator shall keep in his office and make available for public inspection a Conditional Zoning Index . The Index shall provide ready access to the ordinance creating conditions in addition to the regulations provided for in a particular zoning district or zone . The Index shall also provide ready access to all proffered cash payments and expenditures disclosure reports prepared by the local governing body pursuant to§ 15.2-2303.2. The zoning administrator shall update the Index annually and no later than November 30 of each year.

1978, c. 320, § 15.1-491.4; 1997, c. 587; 2004, c. 531.

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

Code of Virginia
Title 15.2. Counties, Cities and Towns
Chapter 22. Planning, Subdivision of Land and Zoning

§ 15.2-2301. Same; petition for review of decision

Any zoning applicant or any other person who is aggrieved by a decision of the zoning administrator made pursuant to the provisions of § 15.2-2299 may petition the governing body for review of the decision of the zoning administrator. All petitions for review shall be filed with the zoning administrator and with the clerk of the governing body within 30 days from the date of the decision for which review is sought and shall specify the grounds upon which the petitioner is aggrieved. A decision by the governing body on an appeal taken pursuant to this section shall be binding upon the owner of the property which is the subject of such appeal only if the owner of such property has been provided written notice of the zoning violation, written determination, or other appealable decision.

An aggrieved party may petition the circuit court for review of the decision of the governing body on an appeal taken pursuant to this section. The provisions of subsection F of § 15.2-2285 shall apply to such petitions to the circuit court, *mutatis mutandis*.

1978, c. 320, § 15.1-491.5; 1988, c. 856; 1997, c. 587; 2011, c. 457; 2012, c. 401.

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

Code of Virginia
 Title 15.2. Counties, Cities and Towns
 Chapter 22. Planning, Subdivision of Land and Zoning

§ 15.2-2302. Same; amendments and variations of conditions

A. Subject to any applicable public notice or hearing requirement of subsection B but notwithstanding any other provision of law, any landowner subject to conditions proffered pursuant to § 15.2-2297, 15.2-2298, 15.2-2303, or 15.2-2303.1 may apply to the governing body for amendments to or variations of such proffered conditions provided only that written notice of such application be provided in the manner prescribed by subsection H of § 15.2-2204 to any landowner subject to such existing proffered conditions. Further, the approval of such an amendment or variation by the governing body shall not in itself cause the use of any other property to be determined a nonconforming use.

B. There shall be no such amendment or variation of any conditions proffered pursuant to § 15.2-2297, 15.2-2298, 15.2-2303, or 15.2-2303.1 until after a public hearing before the governing body advertised pursuant to the provisions of § 15.2-2204. However, where an amendment to such proffered conditions is requested pursuant to subsection A, and where such amendment does not affect conditions of use or density, a local governing body may waive the requirement for a public hearing (i) under this section and (ii) under any other statute, ordinance, or proffer requiring a public hearing prior to amendment of such proffered conditions.

C. Once amended pursuant to this section, the proffered conditions shall continue to be an amendment to the zoning ordinance and may be enforced by the zoning administrator pursuant to the applicable provisions of this chapter.

D. Notwithstanding any other provision of law, no claim of any right derived from any condition proffered pursuant to § 15.2-2297, 15.2-2298, 15.2-2303, or 15.2-2303.1 shall impair the right of any landowner subject to such a proffered condition to secure amendments to or variations of such proffered conditions.

E. Notwithstanding any other provision of law, the governing body may waive the written notice requirement of subsection A in order to reduce, suspend, or eliminate outstanding cash proffer payments for residential construction calculated on a per-dwelling-unit or per-home basis that have been agreed to, but unpaid, by any landowner.

1978, c. 320, § 15.1-491.6; 1997, c. 587; 2009, c. 315; 2012, cc. 415, 465; 2013, c. 513.

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

Code of Virginia
Title 15.2. Counties, Cities and Towns
Chapter 22. Planning, Subdivision of Land and Zoning

§ 15.2-2303.1:1. When certain cash proffers collected or accepted

A. Notwithstanding the provisions of any cash proffer requested, offered, or accepted pursuant to § 15.2-2298, 15.2-2303, or 15.2-2303.1 for residential construction on a per-dwelling unit or per-home basis, cash payment made pursuant to such a cash proffer shall be collected or accepted by any locality only after completion of the final inspection and prior to the time of the issuance of any certificate of occupancy for the subject property.

B. Notwithstanding the provisions of any proffer to the contrary, the assertion of a right to delayed payment of cash proffers pursuant to this section shall not constitute cause for any action pursuant to § 15.2-2299.

C. In addition to any other relief provided, the court may award reasonable attorney fees, expenses, and court costs to any person, group, or entity that prevails in an action successfully challenging an ordinance, administrative or other action as being in conflict with this section.

2010, cc. 549, 613;2011,c. 173;2012, cc. 508, 798;2015,c. 346.

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

Code of Virginia

Title 15.2. Counties, Cities and Towns

Chapter 22. Planning, Subdivision of Land and Zoning

§ 15.2-2303.3. Cash proffers requested or accepted by a locality

A. No locality may require payment of a cash proffer prior to payment of any fees for the issuance of a building permit for construction on property that is the subject of a rezoning. However, a landowner petitioning for a zoning change may voluntarily agree to an earlier payment, pursuant to §§ 15.2-2298 and 15.2-2303. If the petitioner voluntarily agrees to an earlier payment, the proffered condition may be enforced as to the petitioner and any successor in interest according to its terms as part of an approved rezoning.

B. No locality shall either request or accept a cash proffer whose amount is scheduled to increase annually, from the time of proffer until tender of payment, by a percentage greater than the annual rate of inflation, as calculated by referring to the Consumer Price Index for all urban consumers (CPI-U), 1982-1984=100 (not seasonally adjusted) as reported by the United States Department of Labor, Bureau of Labor Statistics or the Marshall and Swift Building Cost Index.

C. No locality shall request or accept any provision of any proffer entered pursuant to § 15.2-2298, 15.2-2303, or 15.2-2303.1 in which the profferor purports to waive future legal rights against the locality or its agents. Any such proffer provision contained in a proffer entered and enacted on or after January 1, 2012, shall be severable from the remainder of the proffer and shall be void ab initio. In the event that a proffer containing such a provision is entered and enacted on or after January 1, 2012, the rezoning to which the proffer containing such provision is attached shall not be nullified, rescinded, or repealed, however described or delineated, by reason of any alleged breach of such a provision by the profferor, notwithstanding any provisions of the proffer to the contrary.

2005, c. 552; 2012, c. 798.

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

Code of Virginia
 Title 15.2. Counties, Cities and Towns
 Chapter 22. Planning, Subdivision of Land and Zoning

§ 15.2-2303.4. Provisions applicable to certain conditional rezoning proffers

A. For purposes of this section, unless the context requires a different meaning:

"New residential development" means any construction or building expansion on residentially zoned property, including a residential component of a mixed-use development, that results in either one or more additional residential dwelling units or, otherwise, fewer residential dwelling units, beyond what may be permitted by right under the then-existing zoning of the property, when such new residential development requires a rezoning or proffer condition amendment.

"New residential use" means any use of residentially zoned property that requires a rezoning or that requires a proffer condition amendment to allow for new residential development.

"Offsite proffer" means a proffer addressing an impact outside the boundaries of the property to be developed and shall include all cash proffers.

"Onsite proffer" means a proffer addressing an impact within the boundaries of the property to be developed and shall not include any cash proffers.

"Proffer condition amendment" means an amendment to an existing proffer statement applicable to a property or properties.

"Public facilities" means public transportation facilities, public safety facilities, public school facilities, or public parks.

"Public facility improvement" means an offsite public transportation facility improvement, a public safety facility improvement, a public school facility improvement, or an improvement to or construction of a public park. No public facility improvement shall include any operating expense of an existing public facility, such as ordinary maintenance or repair, or any capital improvement to an existing public facility, such as a renovation or technology upgrade, that does not expand the capacity of such facility. For purposes of this section, the term "public park" shall include playgrounds and other recreational facilities.

"Public safety facility improvement" means construction of new law-enforcement, fire, emergency medical, and rescue facilities or expansion of existing public safety facilities, to include all buildings, structures, parking, and other costs directly related thereto.

"Public school facility improvement" means construction of new primary and secondary public schools or expansion of existing primary and secondary public schools, to include all buildings, structures, parking, and other costs directly related thereto.

"Public transportation facility improvement" means (i) construction of new roads; (ii) improvement or expansion of existing roads and related appurtenances as required by applicable standards of the Virginia Department of Transportation, or the applicable standards of a locality; and (iii) construction, improvement, or expansion of buildings, structures, parking, and other facilities directly related to transit.

"Residentially zoned property" means property zoned or proposed to be zoned for either single-family or multifamily housing.

"Small area comprehensive plan" means that portion of a comprehensive plan adopted pursuant to § 15.2-2223 that is specifically applicable to a delineated area within a locality rather than the locality as a whole.

B. Notwithstanding any other provision of law, general or special, no locality shall (i) request or accept any unreasonable proffer, as described in subsection C, in connection with a rezoning or a proffer condition amendment as a condition of approval of a new residential development or new residential use or (ii) deny any rezoning application or proffer condition amendment for a new residential development or new residential use where such denial is based in whole or in part on an applicant's failure or refusal to submit an unreasonable proffer or proffer condition amendment.

C. Notwithstanding any other provision of law, general or special, (i) as used in this chapter, a proffer, or proffer condition amendment, whether onsite or offsite, offered voluntarily pursuant to § 15.2-2297, 15.2-2298, 15.2-2303, or 15.2-2303.1, shall be deemed unreasonable unless it addresses an impact that is specifically attributable to a proposed new residential development or other new residential use applied for and (ii) an offsite proffer shall be deemed unreasonable pursuant to subdivision (i) unless it addresses an impact to an offsite public facility, such that (a) the new residential development or new residential use creates a need, or an identifiable portion of a need, for one or more public facility improvements in excess of existing public facility capacity at the time of the rezoning or proffer condition amendment and (b) each such new residential development or new residential use applied for receives a direct and material benefit from a proffer made with respect to any such public facility improvements. For the purposes of this section, a locality may base its assessment of public facility capacity on the projected impacts specifically attributable to the new residential development or new residential use.

D. Notwithstanding any other provision of law, general or special:

1. Actions brought to contest the action of a locality in violation of this section shall be brought only by the aggrieved applicant or the owner of the property subject to a rezoning or proffer condition amendment pursuant to subsection F of § 15.2-2285.
2. In any action in which a locality has denied a rezoning or an amendment to an existing proffer and the aggrieved applicant proves by a preponderance of the evidence that it refused or failed to submit an unreasonable proffer or proffer condition amendment that it has proven was suggested, requested, or required by the locality, the court shall presume, absent clear and convincing evidence to the contrary, that such refusal or failure was the controlling basis for the denial.
3. In any successful action brought pursuant to this section contesting an action of a locality in violation of this section, the applicant may be entitled to an award of reasonable attorney fees and costs and to an order remanding the matter to the governing body with a direction to approve the rezoning or proffer condition amendment without the inclusion of any unreasonable proffer. If the locality fails or refuses to approve the rezoning or proffer condition amendment within a reasonable time not to exceed 90 days from the date of the court's order to do so, the court shall enjoin the locality from interfering with the use of the property as applied for without the unreasonable proffer. Upon remand to the local governing body pursuant to this subsection,

the requirements of § 15.2-2204 shall not apply.

E. The provisions of this section shall not apply to any new residential development or new residential use occurring within any of the following areas: (i) an approved small area comprehensive plan in which the delineated area is designated as a revitalization area, encompasses mass transit as defined in § 33.2-100, includes mixed use development, and allows a density of at least 3.0 floor area ratio in a portion thereof; (ii) an approved small area comprehensive plan that encompasses an existing or planned Metrorail station, or is adjacent to a Metrorail station located in a neighboring locality, and allows additional density within the vicinity of such existing or planned station; or (iii) an approved service district created pursuant to § 15.2-2400 that encompasses an existing or planned Metrorail station.

F. This section shall be construed as supplementary to any existing provisions limiting or curtailing proffers or proffer condition amendments for new residential development or new residential use that are consistent with its terms and shall be construed to supersede any existing statutory provision with respect to proffers or proffer condition amendments for new residential development or new residential use that are inconsistent with its terms.

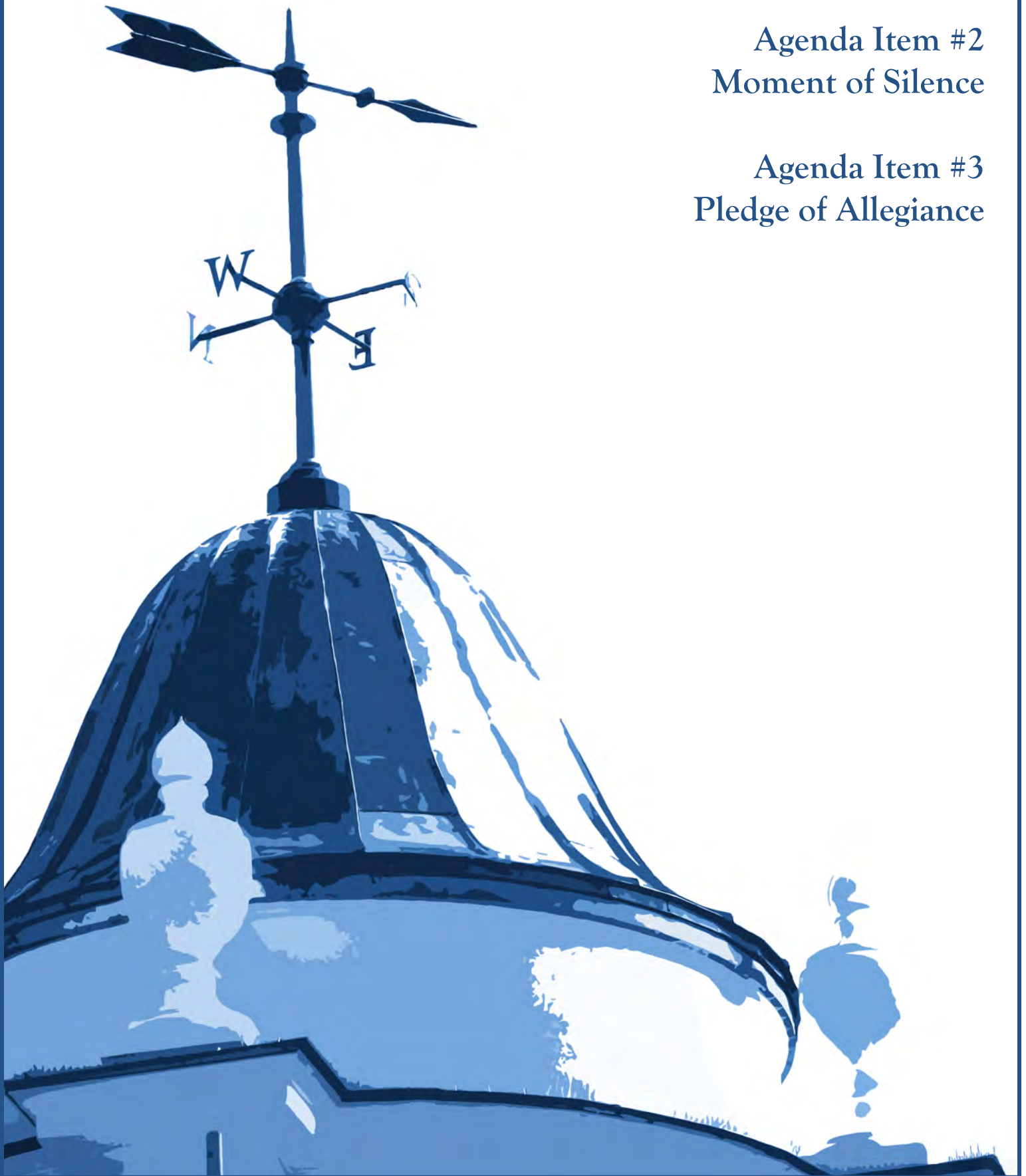
2016, c. 322.

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

Agenda Item #1
Call to Order & Welcome

Agenda Item #2
Moment of Silence

Agenda Item #3
Pledge of Allegiance





AGENDA

BEDFORD COUNTY BOARD OF SUPERVISORS

BEDFORD COUNTY ADMINISTRATION BUILDING

JULY 10, 2017

7:00 P.M. REGULAR MEETING - BOARDROOM

- (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 Bedford County Communications Center for authorization to accept the FY18 Wireless Education Grant from Virginia E-911 Services Board in the amount of \$2,000; and for a Supplemental Appropriation in the amount of \$2,000 (no local match is required). *(Resolution #R071017-01)*
 - b. Consideration of a request from the Bedford Domestic Violence Program for authorization to accept the Two-Cents-A-Meant Grant from the Presbytery of the Peaks in the amount of \$1,000; and for a Supplemental Appropriation in the amount of \$1,000. *(Resolution #R071017-02)*
 - c. Consideration of a request from the Clerk of the Circuit Court for approval to submit an application to the Library of Virginia for grant funding in the amount of \$15,582 for the conservation of four record books. *(Resolution #R071017-03)*
- (7) Approval of Minutes – May 22, 2017**
- (8) Public Hearings & Presentations**
 - a. **Joint Public Hearing – Dock Ordinance Amendment** *(Ordinance #071017-04)*

- *Staff Presentation by Community Development Director Gregg Zody*
- b. Public Hearing** – Text Amendments re: Commercial Indoor Sports and Recreation, and Commercial Outdoor Sports and Recreation (as SUPs in AP & AR) (*Ordinance #O 071017-05*)
 - *Staff Presentation by Community Development Director Gregg Zody*
- c. Public Hearing** – Consideration of a request to increase the Nursing Home Daily rates. *Ordinance #O 071017-06*
 - *Staff Presentation by County Administrator Carl Boggess*
- (9) Action & Discussion Items**
 - a.** Consideration of a request from the Department of Public Works to award a contract for HVAC upgrades. (*Resolution #R071017-07*)
 - *Staff Presentation by Public Works Director Sheldon Cash*
- (10) Board Committee Reports**
- (11) Board Member Comments**
- (12) Board Appointments**
- (13) County Attorney Report**
- (14) County Administrator Report**
- (15) Board Information**
 - a.** Tri-County Lake Administrative Commission Navigation Committee meeting minutes from September 21, 2016
 - b.** Bedford County E-911 Communications reports from April and May 2017
 - c.** Bedford Regional Water Authority Board of Directors meeting minutes from May 16, 2017
- (16) Board Calendar and Reminders**
 - July 24 – Regular Meeting at 7:00 pm
 - August 14 – Regular Meeting at 7:00 pm (Work Session from 5:00 to 6:30 pm)
 - September 11 – Regular Meeting at 7:00 pm (Work Session from 5:00 to 6:30 pm)

Adjournment of Board of Supervisors Meeting

BROADBAND AUTHORITY MEETING

- a.** Consideration of a request to award the contract for the County-Wide Broadband Infrastructure Assessment project. (*Resolution #R062617-06*)
 - *Staff Presentation by Deputy County Administrator Reid Wodicka*

Adjournment of Broadband Authority Meeting

Agenda Item #5
Citizen Comments





BEDFORD COUNTY BOARD OF SUPERVISORS

Agenda Item Summary

MEETING DATE: 7/10/2017

AGENDA ITEM #6a

RESOLUTION #R071017-01

Work Session Regular Meeting

Consent Public Hearing Action Closed Session Information

ITEM TITLE: Acceptance and Supplemental Appropriation of the FY18 Wireless Education Grant

RECOMMENDATION

Approval of Resolution

SUMMARY

Bedford County has been awarded a grant from the Virginia E-911 Services Board in the amount of \$2,000.00. The grant funds will be used to fund lodging and registration only for 911 public safety communications and training. There are no local matching funds. The grant will cover the period July 1, 2017 to June 30, 2018. Jeff Johnson, the E-911 Manager of the Communications Center, is requesting that the Board of Supervisors accept this grant and approve a Supplemental Appropriation of \$2,000.00 for FY 2017-2018 for this project. He is also asking that these funds be appropriated to a separate department in order to better track grant expenditures.

PRIOR ACTIONS

None

FISCAL IMPACT

None

CONTACTS

Petrina Grubbs, Payroll/Grants Manager

ATTACHMENTS

Resolution

REVIEWED BY

Fiscal Management County Attorney County Administrator



At a regular meeting of the Board of Supervisors of the County of Bedford, Virginia held at the Bedford County Administration Building on the 10th day of July 2017, beginning at 7:00 pm.:

MEMBERS:

Curry Martin, Chairman
 Bill Thomasson, Vice-Chairman
 Steve Wilkerson
 John Sharp
 Tommy W. Scott
 Andrew D. Dooley
 Kevin S. Willis

VOTE:

On motion of Supervisor _____, which carried by a vote of _____, the following was adopted:

A RESOLUTION

AUTHORIZING ACCEPTANCE AND A SUPPLEMENTAL APPROPRIATION OF A FY18 WIRELESS EDUCATION PROGRAM GRANT FOR THE COMMUNICATIONS CENTER

WHEREAS, the Bedford County Communications Center was awarded a FY 18 Wireless Education Grant in the amount of \$2,000.00 from Virginia E-911 Services Board; and

WHEREAS, the funds will be used to fund lodging and registration only for 911 public safety communications education and training; and

WHEREAS, the grant does not require a local match; and

WHEREAS, the grant funds will be received on a reimbursement basis; and

WHEREAS, this amount was not included in the revenue and expenditure budget for FY 2017-2018:

NOW, THEREFORE, BE IT RESOLVED, by the Bedford County Board of Supervisors that the Board does hereby accept the FY18 Wireless Education Program Grant and authorize a Supplemental Appropriation in the amount of \$2,000.00 to a department 3561, Communications Center Grants, for FY 2017-2018.



BEDFORD COUNTY BOARD OF SUPERVISORS

Agenda Item Summary

MEETING DATE: 7/10/2017

AGENDA ITEM #6b

RESOLUTION #R071017-02

Work Session Regular Meeting

Consent Public Hearing Action Closed Session Information

ITEM TITLE: Acceptance and Supplemental Appropriation for the Domestic Violence Program Grant

RECOMMENDATION

Approval of Resolution

SUMMARY

The Presbytery of the Peaks has awarded Bedford County a Two-Cents-A-Meal Grant for the Domestic Violence Program. The award of \$1,000.00 will be used to provide food for the for the women and children at the Domestic Violence Shelter. The grant does not require a local match. The Domestic Violence program would like to request that the Board of Supervisors accept the Two-Cents-A-Meal Grant in the amount of \$1,000.00 and authorize a Supplemental Appropriation in the amount of \$1,000.00 to the Domestic Violence program.

PRIOR ACTIONS

None

FISCAL IMPACT

None

CONTACTS

Petrina Grubbs, Payroll/Grants Manager

ATTACHMENTS

Resolution

REVIEWED BY

Fiscal Management County Attorney County Administrator



At a regular meeting of the Board of Supervisors of the County of Bedford, Virginia held at the Bedford County Administration Building on the 10th day of July 2017, beginning at 7:00 pm.:

MEMBERS:

Curry Martin, Chairman
 Bill Thomasson, Vice-Chairman
 Steve Wilkerson
 John Sharp
 Tommy W. Scott
 Andrew D. Dooley
 Kevin S. Willis

VOTE:

On motion of Supervisor _____, which carried by a vote of _____, the following was adopted:

A RESOLUTION

GRANT ACCEPTANCE AND SUPPLEMENTAL APPROPRIATION OF THE PRESBYTERY OF THE PEAKS TWO-CENTS-A-MEAL GRANT FOR DOMESTIC VIOLENCE

WHEREAS, the Bedford Domestic Violence program has received a Two-Cents-A-Meal grant award in the amount of \$1,000.00 from the Presbytery of the Peaks; and

WHEREAS, the grant will provide \$1,000.00 to purchase food for shelter residents; and

WHEREAS, these funds have been deposited with the Bedford County Treasurer; and

WHEREAS, this amount was not included in the revenue and expenditure budgets for the Domestic Violence program:

THEREFORE, BE IT RESOLVED, That the Bedford County Board of Supervisors accept the Two-Cents-A-Meal grant in the amount of \$1,000.00 and authorize a Supplemental Appropriation in the amount of \$1,000.00 to the FY 2017-2018 Domestic Violence program, department 5511.



BEDFORD COUNTY BOARD OF SUPERVISORS

Agenda Item Summary

MEETING DATE: 7/10/2017

AGENDA ITEM #6c

RESOLUTION #R071017-03

Work Session Regular Meeting

Consent Public Hearing Action Closed Session Information

ITEM TITLE: Virginia Circuit Court Records Preservation Program Grant Application

RECOMMENDATION

Approval of Resolution

SUMMARY

Cathy Hogan, Clerk of the Circuit Court, has prepared a grant application to be submitted to the Library of Virginia to fund the conservation of four old record books. Each of these books, which are frequently researched by the public and genealogists, are in serious need of repair and rebinding. The project is estimated to cost up to \$15,582.00 and will be completed within 4 to 6 months of the award notification. No local funds are required. Cathy Hogan has submitted the application to the Library of Virginia to meet the June 23, 2017 deadline. Cathy Hogan is requesting that the Board of Supervisors authorize the submission of this grant proposal in the amount of \$15,582.00 to the Library of Virginia. The application will be pulled should the Board of Supervisors not grant permission to apply

PRIOR ACTIONS

None

FISCAL IMPACT

None

CONTACTS

Petrina Grubbs, Payroll/Grants Manager

ATTACHMENTS

Resolution

REVIEWED BY



At a regular meeting of the Board of Supervisors of the County of Bedford, Virginia held at the Bedford County Administration Building on the 10th day of July 2017, beginning at 7:00 pm.:

MEMBERS:

Curry Martin, Chairman
 Bill Thomasson, Vice-Chairman
 Steve Wilkerson
 John Sharp
 Tommy W. Scott
 Andrew D. Dooley
 Kevin S. Willis

VOTE:

On motion of Supervisor _____, which carried by a vote of _____, the following was adopted:

A RESOLUTION

GRANT APPLICATION FOR THE CLERK OF THE CIRCUIT COURT

WHEREAS, the Clerk of the Circuit Court has prepared an application for grant funding to be submitted to the Library of Virginia; and

WHEREAS, the grant, if funded, will provide up to \$15,582.00 to conserve four record books; and

WHEREAS, the grant does not require a local match:

NOW, THEREFORE, BE IT RESOLVED, that the Bedford County Board of Supervisors authorizes the submission of a grant application in the amount of \$15,582.00 to the Library of Virginia.

Fiscal Management County Attorney County Administrator



MINUTES

BEDFORD COUNTY BOARD OF SUPERVISORS

BEDFORD COUNTY ADMINISTRATION BUILDING

MAY 22, 2017

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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 request from the Department of Public Works to award the contract for Housekeeping Services. *(Resolution #R052217-01)*

(7) Approval of Minutes – April 10, 2017

(8) Public Hearings & Presentations

a. **Public Hearing** – Consideration of a request from the Department of Community Development, made on behalf of Thomas Builders of Virginia, to amend and readopt the Bedford County Zoning Ordinance by changing the Zoning District Designation of parcels identified as Tax Map #98-A-21 and #115-A-3 *(Ordinance #O 052217-02)*

- *Staff Presentation by Planner Jordan Mitchell*

(9) Action & Discussion Items

a. Consideration of a request for authorization to award a contract for renovations to the Former Nursing Home *(Resolution #R052217-05)*

- *Staff Presentation by Public Works Director Sheldon Cash*

30 b. Consideration of a request from the Department of Social Services for a
 31 Supplemental Appropriation in the amount of \$331,000, and a Transfer in the
 32 amount of \$105,920 from the Contingency Fund. (*Resolution #R052217-03*)

33 • *Staff Presentation by Director of Social Services Andy Crawford and CSA*
 34 *Coordinator Paul Baldwin*

35 c. Consideration of a request to authorizing acceptance of real property from the
 36 Forest Volunteer Fire Co., Inc. and the Goode Volunteer Rescue Squad.
 37 (*Resolution #R052217-04*)

38 • *Staff Presentation by County Administrator Carl Boggess*

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

40 **(11) Board Member Comments**

41 **(12) Board Appointments**

42 a. Consideration of a request to appoint Kevin Mele to the Broadband
 43 Technical Advisory Group.

44 **(13) County Attorney Report**

45 **(14) County Administrator Report**

46 **(15) Board Information**

47 a. Bedford County Transportation Safety Commission meeting minutes from
 48 March 16, 2017

49 b. Agricultural Economic Development Advisory Board meeting minutes from
 50 April 5, 2017

51 c. Economic Development Authority meeting minutes from April 6, 2017

52 d. Community Development's Monthly Building Report for April 2017

53 **(16) Board Calendar and Reminders**

54 • June 12 – Regular Meeting at 7:00 pm (Work Session from 5:00 to 6:30 pm)

55 • June 26 – Regular Meeting at 7:00 pm

56 **Adjourn**

57 _____
 58 **7:00 P.M.**

59 **Board of Supervisors:** Curry Martin, Chairman, District 2; Bill Thomasson, Vice-Chairman, District 1;
 60 Steve Wilkerson, District 3; John Sharp, District 4; Tommy Scott, District 5; Andy Dooley, District 6;
 61 and Kevin Willis, District 7

62 -----

63 **Staff:** County Administrator Carl Boggess, County Attorney Patrick Skelley, Community Development
 64 Director Gregg Zody, Planner Jordan Mitchell, Public Works Director Sheldon Cash, Parks and
 65 Recreation Director Wyatt Woody, Social Services Director Andy Crawford, CSA Coordinator Paul
 66 Baldwin, and Executive Assistant Brigitte Lockett

67 _____

68 **REGULAR MEETING**

69 (1) Chairman Martin called the meeting to order and welcomed those in attendance.

70 (2) Chairman Martin asked the room to observe a moment of silence.

71 (3) Chairman Martin led the room in the pledge of allegiance.

72 _____

73 (4) **Approval of Agenda**

74 County Administrator Carl Boggess noted that an appointment to the Broadband Technical
 75 Advisory Group had been added to the agenda as item #12a.

76 **Supervisor Dooley made a motion to approve the agenda.**

77 **Voting yes: Mr. Thomasson, Mr. Martin, Mr. Wilkerson, Mr. Sharp, Mr. Scott,**

78 **Mr. Dooley and Mr. Willis**

79 **Voting no: None**

80 **Motion passed.**

81 _____

82 (5) **Citizen Comments**

83 • Ramona Myers, 207 Lake Ridge Drive, Forest, addressed the Board regarding Rezoning
 84 Application #170005. Supervisor Sharp stated that this application would be heard at a future
 85 public hearing, but Ms. Myers could speak on it this evening if she chooses to do so. Ms.
 86 Myers said she would wait until the public hearing.

87 • Mike Massey, 2678 Byway Drive, Moneta, addressed the Board to inquire where they stood
 88 on the AEP requirement for dock permits. Mr. Boggess replied that the Board passed
 89 enabling resolution in March to amend the County's ordinance to match Franklin County's
 90 ordinance regarding these permits; staff is currently working on the revised ordinance for the
 91 Board's approval.

92 _____

93 (6) **Consent Agenda**

94 Mr. Boggess read aloud the following items on the consent agenda for the benefit of those in
 95 attendance:

96 a. Consideration of a request from the Department of Public Works to award the contract for
 97 Housekeeping Services. (*Resolution #R052217-01*)

98 **Supervisor Willis made a motion to approve the consent agenda.**

99 **Voting yes: Mr. Thomasson, Mr. Martin, Mr. Wilkerson, Mr. Sharp, Mr. Scott,**
100 **Mr. Dooley and Mr. Willis**

101 **Voting no: None**

102 **Motion passed.**

103 _____

104 **(7) Approval of Minutes**

105 **Supervisor Thomasson made a motion to approve the minutes of April 10, 2017 as**
106 **presented.**

107 **Voting yes: Mr. Thomasson, Mr. Martin, Mr. Wilkerson, Mr. Sharp, Mr. Scott,**
108 **Mr. Dooley and Mr. Willis**

109 **Voting no: None**

110 **Motion passed.**

111 _____

112 **(8) Public Hearings & Presentations**

113 **(8a)** Planner Jordan Mitchell addressed the Board with a request from the Department of Community
114 Development, made on behalf of Thomas Builders of Virginia, to amend and readopt the Bedford County
115 Zoning Ordinance by changing the Zoning District Designation of two parcels to allow the development
116 of 200 single family dwellings. Mr. Mitchell said the application is RZ#170004, and stated that the
117 property identified as Tax Map #98-A-21 (116.56 acres) is located at the intersection of Forest Road and
118 Gladden Circle; the property identified as Tax Map #115-A-3 (71.98 acres) is located along the western
119 side of Everett Road, just north of the railroad track. Both properties are currently owned by LTL Farms.

120 Mr. Mitchell displayed a variety of photographs and maps illustrating the current and proposed
121 use of the properties, and briefly addressed those portions of the Comprehensive Plan and the Zoning
122 Ordinance that applied to this request. He also noted the potential impacts to the area from the proposed
123 development.

124 Mr. Mitchell stated that the Planning Commission held a public hearing on this application on
125 April 18, 2017, and voted 5-2 to recommend approval to the Board of Supervisors. He stated there were
126 nine citizens at that meeting who spoke against the project.

127 Mr. Mitchell then answered clarifying questions from the Board.

128 Norm Walton, engineer with Perkins & Orrison, addressed the Board on the applicant's behalf.
129 Mr. Walton stated that the density has been reduced and amenities have been added to the design, which
130 he feels will be beneficial to these neighborhoods. He displayed a variety of maps illustrating the
131 proposed traffic flow, per the traffic study, that will help lessen impacts to traffic in the area. He said the
132 properties will be served with drain fields since there is no public sewer in the area. Mr. Walton also

133 briefly touched on the water lines that would serve the development and the anticipated impact to the
134 local schools. He said they anticipate this development to have homes in the \$300,000 range, and that the
135 site and roads have adequate infrastructure to support the plan. He stated that the plan is in compliance
136 with the Comprehensive Plan, and planning for this project has been in the works for about a year. They
137 will likely have completed planning and begin construction in the spring of 2019, with an anticipated
138 build-out of at least six to ten years.

139 Mr. Walton then answered clarifying questions from the Board regarding this application.

140 The citizen comment portion of the public hearing was opened; the following citizens spoke
141 against the project: Patti Kese, 136 Foxwood Dr., Goode; Darryl Gordon, 440 Casaloma Drive, Forest;
142 and Gary Hostutler, 1155 Mont View Lane, Forest.

143 Reasons for opposition to this project included the negative impact to school capacity; that it is a
144 poor fit for the AR District zoning already in place in the area; and the negative impact to the traffic flow
145 in an area that is already congested. Ms. Kese also asked if the developer would be willing to take the
146 land for the other development he has said he was not going forward with and instead build athletic fields
147 for the schools.

148 The following citizens spoke in favor of this project: Rex Geveden, 1814 Lake Manor Drive,
149 Forest; Rese Jennings (no address given); Larry Presley, Lake Manor Drive, Forest; and Greg Lynch,
150 1168 Lake Manor Drive, Forest.

151 Reasons for supporting this project included the quality of the homes proposed to be built; the
152 good reputation of the builder; that it will attract people to the area; that the reasons given in opposition to
153 the project are actually issues the area already had and were not created by this development; and that the
154 community is growing and quality housing is needed.

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

156 Mr. Josh Marsh addressed the Board on behalf of the developer, noting the amenities planned for
157 this development.

158 Mr. Norm Walton addressed the Board again, noting that numerous studies on traffic flow, soil,
159 etc., have already been undertaken by the developer. Mr. Walton addressed some of the issues raised by
160 citizens opposed to this project, noting that this area of the County is experiencing a lot of growth.

161 There followed a discussion between members of the Board regarding the merits (housing,
162 construction jobs, increase to the tax base) and issues (drainage easements, additional traffic, school
163 overcrowding) of this request.

164 **Supervisor Sharp made a motion to approve Ordinance #O 052217-02.**

165 **WHEREAS**, Thomas Builders of Virginia have submitted application #RZ170004 to rezone Tax
166 Map Number 98-A-21 (116.56 acres) and Tax Map Number 115-A-3 (71.98 acre) from AR, Agricultural

167 Residential, to R-1, Low Density Residential, for the purpose of developing the properties with 200
 168 detached single family dwelling units; and

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

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

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

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

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

180 **THEREFORE, BE IT ORDAINED**, by the Bedford County Board of Supervisors on this the 22nd
 181 day of May, 2017, that the Bedford County Zoning Ordinance be and it hereby is amended and readopted
 182 by changing the zoning district designation for parcels identified as 98-A-21 (116.56 acres) and Tax Map
 183 Number 115-A-3 (71.98 acre) to R-1, Low Density Residential; and

184 **NOW, THEREFORE, BE IT FURTHER ORDAINED**, that should any portion or provision of this
 185 ordinance be held by any court to be unconstitutional or invalid, that decision shall not affect the validity
 186 of the ordinance as a whole, or any part of the ordinance other than the part held to be unconstitutional or
 187 invalid.

188 **Voting yes: Mr. Martin, Mr. Wilkerson, Mr. Sharp, Mr. Scott, and Mr. Willis**

189 **Voting no: Mr. Dooley and Mr. Thomasson**

190 **Motion passed.**

191 _____

192 **(9) Action & Discussion Items**

193 **(9a)** Public Works Director Sheldon Cash addressed the Board to request authorization to award a
 194 contract for renovations to the former Nursing Home facility. Mr. Cash briefly reviewed the process that
 195 led to this request coming before the Board this evening, noting that the Public Works Committee has
 196 already reviewed this request and recommended it to the Board of Supervisors for approval at their May
 197 10th meeting. He noted that the bids came in lower than expected and were well within budget, with only
 198 a 3% difference between the lowest and the highest bids. Once completed, the building will house both
 199 the Department of Parks and Recreation and the Cooperative Extension Office, which will make more
 200 room in the Administration Building.

201 Mr. Cash stated that staff is also recommending setting aside some funds for contingency issues,
202 which are noted in the resolution below.

203 There followed a brief question and answer session between Mr. Cash and members of the Board.

204 **Supervisor Dooley made a motion to approve Resolution #R052217-05.**

205 **WHEREAS**, the former Nursing Home is in need of significant repairs to repurpose the facility for
206 new uses;

207 **WHEREAS**, the Board of Supervisors has previously authorized Architectural & Engineering
208 Services for design work to facilitate the renovations of the building; and

209 **WHEREAS**, the renovated building would house both the Department of Parks & Recreation and
210 our local Cooperative Extension program; and

211 **WHEREAS**, Price Buildings Inc. submitted a low bid of \$2,986,000; and

212 **WHEREAS**, project contingency, IT improvements, access controls, tank remediation, and
213 construction administration will be an additional expense, bringing the total estimated project cost to
214 \$3,500,000; and

215 **NOW, THEREFORE, BE IT RESOLVED**, by the Bedford County Board of Supervisors that the
216 Board authorizes the execution of a contract with Price Buildings, Inc. to facilitate the renovations of the
217 former Nursing Home.

218 **Voting yes: Mr. Thomasson, Mr. Martin, Mr. Wilkerson, Mr. Sharp, Mr. Scott,**

219 **Mr. Dooley and Mr. Willis**

220 **Voting no: None**

221 **Motion passed.**

222 -----

223 **(9b)** Social Services Director Andy Crawford and CSA Coordinator Paul Baldwin addressed the Board
224 with a request from the Department of Social Services for a Supplemental Appropriation in the amount of
225 \$331,000, and a Transfer in the amount of \$105,920 from the Contingency Fund.

226 Mr. Baldwin briefly explained the Children's Services Act (CSA) and how its budget is utilized,
227 noting costs are unpredictable and difficult to plan for from year to year. He stated that Bedford County's
228 cost per child under the age of 18 is currently \$164.94 (which is below the state average). He then
229 answered clarifying questions from the Board.

230 **Supervisor Sharp made a motion to approve Resolution #R052217-03.**

231 **WHEREAS**, CSA anticipates expending \$3,120,000.00 during FY 2016-2017; and

232 **WHEREAS**, the current appropriation is \$2,789,000 and \$2,496,006.18 has been expended to date;
233 and

234 **WHEREAS**, staff is requesting a supplemental appropriation of \$331,000.00 to cover anticipated
235 expenditures for the year; and

236 **WHEREAS**, the state is expected to reimburse approximately 68% or \$225,080.00 of the
237 supplemental and the County is responsible for the balance:

238 **NOW, THEREFORE, BE IT RESOLVED**, by the Bedford County Board of Supervisors that the
239 Board does hereby authorize a supplemental appropriation in the amount of \$331,000 to the FY 2016-
240 2017 CSA budget, Department 5331.

241 **BE IT FURTHER RESOLVED**, that the Bedford County Board of Supervisors does hereby
242 authorize a Transfer from the Contingency Fund in the amount of \$105,920.00 to fund the local portion of
243 the supplemental.

244 **Voting yes: Mr. Thomasson, Mr. Martin, Mr. Wilkerson, Mr. Sharp, Mr. Scott,**
245 **Mr. Dooley and Mr. Willis**

246 **Voting no: None**

247 **Motion passed.**

248 -----

249 **(9c)** County Administrator Carl Boggess addressed the Board for authorization to accept real property
250 from the Forest Volunteer Fire Co., Inc. and the Goode Volunteer Rescue Squad. Mr. Boggess stated that
251 Supervisors Sharp and Wilkerson, as well as County staff, have met with both of these volunteer
252 agencies; both organizations have concluded they do not need this facility. All that remains now is for the
253 Board to accept the property transfer and allow the County Administrator to sign the deed. There
254 followed a brief question and answer session between Mr. Boggess and the Board.

255 **Supervisor Wilkerson made a motion to approve Resolution #R052217-04.**

256 **WHEREAS**, the Forest Volunteer Fire Co., Inc. and the Goode Volunteer Rescue Squad, Inc.
257 currently own 21.124 acres located at the New London Business and Technology Center in Bedford
258 County; and,

259 **WHEREAS**, the Forest Volunteer Fire Co., Inc. and the Goode Volunteer Rescue Squad, Inc. state
260 that they no longer want to bear the cost to maintain the facility located on the aforesaid property; and,

261 **WHEREAS**, the Forest Volunteer Fire Co., Inc. and the Goode Volunteer Rescue Squad, Inc.
262 desire to donate the Property to the County of Bedford; and,

263 **WHEREAS**, the County of Bedford desires to obtain the Property.

264 **NOW, THEREFORE BE IT RESOLVED**, that the County of Bedford does accept a Deed of Gift
265 from the Forest Volunteer Fire Co., Inc. and the Goode Volunteer Rescue Squad, Inc. for the property
266 containing 21.124 acres located at the New London Business and Technology Center; and that the County
267 Administrator is authorized to execute said deed facilitating the conveyance of the aforesaid property to
268 the County of Bedford.

269 **Voting yes: Mr. Thomasson, Mr. Martin, Mr. Wilkerson, Mr. Sharp, Mr. Scott,**
270 **Mr. Dooley and Mr. Willis**

271 **Voting no: None**

272 **Motion passed.**

273 _____

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

275 _____

276 **(11) Board Member Comments**

277 Chairman Martin asked when the dock ordinance would be coming to the Board for a vote, as he
278 thought it would be done months ago. Vice-Chairman Thomasson said he is concerned with the language
279 in the draft resolution for the dock ordinance; he does not understand why “regional cooperation” is
280 referenced in the draft, as it is not needed in this case.

281 Mr. Boggess responded that the County’s dock ordinance used to be similar to Franklin County’s,
282 but several years ago the Board took that ordinance out and instead had our permitting process follow that
283 of AEPs. In order to remove AEP, certain language must be put back in the ordinance. He said staff is
284 meeting with other surrounding localities to discuss this issue, and will then bring the ordinance to the
285 Board for a public hearing and approval.

286 Chairman Martin said he does not understand why we are conferring with other localities; since
287 we have no control over any aspects of AEP’s permit requirements, we only need to clarify in our
288 ordinance that while you can get a building permit from the County, you will still need to work out your
289 permit with AEP separately.

290 Supervisor Sharp asked why staff can’t pull up the old ordinance, remove any reference to AEP,
291 and just use that as the new ordinance. Mr. Boggess replied that he is following what was in the Board’s
292 authorizing resolution from earlier this year which asked staff to move forward with drafting a new dock
293 ordinance.

294 Supervisor Sharp said he does not recall requesting that staff confer with Franklin County before
295 drafting the new ordinance. He said the intent was to remove the AEP requirement from the ordinance.
296 He said we need to be clear that residents are free to do what they wish to do with their property. They
297 will need to deal with AEP independently, instead of the County requiring the AEP permit prior to
298 acquiring the County’s building permit; Chairman Martin concurred.

299 Mr. Boggess said staff will bring a draft ordinance to the Board at their next meeting. He also
300 recommended having a joint work session with the Planning Commission at the same meeting that the
301 public hearing for the dock ordinance will be held, which will be on July 10, 2017.

302 _____

303

304

305

306 **(12) Board Appointments**

307 **(12a) Supervisor Dooley made a motion to appoint Kevin Mele to the Broadband Technical**
308 **Advisory Group.**

309 **Voting yes: Mr. Thomasson, Mr. Martin, Mr. Wilkerson, Mr. Sharp, Mr. Scott,**
310 **Mr. Dooley, and Mr. Willis**

311 **Voting no: None**

312 **Motion passed.**

313 _____

314 **(13) County Attorney Report – no report**

315 _____

316 **(14) County Administrator Report**

317 County Administrator Carl Boggess briefed the Board on the lightening strike that occurred this
318 past weekend at the E-911 Communications Center. He said that staff has been working on the repairs
319 (citizen service was not disrupted), and the repairs are almost complete.

320 _____

321 **(15) Board Information**

322 **(15a)** The Board was given a copy of the Bedford County Transportation Safety Commission meeting
323 minutes from March 16, 2017 for review.

324 **(15b)** The Board was given a copy of the Agricultural Economic Development Advisory Board meeting
325 minutes from April 5, 2017 for review.

326 **(15c)** The Board was given a copy of the Economic Development Authority meeting minutes from
327 April 6, 2017 for review.

328 **(15d)** The Board was given a copy of the Community Development's Monthly Building Report for
329 April 2017 for review.

330 _____

331 **(16) Board Calendar & Reminders**

332 Mr. Boggess noted the following upcoming meetings on the Board's calendar: June 12 – Regular
333 Meeting at 7:00 pm (Work Session from 5:00 to 6:30 pm); June 26 – Regular Meeting at 7:00 pm

334 _____

335 **(17) Adjourn**

336 **Supervisor Scott made a motion to adjourn the meeting at 9:19 pm.**

337 **Voting yes: Mr. Thomasson, Mr. Martin, Mr. Wilkerson, Mr. Sharp, Mr. Scott,**
338 **Mr. Dooley and Mr. Willis**

339 **Voting no: None**

340 **Motion passed.**



BEDFORD COUNTY BOARD OF SUPERVISORS

Agenda Item Summary

MEETING DATE: 7/10/2017

AGENDA ITEM #8a

Ordinance #O 071017-04

Work Session Regular Meeting

Consent Public Hearing Action Closed Session Information

ITEM TITLE: Dock Ordinance Amendment

RECOMMENDATION

Staff recommends both Planning Commission and Board of Supervisors adopt revised language

SUMMARY

For several years, Bedford County has required approval from AEP prior to property owners receiving a building permit to construct a dock, which has caused delays for property owners. The text amendment would remove any mention of AEP "pre-approval" and allow the Building Division to issue a permit when a completed building application has been submitted for review and approval by staff.

PRIOR ACTIONS

BOS resolution dated March 27, 2017

FISCAL IMPACT

none

CONTACTS

Gregg Zody, x 1252

ATTACHMENTS

Draft Language and Ordinance

REVIEWED BY

Patrick Skelley, County Attorney



At a regular meeting of the Board of Supervisors of the County of Bedford, Virginia held at the Bedford County Administration Building on the 10th day of July 2017, beginning at 7:00 pm.:

MEMBERS:

Curry Martin, Chairman
 Bill Thomasson, Vice-Chairman
 Steve Wilkerson
 John Sharp
 Tommy W. Scott
 Andrew D. Dooley
 Kevin S. Willis

VOTE:

On motion of Supervisor _____, which carried by a vote of _____, the following was adopted:

**AN ORDINANCE
 AMENDING SELECT PROVISIONS OF THE
 BEDFORD COUNTY ZONING ORDINANCE**

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

PART I.

That Article I, General Provisions, Sec. 30-9. Zoning Permits, shall be amended as follows:

(a) A zoning permit shall be required for the erection, construction, reconstruction, moving, adding to, or alteration of any structure, or the establishment of any land use, except as listed below:

- (1) Patios at grade, driveways, and sidewalks.
- (2) Fences, provided their location and design conform to article V of this ordinance.
- (3) Satellite dishes.
- (4) The construction of a roof over an existing porch, stoop or deck which does not result in a change in the square footage of the structure.
- (5) Docks.

Sec. 30-9-1. Building permits; relation to zoning.

No building permit for the extension, erection, or alteration of any building or structure shall be issued before an application has been made and a zoning permit issued, except in the case of docks on Smith Mountain Lake and Leesville Lake, where no zoning permit is required. With the

exception of docks on Smith Mountain Lake and Leesville Lake, no building or structure shall be occupied or used until a certificate of zoning compliance has been issued.

PART II.

That Article IV, Use and Design Standards, Sec. 30-83-3.5. Community dock location, be amended as follows:

[...]

- (c) ~~The county will not accept an application for a special use permit for a dock or similar structure unless the applicant has received approval of the dock by Appalachian Power and/or the Federal Energy Regulatory Commission (FERC).~~

PART III.

That Article V, Development Standards, Sec. 30-100-13. Dock location, be amended as follows:

- (a) This section is intended for docks on or over the waters of the commonwealth. Community docks as defined in article II of this ordinance, shall follow the requirements of section 30-83-3.5. ~~Bedford County recognizes that docks on Smith Mountain Lake and Leesville Lake are within the purview of Appalachian Power.. and as such seeks to regulate docks consistently with its requirements.~~
- (b) Before any person erects, constructs, reconstructs, moves, or structurally expands any dock or similar structure, he/she shall apply for a ~~zoning and building permit, prior to the issuance of a building permit. Issuance of the required Bedford County permits is dependent upon approval of the dock by Appalachian Power.~~
- (c) Landowners are hereby advised that AEP conducts a separate permitting process for docks and similar structures on Smith Mountain Lake and Leesville Lake. Issuance of a building permit by Bedford County is not a substitute for an AEP permit. Landowners are strongly encouraged to consult with AEP prior to starting any construction activities on Smith Mountain Lake and Leesville Lake, and proceed at their own risk if they fail to do so. By obtaining a building permit for a dock from the County, landowners agree to hold the County harmless from any and all claims or disputes arising out of the construction of a dock without prior AEP approval.

PART IV.

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

This ordinance shall become effective immediately upon its adoption.

Draft V5 06282017

1. Dock Text Amendment:

Sec. 30-9. - Zoning permits.

(a) A zoning permit shall be required for the erection, construction, reconstruction, moving, adding to, or alteration of any structure, or the establishment of any land use, except as listed below:

- (1) Patios at grade, driveways, and sidewalks.
- (2) Fences, provided their location and design conform to article V of this ordinance.
- (3) Satellite dishes.
- (4) The construction of a roof over an existing porch, stoop or deck which does not result in a change in the square footage of the structure.
- (5) Docks.

Sec. 30-9-1. Building permits; relation to zoning.

No building permit for the extension, erection, or alteration of any building or structure shall be issued before an application has been made and a zoning permit issued, except in the case of docks on Smith Mountain Lake and Leesville Lake, where no zoning permit is required. With the exception of docks on Smith Mountain Lake and Leesville Lake, No building or structure shall be occupied or used until a certificate of zoning compliance has been issued.

Sec. 30-83-3.5. Community dock location.

[...]

- (c) ~~The county will not accept an application for a special use permit for a dock or similar structure unless the applicant has received approval of the dock by Appalachian Power and/or the Federal Energy Regulatory Commission (FERC).~~

Sec. 30-100-13. Dock location.

- (a) This section is intended for docks on or over the waters of the commonwealth. Community docks as defined in article II of this ordinance, shall follow the requirements of section 30-83-3.5. ~~Bedford County recognizes that docks on Smith Mountain Lake and Leesville Lake are within the purview of Appalachian Power.. and as such seeks to regulate docks consistently with its requirements.~~
- (b) Before any person erects, constructs, reconstructs, moves, or structurally expands any dock or similar structure, he/she shall apply for a ~~zoning and building permit, prior to the issuance of a building permit.~~ Issuance of the required Bedford County permits is dependent upon approval of the dock by Appalachian Power.
- (c) Landowners are hereby advised that AEP conducts a separate permitting process for docks and similar structures on Smith Mountain Lake and Leesville Lake. Issuance of a building permit by Bedford County is not a substitute for an AEP permit. Landowners are strongly encouraged to consult with AEP prior to starting any construction activities on Smith Mountain Lake and Leesville Lake, and proceed at their own risk if they fail to do so. By obtaining a building permit for a dock from the County, landowners agree to hold the County harmless from any and all claims or disputes arising out of the construction of a dock without prior AEP approval.



BEDFORD COUNTY BOARD OF SUPERVISORS

Agenda Item Summary

MEETING DATE: 7/10/2017

AGENDA ITEM #8b

Ordinance #O 071017-05

Work Session Regular Meeting

Consent Public Hearing Action Closed Session Information

ITEM TITLE: Commercial Indoor and Outdoor Sports and Recreation Zoning Ordinance Text Amendment

RECOMMENDATION

Staff recommends approval of the text amendment.

SUMMARY

Staff is proposing to amend the zoning ordinance permitted use table to allow "Commercial Indoor Sports and Recreation" and "Commercial Outdoor Sports and Recreation" use in the AP (Agricultural Rural Preserve) and AR (Agricultural Residential) zoning districts after approval of a special use permit.

PRIOR ACTIONS

Planning Commission will hold a public hearing for this request at the joint public hearing with the Planning Commission and Board of Supervisors on July 10, 2017. Following the public hearing, the Planning Commission has 90 days from July 10, 2017 to report their findings (a recommendation of approval or denial) to the Board of Supervisors. Should the Planning Commission not report their findings to the Board of Supervisors on July 10, 2017, the Board of Supervisors may hold their public hearing for the request but may not act until they receive the Planning Commission's findings or 90 days has passed from the date of the Planning Commission hearing (failure of the Planning Commission to report their findings in 90 days shall be deemed a recommendation of approval and the Board of Supervisors may act on the request.

FISCAL IMPACT

n/a

CONTACTS

Jordan Mitchell, Planner

ATTACHMENTS

Board of Supervisors Ordinance (draft)

REVIEWED BY

Fiscal Management County Attorney County Administrator

PART II.

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

This ordinance shall become effective immediately upon its adoption.



BEDFORD COUNTY BOARD OF SUPERVISORS

Agenda Item Summary

MEETING DATE: 7/10/2017

AGENDA ITEM #8c

Ordinance #O 071017-06

Work Session Regular Meeting

Consent Public Hearing Action Closed Session Information

ITEM TITLE: Ordinance to Establish the Nursing Home Per Fiem Rates

RECOMMENDATION

Adoption of Attached Ordinance

SUMMARY

Bedford County, through its Nursing Home, is requesting an increase in its daily charge rate. The Nursing Home's last rate increase was effective on September 1, 2017. An increase in the charged rate is needed to offset increases in expenses.

The proposed new rates are below the daily rates of surrounding nursing homes. In addition to the lower rate, Bedford County Nursing Home's rate is all inclusive; while most other nursing homes charge a daily rate and add ancillary charges for such services as incontinence fees, oxygen fees and medical dressing fees.

The proposed increases are as follows (our rates are inclusive):

Semi-private room daily rate: from \$207.00 to \$214.00

Private room with a shared bath daily rate: from \$212.00 to \$219.00

Private room with a private bath daily rate: from \$217.00 to \$224.00

The new rates would be effective October 1, 2017.

PRIOR ACTIONS

Staff requested and received permission to advertise these rate adjustments at the June 12, 2017 Board meeting.

FISCAL IMPACT

CONTACTS

Carl Boggess, County Administrator; Toni Pierce, Nursing Home Administrator

ATTACHMENTS

Ordinance #O 071017-6

REVIEWED BY

Fiscal Management County Attorney County Administrator



At a regular meeting of the Board of Supervisors of the County of Bedford, Virginia held at the Bedford County Administration Building on the 10th day of July 2017, beginning at 7:00 pm.:

MEMBERS:

VOTE:

- Curry Martin, Chairman
- Bill Thomasson, Vice-Chairman
- Steve Wilkerson
- John Sharp
- Tommy W. Scott
- Andrew D. Dooley
- Kevin S. Willis

On motion of Supervisor _____, which carried by a vote of ____, the following was adopted:

**AN ORDINANCE
 ESTABLISHING THE BEDFORD COUNTY NURSING HOME
 PER DIEM RATE EFFECTIVE OCTOBER 1, 2017**

WHEREAS, the Bedford County Board of Supervisors did previously establish the per day rate for patient care at the Bedford County Nursing Home at (1) Semi-Private Room - \$207.00, (2) Private Room w/Shared Bathroom – \$212.00, and (3) Private Room - \$217.00; and

WHEREAS, staff and the contracted Nursing Home Cost Analyst have recommended a rate increase.

NOW, THEREFORE, BE IT ORDAINED, that the patient per day rate be established as follows:

For Semi-Private Rooms	\$214.00
For Private Room w/ Shared Bathroom	\$219.00
For Private Room	\$224.00

The new per diem rates shall be effective October 1, 2017.



BEDFORD COUNTY BOARD OF SUPERVISORS

Agenda Item Summary

MEETING DATE: 7/10/2017

AGENDA ITEM #9a

RESOLUTION #R071017-07

Work Session Regular Meeting

Consent Public Hearing Action Closed Session Information

ITEM TITLE: Authorization to Execute a Contract for HVAC Upgrades

RECOMMENDATION

Authorize the execution of a contract for HVAC upgrades.

SUMMARY

The need to upgrade various HVAC systems was noted in the 2016 Facility Assessment of our buildings. The Board will recall that we further discussed HVAC improvements during the Fiscal Year 18 budget development process. During this process, the Board approved funds for the upgrade of HVAC systems at several County buildings. Specifically, \$230,000 approved for the County Administration Building HVAC and \$60,000 approved for the Health Department HVAC. Our HVAC contractor, Trane, has analyzed our systems and developed proposals for the necessary improvements. The pricing associated with these proposals reflects existing National contracts (US Communities) of which the County can participate with under cooperative procurement guidelines. The proposed HVAC improvements for this fiscal year include the following 3 projects:

1. Replacement of the 3 main Air Handling Units at the County Administration Building: These units date back to 1991 when the building opened. These units have exceeded their useful life resulting in frequent downtime, are less energy efficient, and have significant deterioration. This upgrade will result in periods of no heating or air conditioning in the building. Staff will be working to schedule this improvement in November 2017 when the demand for heating/cooling is typically lower. Staff will work to minimize downtime (to the extent possible) by utilizing nights, weekends, and holidays (where possible). Periodic downtime over a 7 to 10 day timeframe is anticipated. The cost for this work is \$130,320.

2. The HVAC control system at the Health Department is experiencing ongoing malfunctions. The system can no longer open & close dampers as required to maintain a consistent temperature in the building. As a result, building occupants frequently experience temperature swings. The cost to replace the failed HVAC control system at the Health Department is \$49,725.

3. The main Trane HVAC control system within the Administration Building and Courthouse was installed approximately 15 years ago. This control system needs to be updated to better monitor and maintain building temperatures. The cost to update this system is \$97,948. Once updated, this new web-based control system will allow remote troubleshooting & monitoring and will avoid some service calls. If approved, this new control system will also monitor the Health Department HVAC system referenced above. Staff anticipates bringing the Falling Creek Center, Sheriff's Office, and Burks-Scott buildings under this monitoring & control system in future CIP budgets.

The anticipated total cost of these 3 projects is \$277,993. CIP funding in the amount of \$290,000 is available for these projects.

A representative from Trane will be available at the Board meeting to provide additional information if there are any specific questions.

PRIOR ACTIONS

Adopted CIP reflects these HVAC improvements.

FISCAL IMPACT

Anticipated cost of \$277,993. The system upgrades should decrease service calls while also improving energy efficiencies.

CONTACTS

Sheldon Cash, Director of Public Works

ATTACHMENTS

Resolution

REVIEWED BY

Fiscal Management County Attorney County Administrator



At a regular meeting of the Board of Supervisors of the County of Bedford, Virginia held at the Bedford County Administration Building on the 10th day of July 2017, beginning at 7:00 pm.:

MEMBERS:

Curry Martin, Chairman
 Bill Thomasson, Vice-Chairman
 Steve Wilkerson
 John Sharp
 Tommy W. Scott
 Andrew D. Dooley
 Kevin S. Willis

VOTE:

On motion of Supervisor _____, which carried by a vote of _____, the following was adopted:

A RESOLUTION

AUTHORIZING THE EXECUTION OF CONTRACTS FOR HVAC UPGRADES

WHEREAS, the County identified several necessary HVAC improvements during the 2016 Facility Assessment;

WHEREAS, the Board of Supervisors budgeted \$290,000 in CIP funds for HVAC improvements; and

WHEREAS, Trane, the County's HVAC vendor, has developed proposals to address the most critical needs; and

WHEREAS, the identified projects include 3 new air handlers at County Administration Building, control upgrades at Health Department, and control upgrades to Administration Building & Courthouse; and

WHEREAS, the projects have an anticipated cost of \$277,993; and

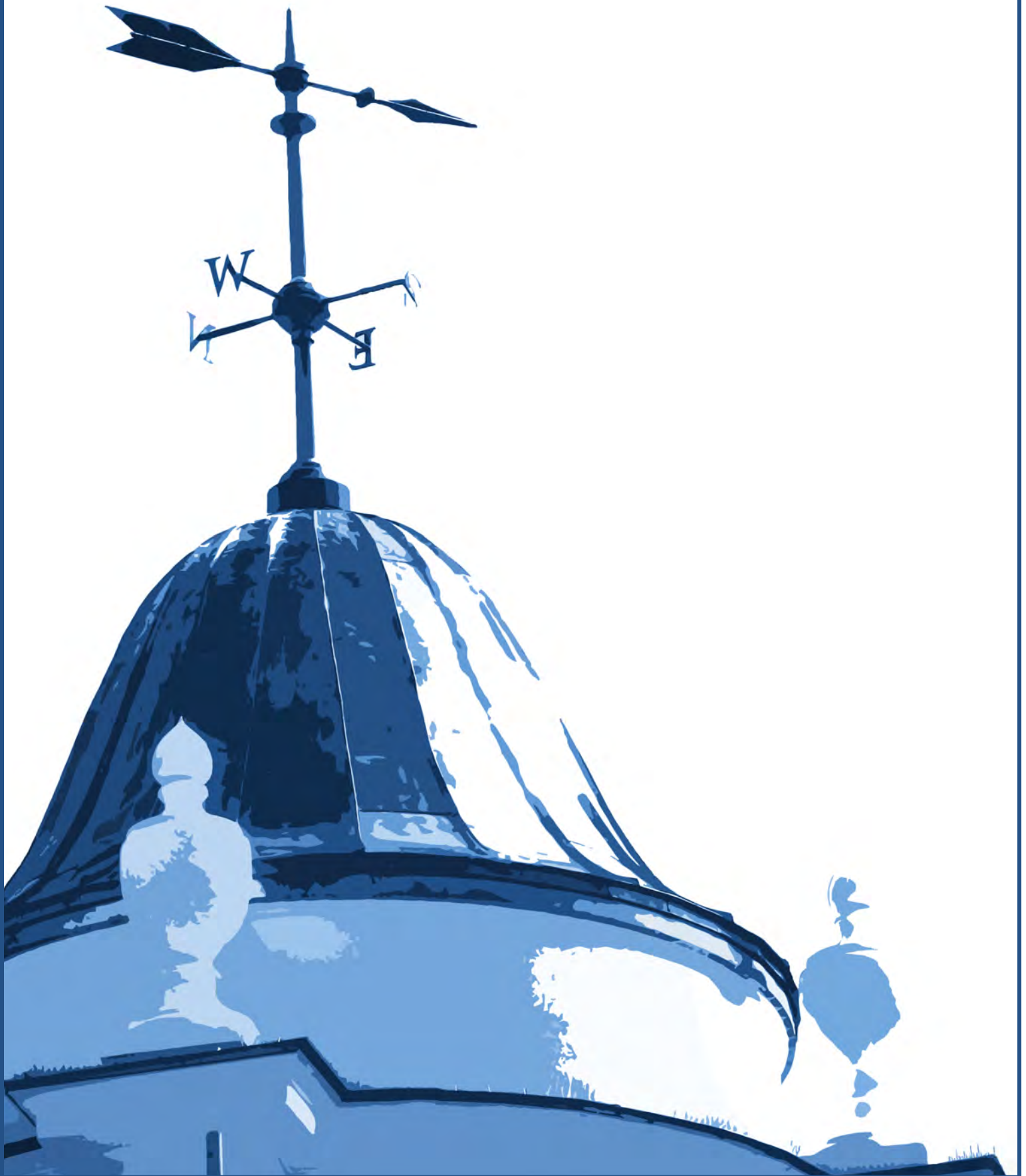
WHEREAS, the recommendation of staff is to award a contract to Trane, an authorized vendor pursuant to cooperative procurement, to perform these HVAC improvements; and

NOW, THEREFORE, BE IT RESOLVED, by the Bedford County Board of Supervisors, that the Board authorizes the execution of a contract with Trane to upgrade existing HVAC systems at several County buildings.

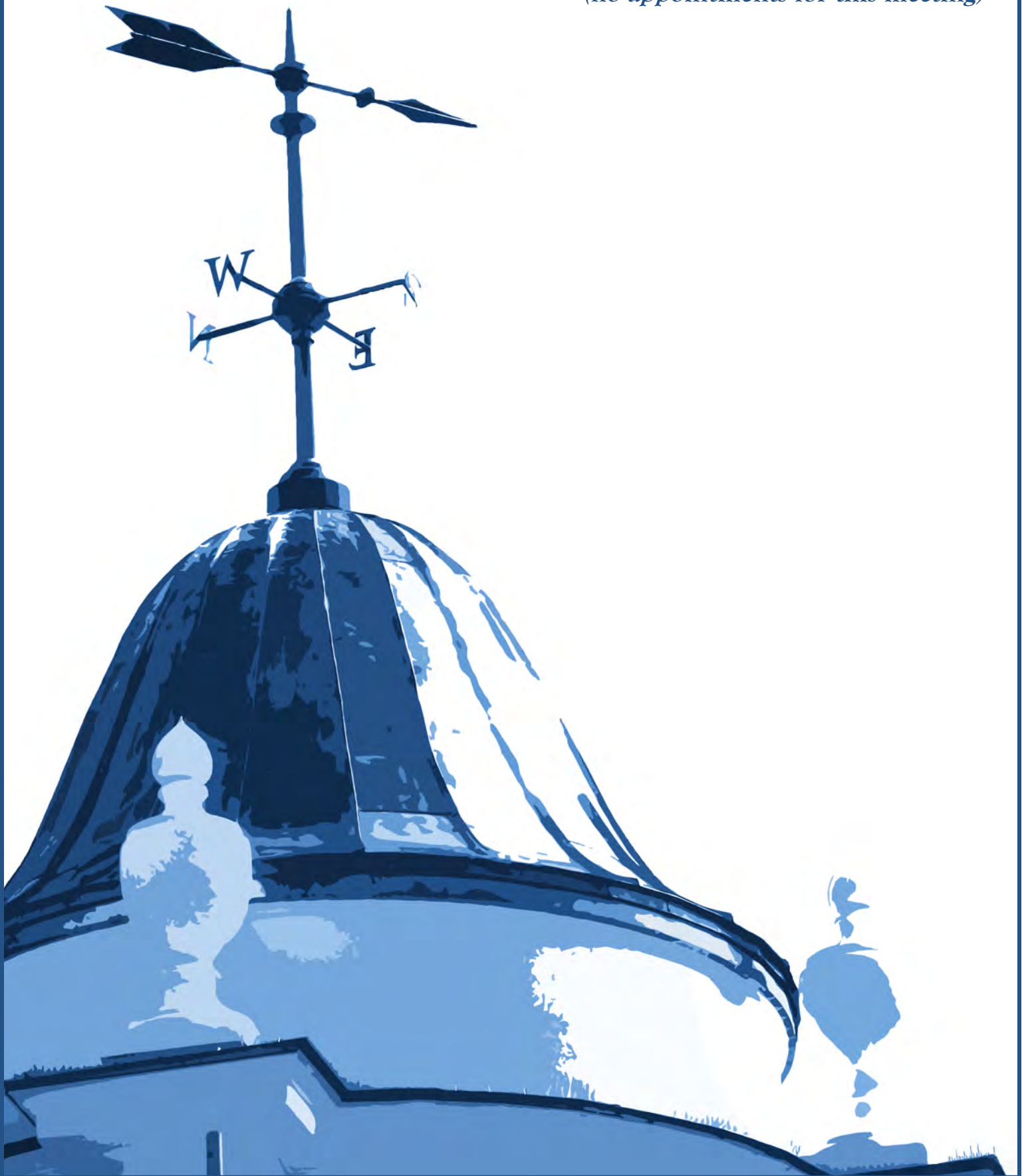
Agenda Item #10
Board Committee Reports
(no reports for this meeting)



Agenda Item #11
Board Member Comments



Agenda Item #12
Board Appointments
(no appointments for this meeting)



Agenda Item #13
County Attorney Report



Agenda Item #14
County Administrator Report



**TRI-COUNTY LAKE ADMINISTRATIVE COMMISSION
NAVIGATION COMMITTEE MEETING
Wednesday, September 21, 2016**

1. **Call to Order:** Mr. Gregory called the meeting to order at 3:02 p.m.

Members Present: Bob Black Jay Furick Orban Gregory
Bill Reidenbach Randy Stow Bill Thomasson

Members Absent: Teri Morris

Staff Present: Jeanne Harvey, Pam Collins and Paula Shoffner

2. **Approval of Agenda:** Motion by Mr. Reidenbach, seconded by Mr. Furick, to approve the agenda with an addition [5(b) Buoy Marker Maintenance]. All members present unanimously approved the agenda.
3. **Approval of Minutes:** Motion by Mr. Reidenbach, seconded by Mr. Thomasson, to accept and unanimously approve the Minutes of the April 20, 2016 Navigation Committee meeting as presented.
4. **Approval of Financial Report:**
- a. **Motion by Mr. Black, seconded by Mr. Stow, to approve the 2015-2016 FY year-end financial report thru June 30, 2016 as presented. The financial report was unanimously approved.**

Fund	2015-2016 Year End Report
Navigation Maintenance	\$8,000 balance/no expenditures
Navigation Equipment & Supplies	\$1,125.00

Note: Mrs. Collins will be contacting the Virginia Department of Game and Inland Fisheries to determine if the \$65,000 they gave to TLAC for U.S.C.G. conversion can be used to fund other lake marking projects. Mr. Thomasson suggested contacting the Director of VDGIF who should be able to answer that question. Mrs. Collins said we need to know if we should keep it on our books and what we can use it for.

- b. **Motion by Mr. Stow, seconded by Mr. Black, to approve the 2016-2017 financial report through August 31, 2016, as presented. The financial report was unanimously approved.**

Fund	2015-2016 through March 30, 2016
Navigation Maintenance	No Expenditures To Date/\$8,000 balance
Navigation Equipment & Supplies	\$1,210.00

5. New Business

- a. **Potential No Wake Buoy Request Presentation by Casey Kroll:** Mr. Casey Kroll addressed the committee about water sport activity in his cove. His contention is that his request for a no wake buoy is based on safety concerns because boat operators come into his cove at high speeds and then realize that they have reached the end of the cove after coming around a blind corner. The operators often will make a wide turn while continuing to pull their skiers. Last year there was a near miss with a young skier at his dock. Additionally, there are lots of swimmers, paddle boats, and other boaters in a cove that narrows down and has blind corners. Mr. Kroll feels his cove has unique circumstances that should allow for placement of a no wake buoy, especially as there is a long straight run from the "S" curve to the cove that narrows down and is tight at the end. He has installed a red ball out from his dock and that has reduced some of the traffic near his property.

Mr. Stow noted that this situation does not meet the criteria for a no wake buoy as there is no general public use in the cove. He also recognized Mr. Kroll's concern and said that there is a committee of the Water Safety Council that will be addressing many of his concerns at an upcoming meeting. Unfortunately, these very same concerns are happening in many of the coves on the lake.

Mrs. Collins agreed that this is a lake-wide issue. She noted that a subcommittee of the Water Safety Council will be looking at many aspects related to safe boating on Smith Mountain Lake. She said one possible outcome could be support for changing the 50' no wake rule to 100' which would help with safety and property issues. TLAC is receiving more calls than in the past for these same reasons. It is possible that the subcommittee will be forthcoming with recommendations that will address many of these safety and property concerns. Mr. Stow noted that strength of membership may be able to apply enough pressure to make changes happen that will help as well. Mr. Stow said let the Water Safety Council work on this as it does not qualify for a No Wake Buoy.

Water Safety Council Subcommittee: Mr. Stow noted that the Water Safety County Subcommittee will meet next week and will determine the scope of issues that they will be addressing. He also noted that if the 50' no wake zone went to 100' it would make sense that to ski you would actually need an area that is 400'; if 200' you would need 700'; resulting in many areas of the lake that would not be sufficient for these activities.

- b. **Discussion of Shoal at Carr's Point:** The request to look at this shoal area came to TLAC unofficially from VDGIF. A resident later made the same request. Mrs. Collins asked APCo to review the shoal area for possible marking. They responded that the shoal is roughly 30 yards in length and the rocks 1.5 ft. below the surface at full pond. APCo concluded the shoal is outside the navigable waterway and not their responsibility to mark. Mrs. Collins noted that some Navigation committee members went to the Carr's Point to review the situation. The TLAC criteria for marking shoals was made available to the committee. Mr. Reidenbach said typical direction is not to mark such areas unless located in primary and secondary waterways. The majority of boaters don't endanger themselves by cutting that close to land. Mrs. Collins said the neighbor has placed a red ball at the shoal location. Mr. Furick visited the site and noted you can see the waves break over that shoal, as well as the color change that generally is noticeable at shoal areas. Additional discussion ensued.

Motion by Mr. Reidenbach, seconded by Mr. Thomasson, to not mark the Carr's Point shoal as it does not meet current criteria although the committee would consider a resident-maintained marker at this location. All members unanimously approved this motion.

- c. Corrections to SML Charted Position of Lateral Markers:** Mr. Stow noted TLAC maintains a database containing coordinates for all markers on the lake. These coordinates have been used when producing the SML lake map. The SML Sail & Power Squadron compared coordinates from the database to the actual location of the channel markers on the lake map. There are a number of markers not where they are supposed to be on the chart. Two of the markers were more than 2 degrees off from their present location; they are R-60 and B-19. Mr. Stow physically went out and put a GPS on the markers to verify the locations. The intent is to provide the correct coordinates to the map publisher and to TLAC so that records can be corrected. **Committee members agreed the corrected coordinates for the two markers should be provided to both TLAC database update, and SMLA for map charting purposes.**
- d. Buoy Marker Maintenance:** Mrs. Collins reported David Byrd, the navigation maintenance contractor, went out and cleaned TLAC-maintained buoys and evaluated their condition. There are 37 markers most of which were installed about 5 years ago using new buoys and stainless steel anchoring systems. One shoal buoy is missing and will be replaced immediately. About one-third of the markers are considered in fair condition. Mrs. Collins suggested a three-year plan to replace all buoys. The plan would be to replace the first 12 markers in spring 2017. The Navigation Committee can evaluate the remaining markers and prioritize their replacement. The projected cost for next year would be approximately \$10,481.52. Mrs. Collins called for a recommendation to replace the 12 fair condition buoys that can be taken to the TLAC Board for approval. Subsequent replacement would be based on the Navigation Committee reviewing the remaining markers to establish a priority listing for replacement in years 2 and 3 of the plan. Mr. Thomasson suggested that the \$65,000 U.S.C.G. conversion funds be used to cover costs for the replacement plan. Mrs. Collins will be checking to see if this use of that money is possible.

Motion by Mr. Reidenbach, seconded by Mr. Stow, to approve a 3-year replacement plan for TLAC-maintained markers to begin with 12 buoys in 2017, and the remainder of buoys to be prioritized and replaced over the following 2 years. All members present voted unanimously to support the proposed replacement plan.

6. Old Business – There was no old business to address at this meeting.

7. Updates

Chairman Update: Mr. Gregory said he was glad to report that VDOT has built a causeway at the Route 834 bridge and have removed the significant debris that collected at the bridge.

Executive Director Update: Mrs. Collins reported the following:

- There have been 9 navigation reports this year. We know that 8 of them have been completed by APCo and the 9th one was a leaning channel marker that would be repaired when APCo has the time.

Attachment 1

- Mrs. Collins noted that at the last meeting Mr. Furick wanted to know if the Blackwater recommendations had been given to APCo and the status of those recommendations. Mrs. Collins said they were given to APCo but there has been no action on them. It is anticipated that the next Aids to Navigation Technical Committee will be held in December and perhaps at that meeting they will tell us their plan regarding the recommendations.
- Mr. Stow said the marker buoys at Mariner's Landing look to be in the same condition as the ones TLAC will be replacing. He asked who is responsible for maintenance of those markers. Mrs. Collins said that Department of Game and Inland Fisheries goes out and inspects all markers in May of each year. They should be telling the responsible parties if they should do maintenance.
- Mrs. Collins advised committee members there will be a holiday open house at TLAC on November 29th.

8. Information items provided to the committee members

- a. Current Navigation Inventory Report

9. Adjournment: At 5:40 p.m. the Navigation Committee meeting adjourned.

Respectfully submitted,



BEDFORD COMMUNICATION

Number Of Calls Report by Day of Week - Hour of Day

First Date: 04/01/2017

Jurisdiction: BEDFORD

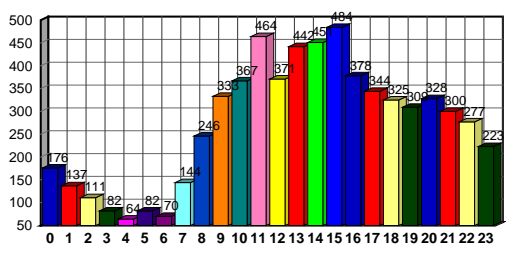
Last Date: 04/30/2017

05/03/201 16:23:4

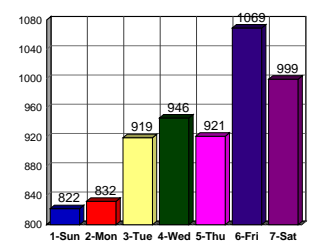
*Day/
Hour*

	1-Sun	2-Mon	3-Tue	4-Wed	5-Thu	6-Fri	7-Sat	Total
0	32	11	8	16	38	25	46	176
1	36	8	11	16	27	13	26	137
2	20	10	18	17	10	15	21	111
3	17	13	8	6	8	8	22	82
4	14	12	2	11	6	8	11	64
5	12	22	10	6	7	13	12	82
6	10	13	11	16	8	6	6	70
7	12	23	30	25	22	17	15	144
8	25	36	41	38	37	36	33	246
9	31	40	63	37	65	59	38	333
10	36	49	66	45	60	60	51	367
11	28	56	68	91	65	89	67	464
12	41	56	42	66	59	69	38	371
13	50	68	55	88	63	68	50	442
14	40	86	71	58	86	73	37	451
15	52	86	85	64	75	69	53	484
16	45	48	57	50	46	65	67	378
17	44	40	50	43	52	66	49	344
18	51	30	41	46	52	52	53	325
19	57	28	41	38	26	41	78	309
20	50	30	44	46	32	67	59	328
21	38	27	35	45	27	54	74	300
22	48	20	39	44	33	52	41	277
23	33	20	23	34	17	44	52	223
Total	822	832	919	946	921	1,069	999	6508

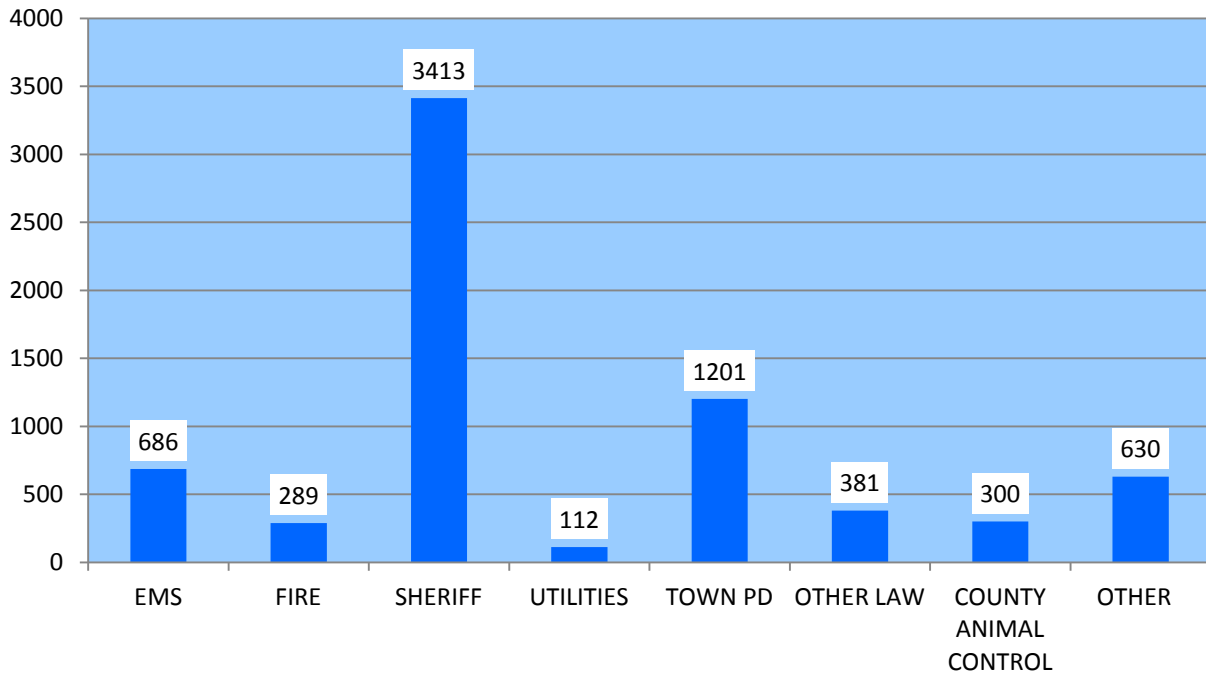
Calls By Hour Of Day



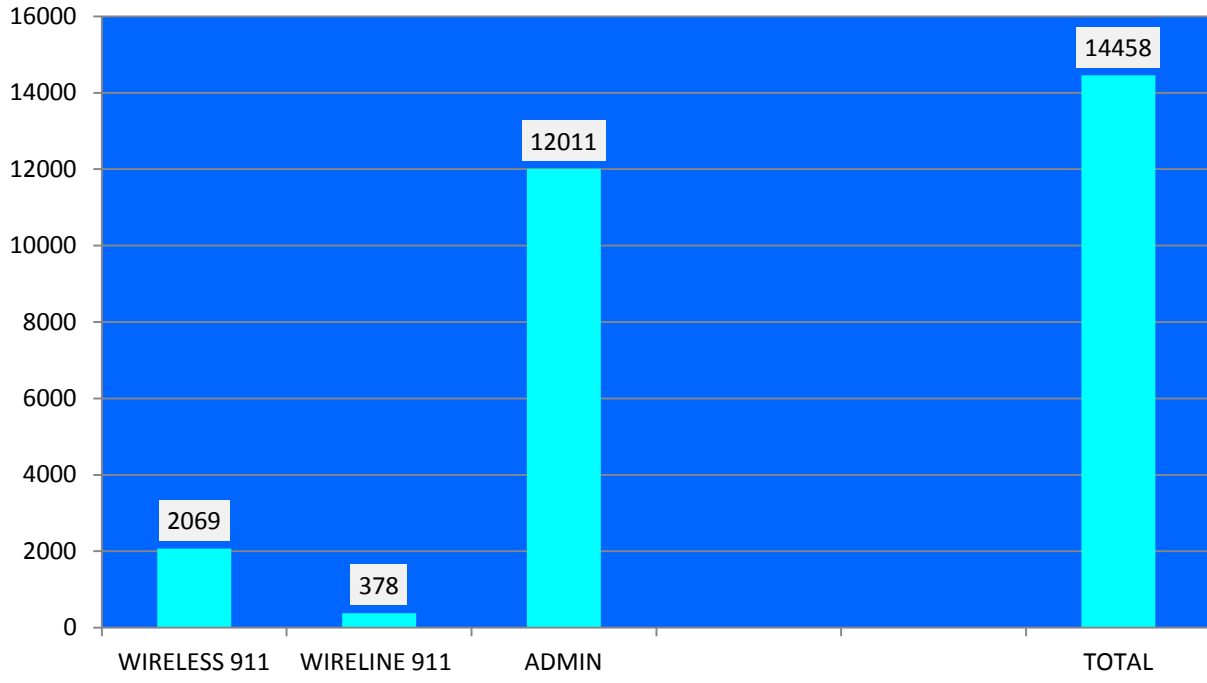
Calls By Day Of Week

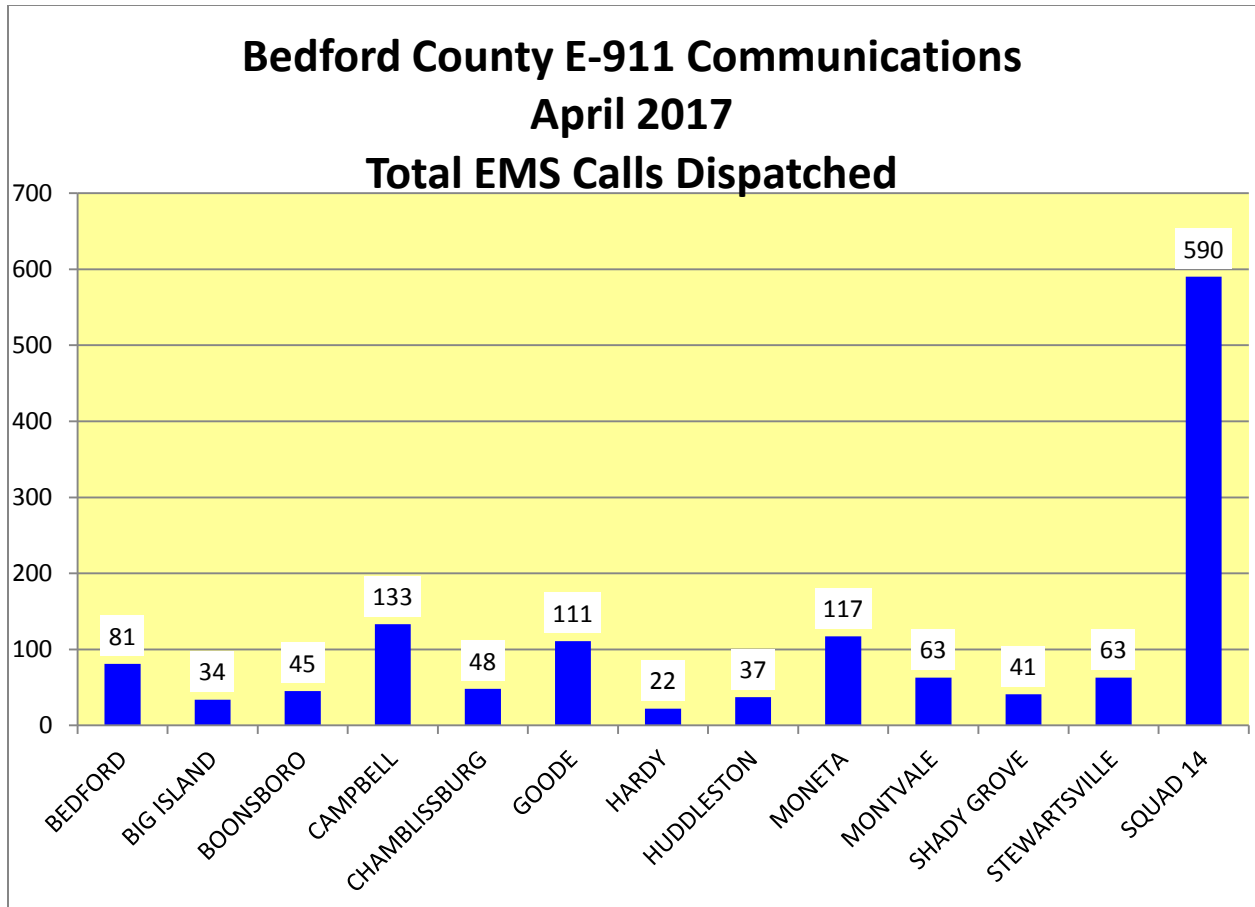


Bedford County E-911 Communications April 2017 Total Calls For Service

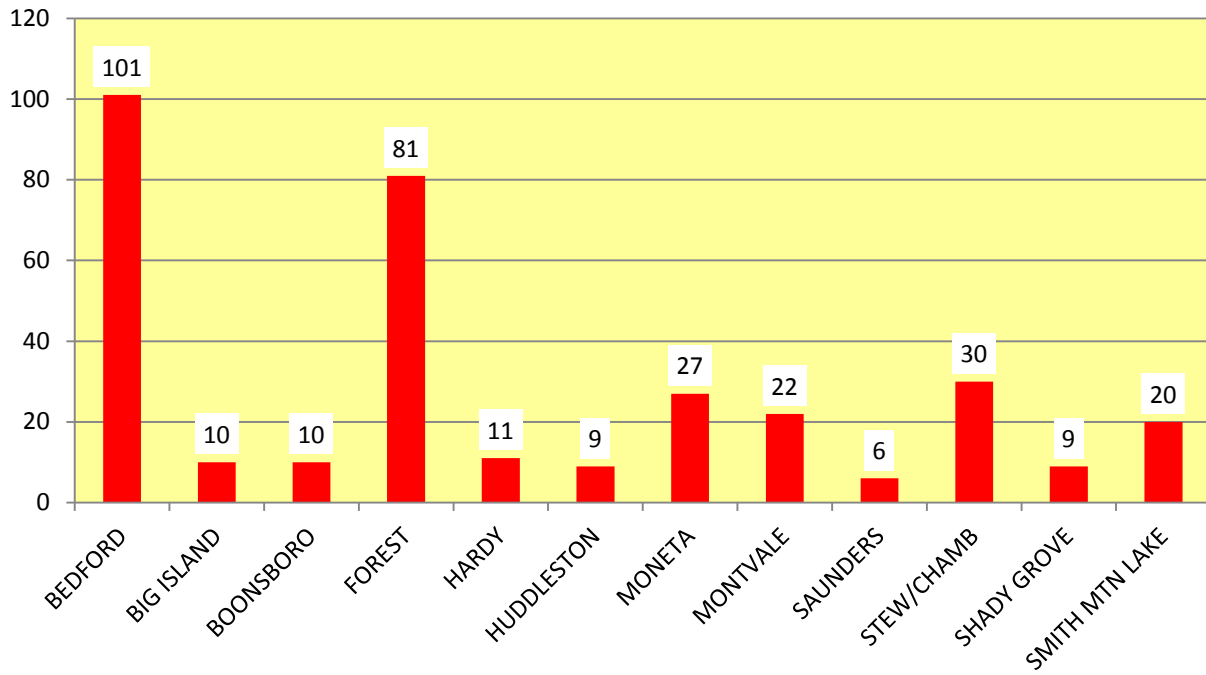


Bedford County E-911 Communications April 2017 Total Telephone Calls





Bedford County E-911 Communications April 2017 Total Fire Calls Dispatched



BEDFORD COMMUNICATION

Number Of Calls Report by Day of Week - Hour of Day

First Date: 05/01/2017

Jurisdiction: BEDFORD

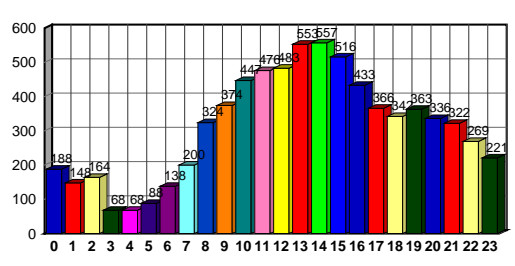
Last Date: 05/31/2017

06/08/201 09:38:0

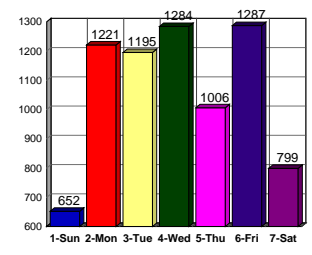
*Day/
Hour*

	1-Sun	2-Mon	3-Tue	4-Wed	5-Thu	6-Fri	7-Sat	Total
0	34	18	25	28	25	30	28	188
1	27	13	17	13	21	44	13	148
2	20	21	13	22	12	58	18	164
3	12	8	6	14	9	10	9	68
4	10	10	10	8	9	17	4	68
5	6	7	7	14	21	23	10	88
6	14	10	20	18	37	33	6	138
7	18	35	34	38	30	34	11	200
8	19	68	69	55	39	52	22	324
9	36	64	75	58	41	65	35	374
10	25	88	84	79	60	73	38	447
11	22	79	86	96	68	77	48	476
12	26	66	95	97	67	86	46	483
13	25	96	110	101	91	84	46	553
14	36	92	101	110	82	103	33	557
15	30	110	92	95	59	79	51	516
16	50	88	71	74	57	48	45	433
17	32	67	38	62	57	60	50	366
18	42	54	47	65	36	62	36	342
19	41	54	43	71	40	60	54	363
20	43	51	51	44	41	58	48	336
21	30	51	45	57	42	50	47	322
22	31	38	35	30	37	44	54	269
23	23	33	21	35	25	37	47	221
Total	652	1,221	1,195	1,284	1,006	1,287	799	7444

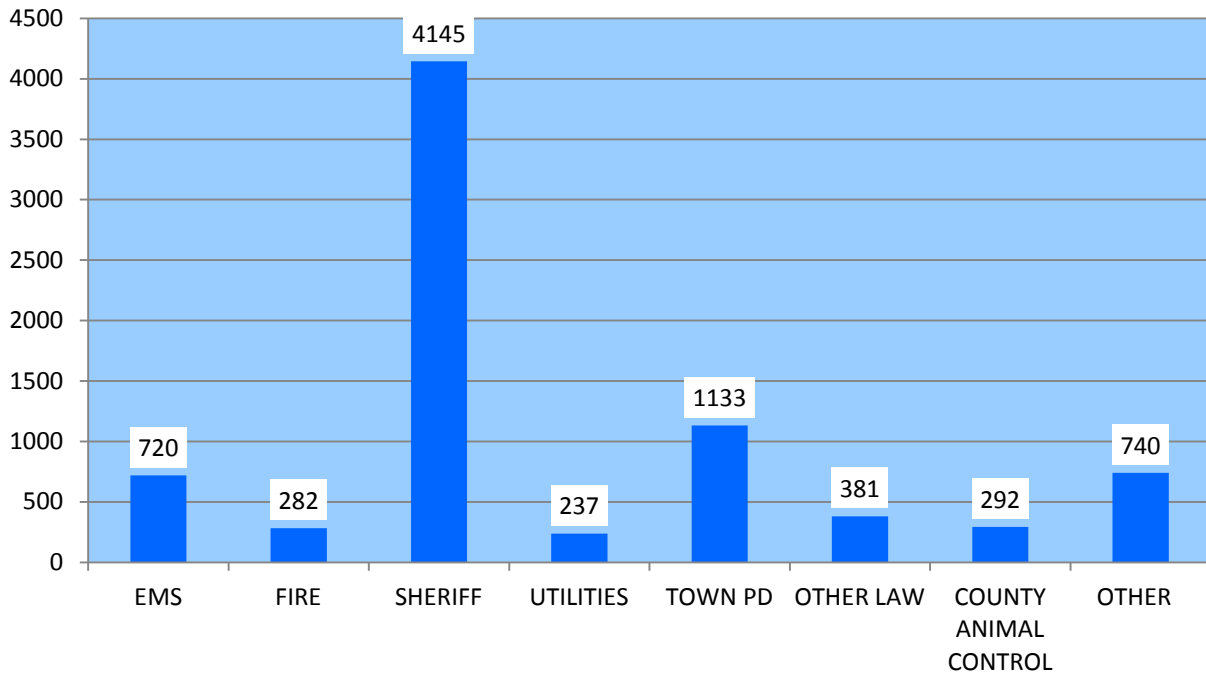
Calls By Hour Of Day



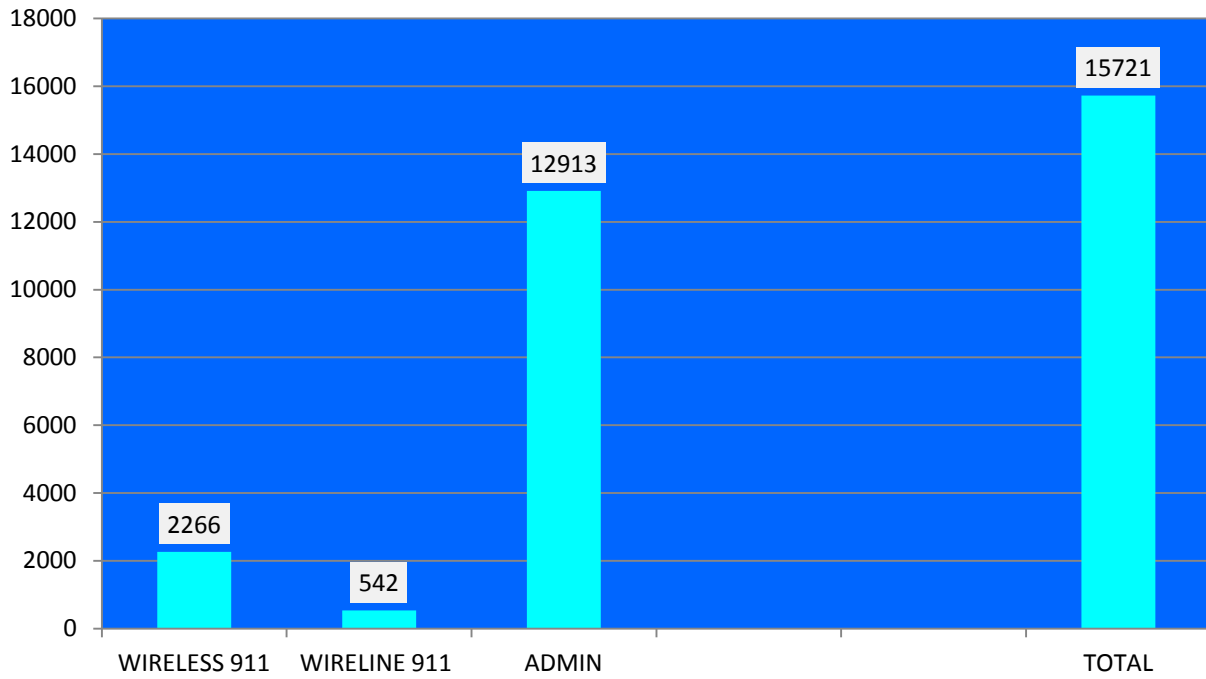
Calls By Day Of Week

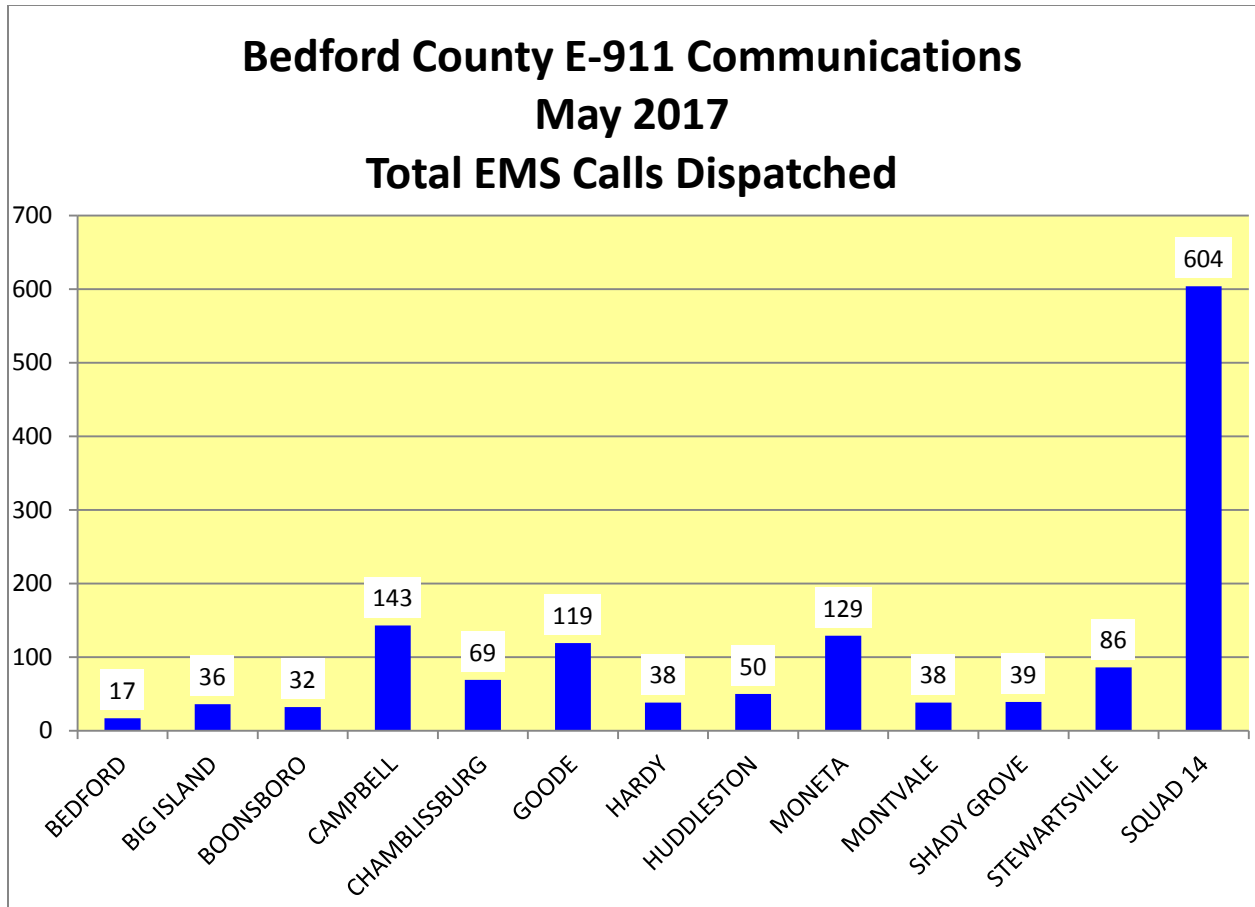


Bedford County E-911 Communications May 2017 Total Calls For Service

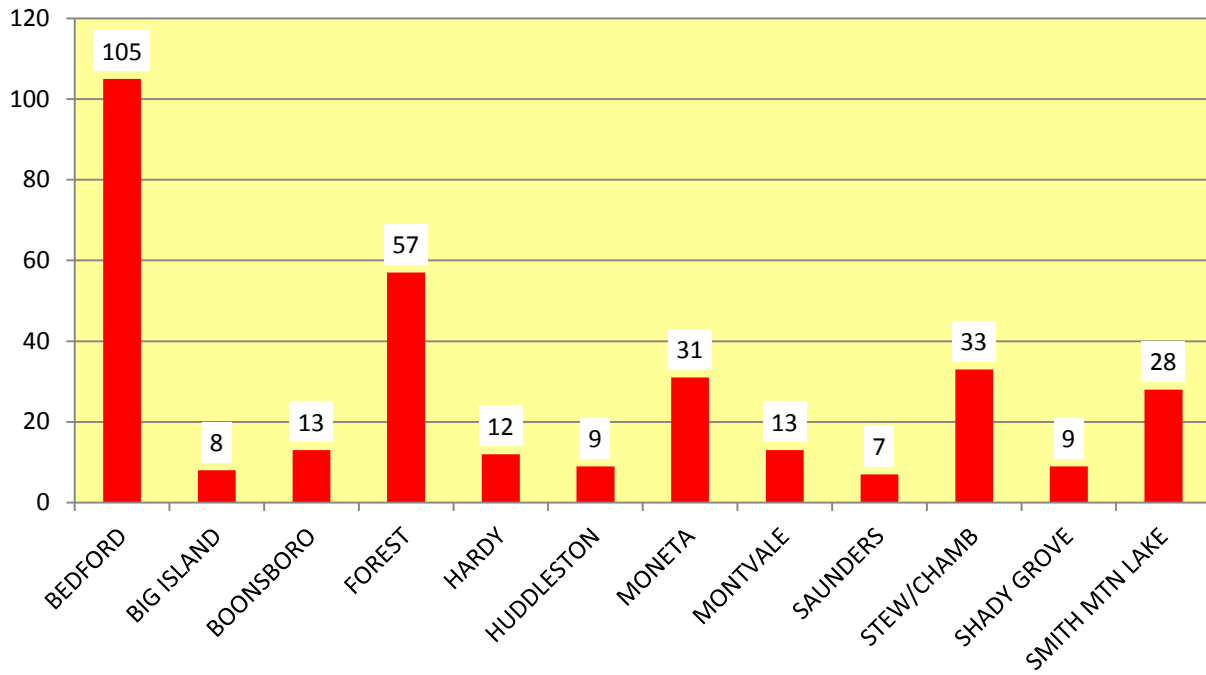


Bedford County E-911 Communications May 2017 Total Telephone Calls





Bedford County E-911 Communications May 2017 Total Fire Calls Dispatched



**Bedford Regional Water Authority – Board of Directors
Regular Board Meeting – Minutes
May 16, 2017**

A regular meeting of the Board of Directors of the Bedford Regional Water Authority (“Bedford Water”) was held on Tuesday, May 16, 2017 in the Board Meeting Room in Bedford Water’s Annex building located at 1723 Falling Creek Road in Bedford County.

Members Present:..... Elmer Hodge, Chair
Carl Wells, Vice Chair
Bob Flynn
Cynthia Gunnoe
Michael Moldenhauer
Thomas Segroves
Walter Siehien

Members Absent: None

Staff & Counsel Present: . Brian Key – Executive Director
Nathan Carroll – Assistant Director
Megan Aubrey – Communications Coordinator
Sam Darby – Legal Counsel, GFD&G

1. Call to Order

The meeting was called to order by the Chair at approximately 7:00pm. The Pledge of Allegiance and a moment of silence were conducted.

2. Review of Agenda

The following agenda was reviewed as shown below.

1. Call to Order
 - a. Pledge of Allegiance
 - b. Moment of Silence
2. Review of Agenda
3. Public Comments
4. Approval of Minutes: April 20, 2017 – Regular Board Meeting
5. Financial Report: Presented by Brian Key
 - a. Financial Statements through month end April 2017
 - b. Finance Committee April 27, 2017 Meeting Summary
 - i. Resolution 2017-05.01: Valley Mills Crossing Bid Award
 - ii. Resolution 2017-05.02: FY 17-18 CIP budget
 - iii. Resolution 2017-05.03: Purchasing Card Policy revision
6. Operations Report: Presented by Nathan Carroll
 - a. Routine Activity Reports
 - i. Smith Mountain Lake Water Treatment Plant Report
 - ii. Projects Summary
 - iii. Maintenance Summary
7. Director’s Report: Presented by Brian Key
 - a. Policies and Project Committee April 27, 2017 Meeting Summary
 - b. Routine Activity Reports

- i. Customer Service Statistical Summary
- ii. Public Relations Information
- 8. Other business not covered on the above agenda
- 9. Motion to Adjourn

3. Public Comments

There were no public comments.

4. Approval of Minutes: April 20, 2017 Regular Board Meeting

The regular Board Meeting Minutes from April 20, 2017 were reviewed.

Mr. Flynn made a motion to approve the minutes.

Ms. Gunnoe seconded the motion.

- Board member votes: 7 Aye; 0 Nay; 0 Abstain. The motion carried.

5. Financial Report: Presented by Brian Key

a. Financial Statements through month end April 2017

Mr. Key reviewed some of the details pertaining to the financial reports for the period ending April 2017. The targeted budget goal for April was 83%; operating revenues were 83%, and operating expenditures were 72%. Facility fees received were 169% of the total budgeted amount.

The CIP summary was included in the packets; the goal is to have the projects completed by the beginning of June. Mr. Carroll said that VFD's at Pump Station 1 are being used at Pump Station 6; the bid came in lower than anticipated and both pumps will be able to be updated. The project may not be completed until July but all materials will be purchased by the end of the fiscal year.

Work to resolve air-binding problems within the New London force main will cause a budget overrun in Forest Sewer. A sewer line on Field Trace Road in Town failed in late April and is unserviceable in its current condition and depth. With the cost of bypass pump rental, exploratory excavation to find and diagnose the problem, and the subsequent replacement of approximately 300' of sewer line, the project will cost over \$100,000, and will cause a budget overrun within Central Sewer as well.

Following the Finance Committee's direction, the Authority signed a proposal with Davenport & Company, LLC to service as a bidding agent for the Debt Service Reserve Fund – Investment. The transaction should be complete by the first part of June.

b. Finance Committee Meeting Summary April 27, 2017

i. Resolution 2017-05.01: Valley Mills Crossing Bid Award

For the Valley Mills Crossing project, the low bid was \$81,650, and the low bidder made a site visit to see if costs could be lowered since the bid was made without seeing the project site. The low bidder expects that the price can be lowered by delaying the project and not starting until after July. The revised bid is \$49,000, not including costs for temporary water storage. The FY 2016-2017 CIP includes funding of \$30,000, which will be carried over. The request for FY 2017-2018 is \$75,000 (carryover plus additional funding for the increased bid and water storage).

At a regular meeting of the Bedford Regional Water Authority ("Authority") Board of Directors, held in the Board Meeting Room at the Authority's Administrative Annex Building on the 16th of May 2017, beginning at 7:00pm

WHEREAS, the Valley Mills Tank Painting and Rehabilitation project is part of the current Capital Improvement Projects ("CIP") funded at \$30,000 this fiscal year; and,

WHEREAS, the Engineering Department solicited bids for the Valley Mills Tank Painting and Rehabilitation; and,

WHEREAS, New Kent Coatings was the low bidder at \$81,650, and provided a negotiated price of \$49,000; and,

WHEREAS, the negotiated price is based upon starting after July 1, 2017; and,

WHEREAS, this project was discussed with the Finance Committee and has been included in the 2017-2018 fiscal year CIP budget for a total funding of \$75,000 to include incidentals and temporary water storage; now,

THEREFORE, BE IT RESOLVED, that the Board of Directors does hereby authorize the Authority to enter into a contract with New Kent Coatings, Inc. for \$49,000, for work to begin after July 1, 2017 on the Valley Mills Tank Painting and Rehabilitation project.

On behalf of the Finance Committee, Member Flynn made a motion to approve this resolution. Being a motion from a committee, no second motion is needed.

- o Board Member Votes: 7 Aye; 0 Nay; 0 Abstain. The motion carried.

ii. Resolution 2017-05.02: FY 17-18 CIP budget

The project listing was discussed at the committee meeting; Mr. Key reviewed the CIP list for the board. There were ten projects that were purchases and internal projects (\$338,000). There were five contracted projects set to cost \$1.1 million. The most expensive project on the list was the Central WWTP conversion from chlorine gas; the completion of this project eliminates a safety concern for the Authority. The Highpoint waterline conversion project is a carryover from the current CIP, as it cannot be completed until the SMLWTF is finished. This project scope has changed and will need an additional \$25,000 in funding for a PRV vault. The committee requested that a timeline be developed to show the approximate schedule of the projects and when they would be completed. In addition to the \$600,000 allotted in the operating budget, the 2015 VRA loan will have remaining funds of approximately \$1.2 million. There were seven replacement and rehabilitation projects estimated to cost \$152,600. This is a total of \$1,590,600 for CIP projects.

At a regular meeting of the Bedford Regional Water Authority ("Authority") Board of Directors, held in the Board Meeting Room at the Authority's Administrative Annex Building on the 16th day of May 2017, beginning at 7:00pm:

WHEREAS, the Board of Directors of the Bedford Regional Water Authority approved the Fiscal Year 2017-2018 Operating Budget ("Operating Budget") resolution 2017-04.02, with Total Revenues in the amount of \$14,811,700 and Cash Operating Expenses in the amount of \$13,249,464; and,

WHEREAS, the total unrestricted cash balance available for Capital Projects as of July 1, 2017 is projected to be \$938,322 and the remaining VRA loan proceeds are projected to be \$1.2 million; and,

WHEREAS the Finance Committee has reviewed complete listing of proposed purchases and internal projects expenditures that were recommended by the Executive Director to be expended in Fiscal Year 2017-2018 and they recommended approval of the Capital Improvement Projects ("CIP") as presented in the amount of \$1,590,600; now,

THEREFORE, BE IT RESOLVED, that the Board of Directors of the Bedford Regional Water Authority does hereby approve proceeding with the Capital Improvement Projects presented in the amount of \$1,590,600, with the specific authorization given to the Executive Director to add, delete, or reprioritize the items on the attached project listing as long as the total amount of the capital expenditures does not exceed the amount listed above without further board action.

On behalf of the Finance Committee, Member Gunnoe made a motion to approve this resolution. Being a motion from a committee, no second motion is needed.

- o Board Member Votes: 7 Aye; 0 Nay; 0 Abstain. The motion carried.

As part of the 2015 VRA loan the BRWA was required to fund and maintain a Debt Service Reserve Fund (DSRF). This fund's balance of \$1,829,090.63 is equal to the

highest debt service payment. The VRA loan maturity is 30 years, so this fund must be invested for that length of time. Currently, the funds are invested in the Virginia State Non-Arbitrage Program (SNAP), with a current rate of 0.98%, but it has been as low as 0.25%. Davenport & Company, LLC provided a summary of other investment options that are permissible by VRA. They will charge a one-time bidding fee of \$15,000, and US Bank will charge a one-time Trustee investment fee of \$250, which can be absorbed in the Accounting Services in the operating budget this year. The committee agreed with staff's recommendation of the US Treasury or Agency. The investment policy allows for this investment change to be made administratively.

iii. Resolution 2017-05.03: Purchasing Card Policy revision

Several managers use their purchasing cards more frequently, and the previous limit of \$2,500 is not sufficient, resulting the adding of funds frequently. The policy revision created a new category of \$5,000 for several managers and the addition of several positions that use the purchasing card.

WHEREAS, the Bedford Regional Water Authority (the "Authority") is a public service authority formed and existing in accordance with the provisions of Chapter 51 of Title 15.2 of the Code of Virginia, 1950, as amended, the Virginia Water and Waste Authorities Act §§ 15.2-5100-15.2-5159 (the "Act"); and,

WHEREAS, the Authority desires to have a comprehensive set of policies governing the manner in which the Authority conducts its regular business, and the Authority directs that these policies be grouped together into an operating policy manual; and,

WHEREAS, the Finance Committee reviewed changes to the Purchasing Cards policy 10.12 at a meeting that was held on April 27, 2017 and has recommended the changes to the policy be presented to and approved by the Board of Directors of the Authority; and,

WHEREAS, the Board of Directors have reviewed the changes to the policies, and concur with the Committee's recommendation; now,

THEREFORE, BE IT RESOLVED by the Board of Directors of the Bedford Regional Water Authority that the changes to the above noted policies be hereby adopted by the Authority.

On behalf of the Finance Committee, Member Flynn made a motion to approve this resolution. Being a motion from a committee, no second motion is needed.

- o Board Member Votes: 7 Aye; 0 Nay; 0 Abstain. The motion carried.

The committee discussed the media coverage regarding fluoridation after the April Board meeting; they recommended to not make any changes from the resolution that was passed in January 2017.

6. Operations Report: Presented by Nathan Carroll

a. Routine Activity Reports

i. Smith Mountain Lake Water Treatment Plant Report

There are more than 500,000 gallons of water flowing from the Lake to the Town per day. At the plant, the treatment units have a portion of pipe made of a material prone to failure. That portion of pipe will be replaced with a stainless steel part by GE at no extra cost. There are some fire alarm issues that need to be resolved and a permanent occupancy permit is needed.

ii. Projects Summary

There is a collapsed sewer line on Link Road. The Maintenance Department will rent the necessary equipment and replace approximately 110' of line in-house. Mr. Hodge asked when we will change from patching the line to a more extensive repair. Mr. Key replied that most of the Town of Bedford lines could use replacement; however, the preventative crew does not have enough time to stay

ahead of all the replacement needed. As money and time are more available, more lines will be replaced.

iii. Maintenance Summary

Nathan reviewed a few items from the maintenance summary. He also explained that Bethany Shamblin, HR Manager, won the VML Risk Management award due to the safety updates at the Central Wastewater Treatment Plant. He also reported that William Wood, Smith Mountain Lake Utilities Manager, won the VRWA award for Water Operator Specialist of the Year.

7. Director's Report: Presented by Brian Key

a. Policies and Project Committee April 27, 2017 Meeting Summary

The committee reviewed the request from Ms. Lisa Smissen for an additional adjustment. Staff explained that an adjustment had already been processed based on the policy. Ms. Smissen stated that she didn't think it was possible that she used the amount of water that the meter indicated, and that her feeling was that it was a faulty meter. Mr. Key explained to the committee that the meter was tested, and found to be very close to 100% accurate. The committee recommended that staff follow the existing adjustment policy, with no additional adjustment being recommended to the board.

Staff reviewed the tabular listing of the responses that haven been received related to fluoridation. The committee discussed the issue, and recommended that no additional action be taken related to fluoridation.

The committee reviewed the verbal request from a resident in a subdivision for a waterline extension to be completed by the Authority, despite the lack of participants necessary to complete a neighborhood line extension per the policy. The committee recommended following the designated steps in the existing policy.

b. Routine Activity Reports

i. Customer Service Statistical Summary

There are no fees for septage receiving in the report. Septage receiving will not be collected through July, to allow for additional testing.

ii. Public Relations Information

Ms. Aubrey reviewed the media articles included in the packet as well as the fluoride tabulation chart. Mr. Hodge commended Ms. Aubrey for the Smith Mountain Lake Water Treatment Facility Open House event.

8. Other Business

Mr. Moldenhauer asked Mr. Key if there was a meeting set with Bedford Weaving. Mr. Key said that there is a meeting planned for Thursday. This meeting is because Phil Garbarini Jr. noticed a change in characteristic of the water based on the combination of water from the Town and the Lake. This was previously discussed with Mr. Garbarini Sr., prior to his death, and it was decided that the mixed water would be fed to the plant to keep fire suppression.

There is a private sewer line that has failed behind the courthouse. The Authority is going to meet with Town representatives to see if they can help the situation.

The board discussed future projects now that the Smith Mountain Lake Water Treatment Facility project is wrapping up.

9. Motion to Adjourn:

There being no further business to discuss, Mr. Wells made a motion to adjourn and Mr. Moldenhauer seconded the motion.

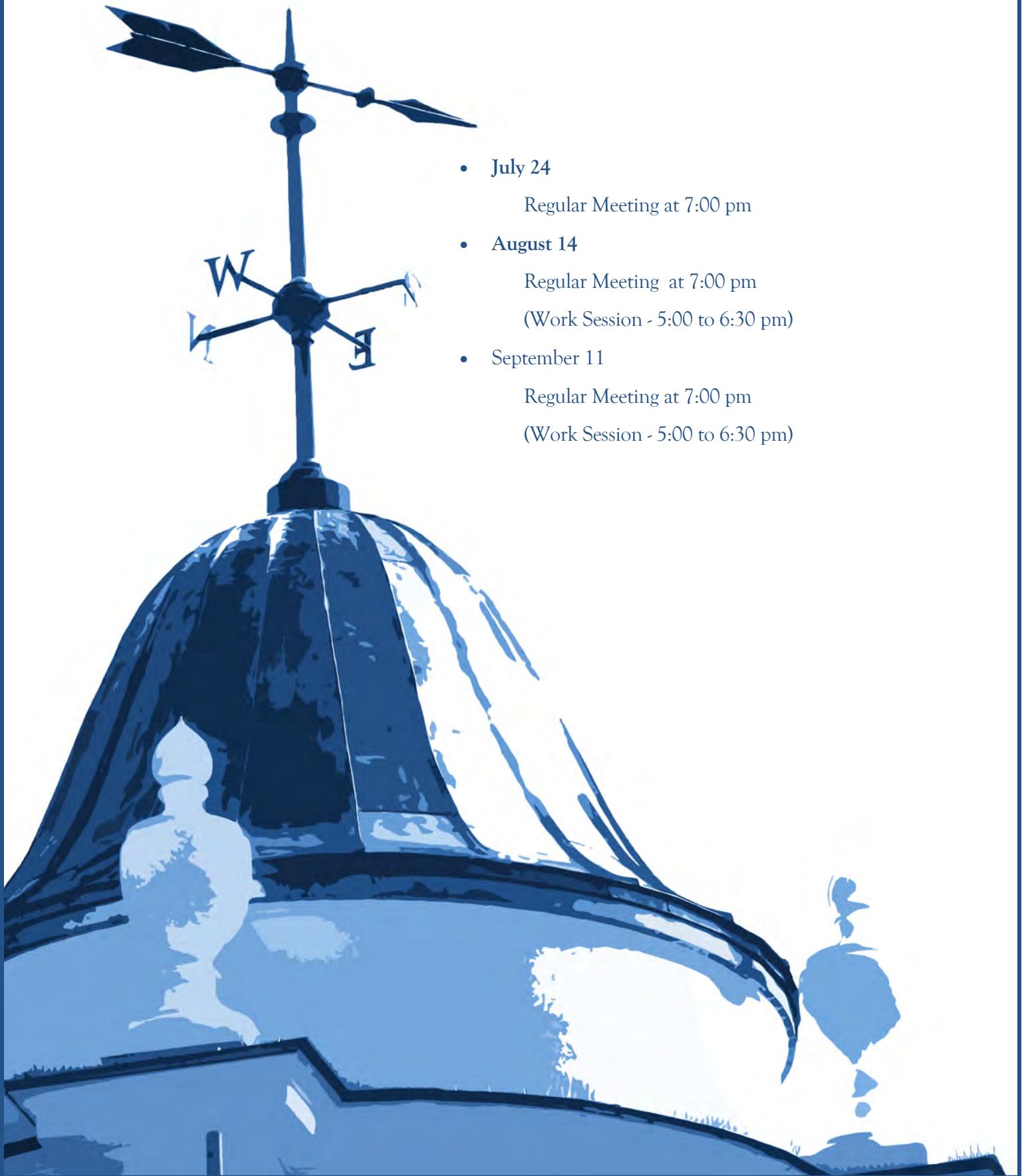
- Board member votes: 7 Aye; 0 Nay; 0 Abstain. The motion carried.

The meeting adjourned at approximately 8:46pm.

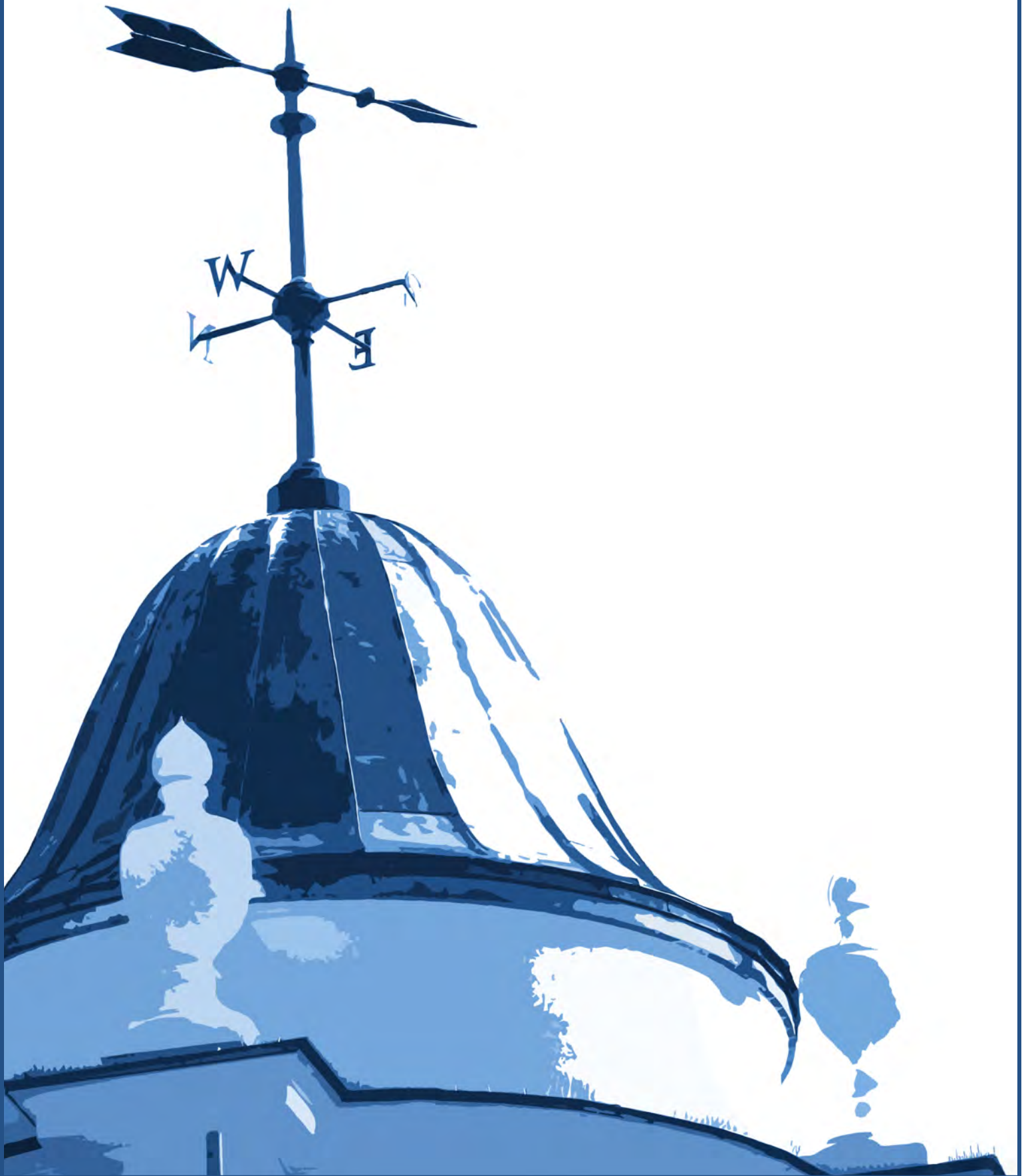
Prepared by Megan Aubrey – Communications Coordinator
Approved: June 20, 2017

Agenda Item #16 Board Calendar & Reminders

- July 24
Regular Meeting at 7:00 pm
- August 14
Regular Meeting at 7:00 pm
(Work Session - 5:00 to 6:30 pm)
- September 11
Regular Meeting at 7:00 pm
(Work Session - 5:00 to 6:30 pm)



Broadband Authority Meeting





At a regular meeting of the Broadband Authority of the County of Bedford, Virginia held at the Bedford County Administration Building on the 10th day of July 2017:

MEMBERS:

Curry Martin, Chairman
 Bill Thomasson, Vice-Chairman
 Steve Wilkerson
 John Sharp
 Tommy W. Scott
 Andrew D. Dooley
 Kevin S. Willis

VOTE:

On motion of Supervisor _____, which carried by a vote of _____, the following was adopted:

A RESOLUTION

**AUTHORIZING THE COUNTY ADMINISTRATOR TO AWARD A CONTRACT FOR THE
 BEDFORD COUNTY COUNTY-WIDE BROADBAND INFRASTRUCTURE ASSESSMENT**

WHEREAS, the Bedford County Broadband Authority exists to advance the goal of increasing broadband internet access throughout Bedford County, and;

WHEREAS, the Bedford County Broadband Authority authorized the advertisement of a Request for Proposal for a County-Wide Broadband Infrastructure Assessment, and;

WHEREAS, County Administration and members of the Bedford County Broadband Advisory Committee received proposals from and conducted interviews with qualified firms, and;

WHEREAS, County Administration has negotiated with a short-listed firm qualified to complete this project, and;

WHEREAS, there is sufficient funding available in the CIP Broadband Project;

NOW, THEREFORE, BE IT RESOLVED, that the Bedford County Broadband Authority authorizes the County Administrator to award a contract for the Bedford County County-Wide Broadband Infrastructure Assessment to The Atlantic Group of Companies for a fee of \$53,250.