

Bedford County  
**Board of Supervisors**  
Worksession Packet

---



**February 28, 2022 at 5:00 PM**

**Board Members:**

John Sharp, District 4 – Chairman  
Edgar Tuck, District 2 – Vice Chairman  
Mickey Johnson, District 1  
Charla Bansley, District 3  
Tommy Scott, District 5  
Bob Davis, District 6  
Tammy Parker, District 7

**Administration:**

Robert Hiss, County Administrator  
Amanda Kaufman, Deputy County Administrator  
Patrick J. Skelley, III, County Attorney  
Brigitte Lockett, Executive Assistant



**WORKSESSION AGENDA**  
**BEDFORD COUNTY BOARD OF SUPERVISORS**  
**ADMINISTRATION BUILDING**  
**February 28, 2022**

---

**5:00 PM**      **WORKSESSION**

(1) Call to Order

(2) Budget Discussion – Capital Improvement Plan (C.I.P.) *documentation to follow under separate cover*

**Adjourn**

Bedford County  
**Board of Supervisors**  
Meeting Packet

---



**February 28, 2022 at 7:00 PM**

(Watch online at [youtube.com/CountyofBedford](https://www.youtube.com/CountyofBedford))

**Board Members:**

John Sharp, District 4 – Chairman  
Edgar Tuck, District 2 – Vice Chairman  
Mickey Johnson, District 1  
Charla Bansley, District 3  
Tommy Scott, District 5  
Bob Davis, District 6  
Tammy Parker, District 7

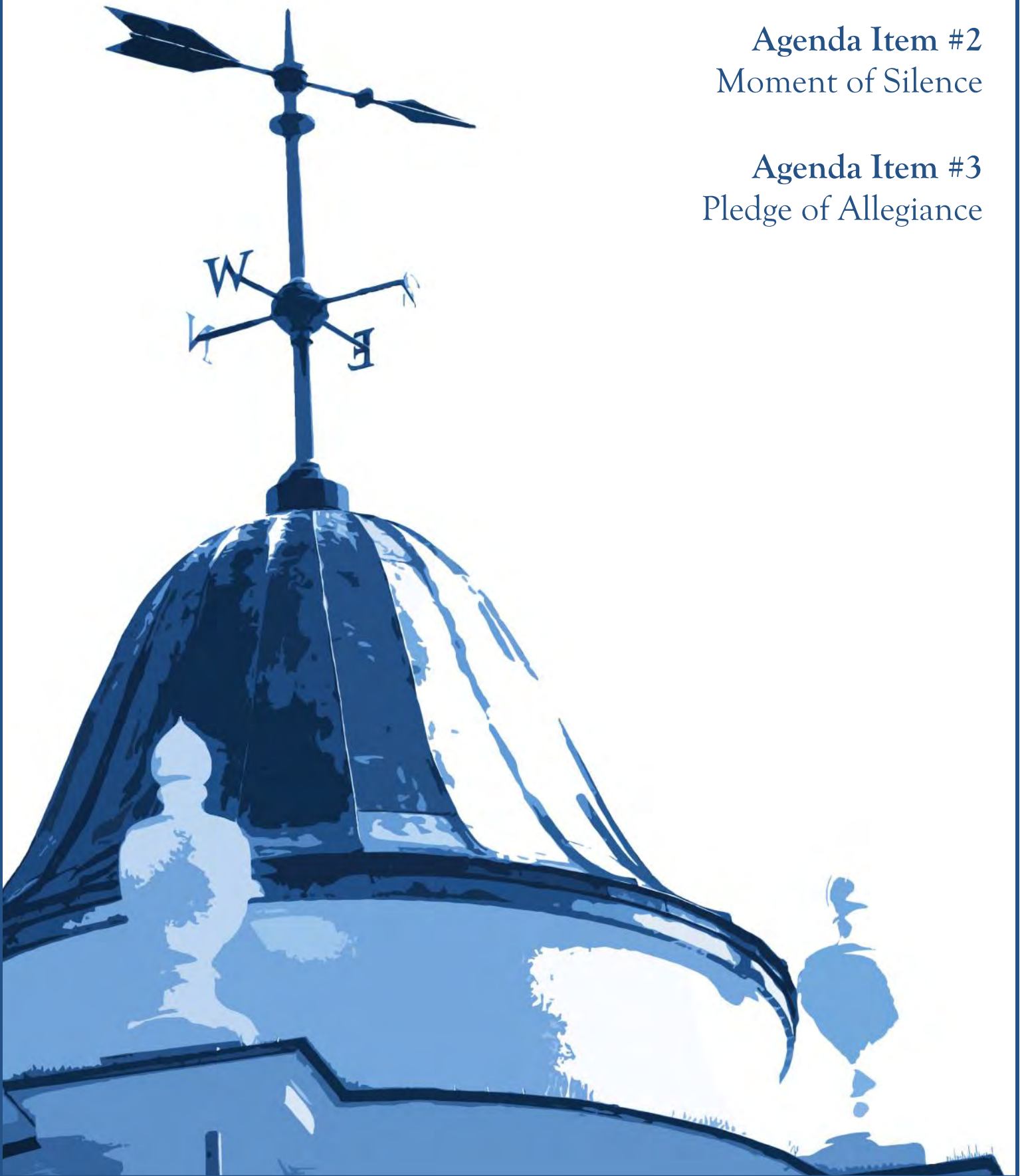
**Administration:**

Robert Hiss, County Administrator  
Amanda Kaufman, Deputy County Administrator  
Patrick J. Skelley, III, County Attorney  
Brigitte Lockett, Executive Assistant

**Agenda Item #1**  
Call to Order & Welcome

**Agenda Item #2**  
Moment of Silence

**Agenda Item #3**  
Pledge of Allegiance



Agenda Item #4  
Approval of Agenda





**REGULAR MEETING AGENDA**  
**BEDFORD COUNTY BOARD OF SUPERVISORS**  
 ADMINISTRATION BUILDING  
 February 28, 2022

**7:00 PM**

**REGULAR MEETING**

- (1) Call to Order & Welcome**
- (2) Moment of Silence**
- (3) Pledge of Allegiance**
- (4) Approval of Agenda**
- (5) Citizen Comments**
- (6) Consent Agenda**
  - a. Consideration of a resolution issuing a Real Estate Tax Refund due to Erroneous Assessment. *(R 022822-01)*
  - b. Consideration of a resolution approving the submission of a grant application in the amount of \$26,499.00 to the Virginia Department of Motor Vehicles for Selective Enforcement – Alcohol *(Resolution #R 022822-04)*
  - c. Consideration of a resolution approving the submission of a grant application in the amount of \$14,112.00 to the Virginia Department of Motor Vehicles for Selective Enforcement - Speed *(Resolution #R 022822-05)*
  - d. Consideration of a resolution approving the submission of a grant application in the amount of \$5,460.00 to the Virginia Department of Motor Vehicles for Selective Enforcement - Occupant Protection. *(Resolution #R 022822-06)*
- (7) Approval of Minutes**
  - a. February 14, 2022
- (8) Public Hearings & Presentations**
  - a. Consideration of an ordinance amending Chapter 6 "Elections"; specifically, Article III "Precincts and Polling Places" to amend Division III "Satellite Absentee Voting". *(Resolution #R 022822-02)*
    - *Presented by: County Attorney Patrick J. Skelley, II*



**(9) Action & Discussion Items**

- a. Consideration of a resolution to initiate the public hearing process for "Utility Scale Solar Energy Facility" use text amendment to the Zoning Ordinance. (*Resolution #R 022822-03*)

- *Presented by: Community Development Director Jordan Mitchell*

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

**(11) Board Comments**

**(12) Board Appointments – none**

**(13) County Administrator Report**

**(14) County Attorney Report**

**(15) Board Information**

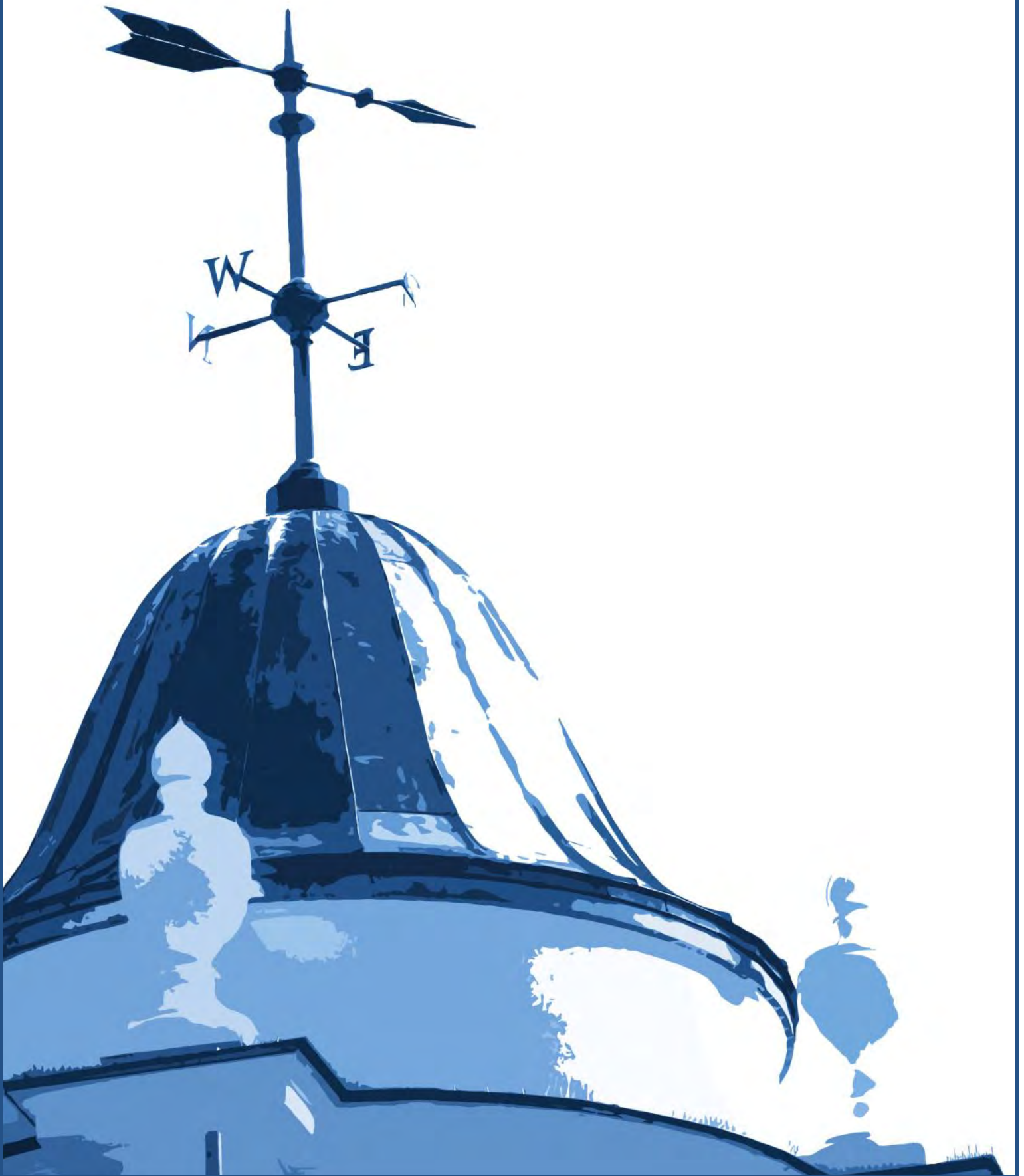
- a. Bedford Regional Water Authority Board of Directors meeting minutes from December 21, 2021

**(16) Board Calendar and Reminders**

- March 7 – Budget Worksession beginning at 5:00 pm *Ground Floor Meeting Room*)
- March 14 – Worksession at 5:00 pm; Regular Meeting at 7:00 pm
- March 21 – Budget Worksession beginning at 5:00 pm *Ground Floor Meeting Room*)
- March 28 – Worksession at 5:00 pm; Regular Meeting at 7:00 pm
- April 4 – Budget Worksession (*if needed*) beginning at 5:00 pm (*Ground Floor Meeting Room*)

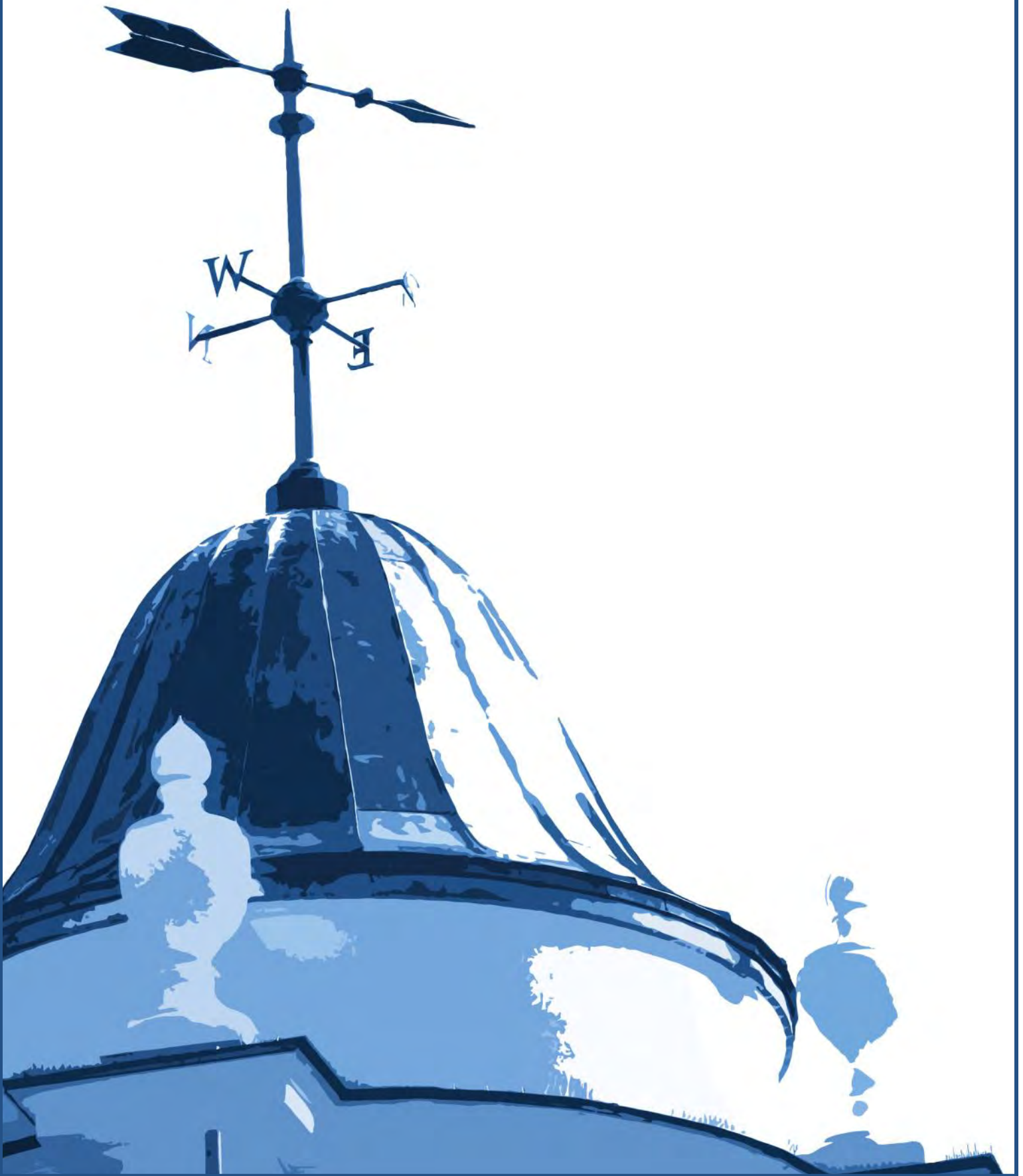
**Adjourn**

Agenda Item #5  
Citizen Comments





Agenda Item #6  
Consent Agenda





## **BEDFORD COUNTY BOARD OF SUPERVISORS**

### **Agenda Item Summary**

---

**AGENDA ITEM # 6 a**

**RESOLUTION #R 022822-01**

**MEETING DATE:** February 28, 2022

**MEETING TYPE:** Regular Meeting

**AGENDA SECTION:** Consent Agenda

**ITEM TITLE:** Issuing a Real Estate Tax Refund Due to Erroneous Assessment

---

**RECOMMENDATION**

Staff recommends approval of this resolution.

**SUMMARY**

McJohn Investments LLC purchased Parcel ID 80502216 and applied for the 2021 Real Estate Tax Assessment to be reviewed. It was discovered during the review that an erroneous assessment took place for tax year 2021. The 2021 Real Estate Tax Assessment has been corrected and the taxpayer is due a refund for tax year 2021 in the amount of \$5671.50. In accordance with Section 58.1-3981 of the Code of Virginia, I certify that the preceding statements as being true and correct and would request that a refund be given to McJohn Investments LLC in the amount of \$5,671.50.

**FISCAL IMPACT**

- The total fiscal impact for this item is \$5,671.50

**PRIOR ACTIONS**

n/a

**CONTACTS**

Julie C. Creasy (Commissioner of the Revenue) Callie M. McCauley

**ATTACHMENTS**

- Map



At a regular meeting of the Board of Supervisors of the County of Bedford, Virginia held at the Bedford County Administration Building on February 28, 2022, beginning at 7:00 pm:

**MEMBERS:**

John Sharp, Chairman  
 Edgar Tuck, Vice Chairman  
 Mickey Johnson  
 Charla Bansley  
 Tommy Scott  
 Bob Davis  
 Tammy Parker

**VOTE:**

On motion of Supervisor \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_, which carried by a vote of \_\_\_\_\_, the following was readopted:

**A RESOLUTION**

**ISSUING A REAL ESTATE TAX REFUND DUE TO ERRONEOUS ASSESSMENT**

**WHEREAS**, An erroneous Real Estate Tax Assessment occurred during the 2021 tax year for Parcel ID 80502216; and

**WHEREAS**, McJohn Investments LLC is the owner of Parcel ID 80502216; and

**WHEREAS**, McJohn Investments LLC paid 2021 Real Estate Taxes based on the erroneous assessment; and

**WHEREAS**, McJohn Investments LLC is entitled to a refund in the amount of \$5,671.50 due to overpaying Real Estate taxes on the erroneous assessment; and

**WHEREAS**, this request is made pursuant to the provisions of Section 58.1-3981 of the Code of Virginia and with the consent of the County Attorney for Bedford County.

**NOW, THEREFORE, BE IT RESOLVED**, by the Bedford County Board of Supervisors that the board does hereby authorize the Treasurer of Bedford County to refund McJohn Investments LLC the amount of \$5,671.50.





## **BEDFORD COUNTY BOARD OF SUPERVISORS**

### **Agenda Item Summary**

---

**AGENDA ITEM # 6 b**

**RESOLUTION #R 022822-04**

**MEETING DATE:** February 28, 2022

**MEETING TYPE:** Regular Meeting

**AGENDA SECTION:** Consent Agenda

**ITEM TITLE:** Requesting approval to submit a grant application in the amount of \$14,112.00 to the Virginia Department of Motor Vehicles for Selective Enforcement - Speed

---

**RECOMMENDATION**

Approval of resolution

**SUMMARY**

The Bedford County Sheriff's Office has prepared a grant application to be submitted to the Department of Motor Vehicles in the amount of \$14,112.00 to enforce DUI regulations within the County in an effort to reduce crashes and ensure safety. The grant award period is from 10/1/2022 to 9/30/2023. The grant requires a local match of 50% which may be satisfied by using the cost of fuel and vehicle maintenance included in the FY 2022-2023 proposed budget. The requested amount of \$14,112.00 is to continue funding overtime for speed enforcement. The grant was submitted to meet the deadline of February 28, 2022. The Sheriff, Mike Miller, is requesting that the Board of Supervisors authorize the submission of the grant application in the amount of \$14,112.00 to the Department of Motor Vehicles. The application will be pulled should the board not authorize permission to apply. If funds are awarded, the Sheriff also requests that the awarded funds are accepted and appropriated.

**FISCAL IMPACT**

No fiscal impact.

**PRIOR ACTIONS**

None

**CONTACTS**

Petrina Grubbs/Grants Specialist, BCSO



At a regular meeting of the Board of Supervisors of the County of Bedford, Virginia held at the Bedford County Administration Building on February 28, 2022, beginning at 7:00 pm:

**MEMBERS:**

**NOTE:**

- John Sharp, Chairman
- Edgar Tuck, Vice Chairman
- Mickey Johnson
- Charla Bansley
- Tommy Scott
- Bob Davis
- Tammy Parker

On motion of Supervisor \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_, which carried by a vote of \_\_\_\_\_, the following was readopted:

**A RESOLUTION**

**REQUESTING APPROVAL TO SUBMIT A GRANT APPLICATION IN THE AMOUNT OF \$14,112.00 TO THE VIRGINIA DEPARTMENT OF MOTOR VEHICLES FOR SELECTIVE ENFORCEMENT - SPEED**

**WHEREAS**, the Bedford County Sheriff’s Office has prepared a DMV Bedford County Selective Enforcement - Speed grant application for grant funding with the Department of Motor Vehicles; and

**WHEREAS**, the grant, if funded, will provide \$14,112.00 from October 1, 2022 to September 30, 2023; and

**WHEREAS**, these funds will be used to provide speed patrols; and

**WHEREAS**, the grant requires a 50% match of \$7,056.00 which will be met by using the cost of fuel and vehicle maintenance included in the FY2022-2023 budget proposal .

**NOW, THEREFORE, BE IT RESOLVED**, by the Bedford County Board of Supervisors, that, effective immediately the Board does hereby authorize the submission of a grant application in the amount of \$14,112.00 to the Department of Motor Vehicles. If awarded, the Board authorizes acceptance and appropriation of the funds awarded.





## BEDFORD COUNTY BOARD OF SUPERVISORS

### Agenda Item Summary

---

**AGENDA ITEM # 6 c**

**RESOLUTION #R 022822-05**

**MEETING DATE:** February 28, 2022

**MEETING TYPE:** Regular Meeting

**AGENDA SECTION:** Consent Agenda

**ITEM TITLE:** Requesting approval to submit a grant application in the amount of \$5,460.00 to the Virginia Department of Motor Vehicles for Selective Enforcement – Occupant Protection

---

**RECOMMENDATION**

Approval of Resolution

**SUMMARY**

The Bedford County Sheriff's Office has prepared a grant application to be submitted to the Department of Motor Vehicles in the amount of \$5,460.00 to enforce DUI regulations within the County in an effort to reduce crashes and ensure safety. The grant award period is from 10/1/2022 to 9/30/2023. The grant requires a local match of 50% which may be satisfied by using the cost of fuel and vehicle maintenance included in the FY 2022-2023 proposed budget. The requested amount of \$5,460.00 is to continue funding overtime to enforce the use of seatbelt and child safety seats. The application was submitted to meet the grant deadline of February 28, 2022. The Sheriff, Mike Miller, is requesting that the Board of Supervisors authorize the submission of the grant application in the amount of \$5,460.00 to the Department of Motor Vehicles. The application will be pulled should the Board not authorize permission to apply. If funds are awarded, the Sheriff also requests that the awarded funds are accepted and appropriated.

**FISCAL IMPACT**

No fiscal impact.

**PRIOR ACTIONS**

None

**CONTACTS**

Petrina Grubbs/Grants Specialist, BCSO



At a regular meeting of the Board of Supervisors of the County of Bedford, Virginia held at the Bedford County Administration Building on February 28, 2022, beginning at 7:00 pm:

**MEMBERS:**

John Sharp, Chairman  
 Edgar Tuck, Vice Chairman  
 Mickey Johnson  
 Charla Bansley  
 Tommy Scott  
 Bob Davis  
 Tammy Parker

**VOTE:**

On motion of Supervisor \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_, which carried by a vote of \_\_\_\_\_, the following was readopted:

**A RESOLUTION**

**REQUESTING APPROVAL TO SUBMIT A GRANT APPLICATION IN THE AMOUNT OF \$5,460.00 TO THE VIRGINIA DEPARTMENT OF MOTOR VEHICLES FOR SELECTIVE ENFORCEMENT – OCCUPANT PROTECTION**

**WHEREAS**, the Bedford County Sheriff's Office has prepared a DMV Bedford County Selective Enforcement – Occupant Protection grant application for grant funding with the Department of Motor Vehicles; and

**WHEREAS**, the grant, if funded, will provide \$5,460.00 from October 1, 2022 to September 30, 2023; and

**WHEREAS**, these funds will be used to enforce the use of seatbelts and child safety seats; and

**WHEREAS**, the grant requires a 50% match of \$2,730.00 which will be met by using the cost of fuel and vehicle maintenance included in the FY2022-2023 budget proposal .

**NOW, THEREFORE, BE IT RESOLVED**, by the Bedford County Board of Supervisors, that, effective immediately the Board does hereby authorize the submission of a grant application in the amount of \$5,460.00 to the Department of Motor Vehicles. If awarded, the Board authorizes acceptance and appropriation of the funds awarded.



## BEDFORD COUNTY BOARD OF SUPERVISORS

### Agenda Item Summary

---

**AGENDA ITEM # 6 d**

**RESOLUTION #R 022822-06**

**MEETING DATE:** February 28, 2022

**MEETING TYPE:** Regular Meeting

**AGENDA SECTION:** Consent Agenda

**ITEM TITLE:** Requesting approval to submit a grant application in the amount of \$26,499.00 to the Virginia Department of Motor Vehicles for Selective Enforcement - Alcohol

---

**RECOMMENDATION**

Approval of resolution

**SUMMARY**

The Bedford County Sheriff's Office has prepared a grant application to be submitted to the Department of Motor Vehicles in the amount of \$26,499.00 to enforce DUI regulations within the County in an effort to reduce crashes and ensure safety. The grant award period is from 10/1/2022 to 9/30/2023. The grant requires a local match of 50% which may be satisfied by using the cost of fuel and vehicle maintenance included in the FY 2022-2023 proposed budget. The requested amount of \$26,499.00 is to continue funding overtime for DUI checkpoints and patrols, to provide deputy training, and to purchase portable speed bumps and 18 LED road flares. The application was submitted to meet the grant deadline of February 28, 2022. The Sheriff, Mike Miller, is requesting that the Board of Supervisors authorize the submission of the grant application in the amount of \$26,499.00 to the Department of Motor Vehicles. The application will be pulled should the Board not authorize permission to apply. If funds are awarded, the Sheriff also requests that the awarded funds are accepted and appropriated.

**FISCAL IMPACT**

No fiscal impact.

**PRIOR ACTIONS**

None

**CONTACTS**

Petrina Grubbs/Grants Specialist, BCSO



At a regular meeting of the Board of Supervisors of the County of Bedford, Virginia held at the Bedford County Administration Building on February 28, 2022, beginning at 7:00 pm:

**MEMBERS:**

**NOTE:**

- John Sharp, Chairman
- Edgar Tuck, Vice Chairman
- Mickey Johnson
- Charla Bansley
- Tommy Scott
- Bob Davis
- Tammy Parker

On motion of Supervisor \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_, which carried by a vote of \_\_\_\_\_, the following was readopted:

**A RESOLUTION**

**REQUESTING APPROVAL TO SUBMIT A GRANT APPLICATION IN THE AMOUNT OF \$26,499.00 TO THE VIRGINIA DEPARTMENT OF MOTOR VEHICLES FOR SELECTIVE ENFORCEMENT - ALCOHOL**

**WHEREAS**, the Bedford County Sheriff’s Office has prepared a DMV Bedford County Selective Enforcement - Alcohol grant application for grant funding with the Department of Motor Vehicles; and

**WHEREAS**, these funds will be used to provide DUI/Safety checkpoints, training, and the purchase of portable speed bumps and 18 LED road flares; and

**WHEREAS**, the grant requires a 50% match of \$13,249.75 which will be met by using the cost of fuel and vehicle maintenance included in the FY2022-2023 budget proposal.

**NOW, THEREFORE, BE IT RESOLVED**, by the Bedford County Board of Supervisors, that, effective immediately the Board does hereby authorize the submission of a grant application in the amount of \$26,499.00 to the Department of Motor Vehicles. If awarded, the Board authorizes acceptance and appropriation of the funds awarded.

Agenda Item #7  
Approval of Minutes





1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33

MINUTES  
**BEDFORD COUNTY BOARD OF SUPERVISORS**  
ADMINISTRATION BUILDING  
February 14, 2022

---

**5:00 PM WORKSESSION**

**Board of Supervisors:** John Sharp, Chairman, District 4, Edgar Tuck, District 2, Vice Chairman; Mickey Johnson, District 1\*; Charla Bansley, District 3; Tommy Scott, District 5; Bob Davis, District 6; and Tammy Parker, District 7

*\*Supervisor Johnson attended by phone due to illness*

-----

**Staff:** County Administrator Robert Hiss, Senior Assistant County Attorney Brandon Butler, Deputy County Administrator Amanda Kaufman, Public Works Director Doug Coffman, County Engineer Erik Smedley, GIS Manager Carl Levandoski, GIS Technician Ashley Thornton, Registrar Barbara Gunter, IT Technician Peter Fitch, and Executive Assistant Brigitte Lockett

\_\_\_\_\_

Chairman Sharp called the worksession to order and turned the meeting over to Assistant County Attorney Brandon Butler to read the motion for the Closed Session.

**Supervisor Scott made a motion to enter into Closed Session, seconded by Vice Chairman Tuck, pursuant to Section 2.2-3711 (A) (3)** Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body (specifically, pertaining to the former Montvale Elementary School facility).

**Voting yes: Mr. Johnson, Mr. Tuck, Mrs. Bansley, Mr. Sharp, Mr. Scott, Mr. Davis, and Mrs. Parker**

**Voting no: none**

**Motion passed.**

-----

**Supervisor Bansley made a motion to go back into regular session, seconded by Supervisor Scott.**

**Voting yes: Mr. Johnson, Mr. Tuck, Mrs. Bansley, Mr. Sharp, Mr. Scott, Mr. Davis, and**



34 Mrs. Parker

35 Voting no: none

36 Motion passed.

37 -----

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

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

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

<u>MEMBERS:</u>	<u>VOTE:</u>
49 John Sharp, Chairman	Yes
50 Edgar Tuck, Vice Chairman	Yes
51 Mickey Johnson	Yes
52 Charla Bansley	Yes
53 Tommy Scott	Yes
54 Bob Davis	Yes
55 Tammy Parker	Yes

56 \_\_\_\_\_

57  
58 Chairman Sharp turned the meeting over to County Administrator Robert Hiss. Mr. Hiss stated  
59 Redistricting Committee Chairman Brent Epperson was in attendance to give an update on his committee’s  
60 progress.

61 Mr. Epperson thanked the Board and staff for their assistance in the process and distributed  
62 information (slides #1 and #2 below) showing the population distribution before and after the district lines  
63 were redrawn; he also distributed a draft of the new district map. He noted they did their best to keep the  
64 population at 11,388 for each district (or at least within 5% of that figure). He stated that growth potential  
65 was taken into account, and were able to keep the Supervisors within their current districts.

66 Mr. Epperson then reviewed the changes that were made to the district line, and answered clarifying  
67 questions from the Board with assistance from Registrar Barbara Gunter.

68 Mr. Tuck noted that the map should be revised to include Azaelea Drive in District 1 instead of  
69 District 2. County Attorney Skelley stated this could be considered a scribners error and will be corrected  
70 before it comes to the Board for final approval at a public hearing, since the Redistricting Committee had

71 already requested that change during their meetings.

72 **Slide #1**

<b>2020 population in 2013 Supervisor Districts</b>			
<b>District</b>	<b>Population</b>	<b>Deviation</b>	<b>Deviation %</b>
1	10363	-1025	-9.00
2	10593	-795	-6.98
3	11955	567	4.98
4	13409	2021	17.75
5	11501	113	0.99
6	10663	-725	-6.37
7	11233	-155	-1.36
2020 Adjusted Population	<b>79717</b>	Mean Population per District	<b>11388</b>

73

74 **Slide #2**

<b>PLAN 5 - February 10, 2022</b>			
<b>PLAN 5</b>	<b>Population</b>	<b>Deviation</b>	<b>% Deviation</b>
<b>District 1</b>	11,413	25	0.22
<b>District 2</b>	11,404	16	0.14
<b>District 3</b>	11,263	-125	-1.10
<b>District 4</b>	11,611	223	1.96
<b>District 5</b>	11,396	8	0.07
<b>District 6</b>	11,746	358	3.14
<b>District 7</b>	10,884	-504	-4.43
Total Population	79,717		
<b>Target Pop.</b>	<b>11,388</b>		

75

76 In response to a question from Chairman Sharp regarding whether anyone running for the empty  
77 seat on the School Board will be affected by the new district lines, Attorney Skelley stated it likely won't  
78 be a problem, but staff will certainly make citizens aware of the changes.

79 Attorney Skelley requested, and received, consensus from the Board for staff to go to the State  
80 Attorney General's office for preclearance of the new map.

81 The Board thanked the Redistricting Committee, and noted they did a great job.

82 **There being no further discussion, Chairman Sharp adjourned the worksession at 6:25 pm.**

83

84

85

86 \_\_\_\_\_

87 **7:00 PM Regular Meeting**

88 **Board of Supervisors:** John Sharp, Chairman, District 4, Edgar Tuck, District 2, Vice Chairman; Mickey  
89 Johnson, District 1\*; Charla Bansley, District 3; Tommy Scott, District 5; Bob Davis, District 6; and  
90 Tammy Parker, District 7

91 *\*Supervisor Johnson attended by phone due to illness*

92 -----

93 **Staff:** County Administrator Robert Hiss, County Attorney Patrick Skelley, Deputy County Administrator  
94 Amanda Kaufman, Public Works Director Doug Coffman, County Engineer Erik Smedley, Finance  
95 Director Ashley Anderson, IT Director Elizabeth, IT Technician Peter Fitch, and Executive Assistant  
96 Brigitte Lockett

97 \_\_\_\_\_

98 **(1) Call to Order & Welcome**

99 Chairman Sharp called the Board of Supervisors to order.

100 \_\_\_\_\_

101 **(2) Moment of Silence**

102 Chairman Sharp led the room in a moment of silence.

103 \_\_\_\_\_

104 **(3) Pledge of Allegiance**

105 Chairman Sharp led the room in the Pledge of Allegiance.

106 \_\_\_\_\_

107 **(4) Approval of Agenda**

108 **Supervisor Scott made a motion, seconded by Vice Chairman Tuck, to approve the agenda**  
109 **as presented.**

110 **Voting yes: Mr. Johnson, Mr. Tuck, Mrs. Bansley, Mr. Sharp, Mr. Scott, Mr. Davis, and**  
111 **Mrs. Parker**

112 **Voting no: None**

113 **Motion passed.**

114 \_\_\_\_\_

115 **(5) Citizen Comments - none**

116 \_\_\_\_\_

117 **(6) Consent Agenda**

118 Mr. Hiss reviewed the following items on the consent agenda:

119 **a.** Consideration of a resolution authorizing staff to advertise Invitations for Bid for HVAC  
120 Replacement at the County Gym.

121 **(Resolution #R 021422-01)**

122 **WHEREAS**, the existing HVAC units in the County gym are aging and in need of replacement; and

123           **WHEREAS**, this solicitation will allow for a more efficient and effective heating and cooling  
124 system; and

125           **WHEREAS**, money has been allocated in the CIP process for this anticipated replacement project;  
126 and

127           **NOW, THEREFORE, BE IT RESOLVED**, by the Bedford County Board of Supervisors, that the  
128 Board does hereby authorize staff to solicit bids for the replacement of the HVAC systems at the County  
129 Gymnasium.

130 -----

131           **b.** Consideration of a resolution authorizing staff to advertise a Request for Proposals for Fire  
132 Alarm Replacement at the Bedford County Courthouse.

133           **(Resolution #R 021422-02)**

134           **WHEREAS**, the existing fire alarm in the Bedford County Courthouse is no longer working with  
135 full functionality; and

136           **WHEREAS**, new building codes require additional functionality that the existing system cannot  
137 perform, such as public address; and

138           **WHEREAS**, money had previously been budgeted during the CIP process.

139           **NOW, THEREFORE, BE IT RESOLVED**, by the Bedford County Board of Supervisors, that the  
140 board hereby authorizes staff to advertise Invitations for Bids for Fire Alarm Replacement at the Bedford  
141 County Courthouse.

142 -----

143           **c.** Consideration of a resolution authorizing staff to advertise an Invitation to Bid for Heavy  
144 Equipment and Related Services, and Stone Services.

145           **(Resolution #R 021422-03)**

146           **WHEREAS**, the Department of Public Works and other Bedford County departments are responsible  
147 for a variety of operations, maintenance, and repair projects that periodically require timely response by  
148 heavy equipment contractors that include the purchasing of stone; and

149           **WHEREAS**, related equipment and stone contracts are expiring.

150           **NOW, THEREFORE, BE IT RESOLVED**, by the Bedford County Board of Supervisors, that the  
151 Board does hereby authorize staff to advertise Invitations for Bid for Heavy Equipment and Related  
152 Services, and Stone Purchases.

153 -----

154           In response to a question from Supervisor Scott, Public Works Director Doug Coffman stated #6b  
155 is for heavy equipment related to on-demand needs and weather events, et cetera, that arise at the landfill.  
156 It will enable us to respond in a timely manner for grading, bulldozing, excavating with subcontracted  
157 companies and established rates in a rapid fashion.

158           **Supervisor Bansley made a motion, seconded by Supervisor Parker, to approve the consent  
159 agenda.**

160           **Voting yes:   Mr. Johnson, Mr. Tuck, Mrs. Bansley, Mr. Sharp, Mr. Scott, Mr. Davis, and**  
 161                                       **Mrs. Parker**

162           **Voting no:     None**

163           **Motion passed.**

164 \_\_\_\_\_

165   **(7)    Approval of Minutes**

166           Supervisor Bansley noted in the set of minutes for January 24, 2022, on line #257 “rom” should  
 167 be corrected to “from”, and on line #282 “the” should be corrected to “that”.

168           **Vice Chairman Tuck made a motion, seconded by Supervisor Bansley, to approve the minutes**  
 169 **of January 24, 2022, as amended.**

170           **Voting yes:   Mr. Johnson, Mr. Tuck, Mrs. Bansley, Mr. Scott, Mr. Davis, and Mrs. Parker**

171           **Voting no:     None**

172           **Abstained:   Mr. Sharp**

173           **Motion passed.**

174 \_\_\_\_\_

175   **(8)    Public Hearings & Presentations - none**

176 \_\_\_\_\_

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

178           **a.** County Engineer Erik Smedley addressed the Board with a resolution authorizing approval  
 179 of the construction contract for resurfacing the parking lot at the Sheriff's Office. Mr. Smedley reviewed  
 180 the details of his request, which are also given in the resolution below. He clarified that this will be an  
 181 overlay, not a full replacement of the surface or of the gravel base.

182           **Supervisor Davis made a motion, seconded by Supervisor Johnson, to approve Resolution**  
 183 **#R 021422-04.**

184           **WHEREAS,** the Sheriff's Office parking lots and travel ways are critical infrastructure for the  
 185 operation of the facilities; and

186           **WHEREAS,** the parking lot compound is in need of repair; and

187           **WHEREAS,** the Board has allocated funds for resurfacing the Sheriff parking lots in the Capital  
 188 Improvement Plan; and

189           **WHEREAS,** County staff competitively advertised this work and received bids within the allocated  
 190 CIP funding; and

191           **WHEREAS,** Patterson Brothers Paving, Inc. submitted the lowest bid of \$92,935.00.

192           **NOW, THEREFORE, BE IT RESOLVED,** by the Bedford County Board of Supervisors, that,  
 193 effective February 14, 2022, County Administrator is authorized to enter into a construction contract with  
 194 Patterson Brothers Paving, Inc. for the Sheriff's Office Parking Lot Resurfacing.

195           **Voting yes:   Mr. Johnson, Mr. Tuck, Mrs. Bansley, Mr. Sharp, Mr. Scott, Mr. Davis, and**  
 196                                       **Mrs. Parker**

197 **Voting no: None**

198 **Motion passed.**

199 -----

200 **b.** Finance Director Ashley Anderson and IT Director Elizabeth Lo addressed the Board with a  
201 resolution authorizing the County Administrator to upgrade email protection.

202 Ms. Lo reviewed the details of her request as outlined in her resolution below. She noted that  
203 while the current solution is working, the increase in malicious activity is slowing down the current system  
204 significantly. Since July 2021, we have received over one million emails, with over 150,000 of those  
205 flagged as phishing, viruses, or malware.

206 Mrs. Anderson reviewed the financial components of the request, noting the County is currently  
207 paying approximately \$22,500 per year for email security and archiving, load balancer, and online cyber  
208 security training. The total for the five-year contract is approximately \$112,000. The upgrade will still  
209 have all these services and will have the added benefit of moving County email into the cloud. The annual  
210 contract price for the upgrade is \$43,000 per year; however, if we purchase on a five-year contract now,  
211 we will realize a savings equivalent to almost two years of service. She stated the fiscal year 2022 impact  
212 will be a budget appropriation from Operating Contingency to the IT Department in the amount of  
213 \$137,022.67. This will leave a balance of approximately \$392,000 in Operating Contingency for the  
214 remainder of the fiscal year. For fiscal years 2023-26, there would be no appropriation needed. In fiscal  
215 year 2027 we would need to be prepared to budget for either another five-year contract or moving to an  
216 annual contract at that time. Mrs. Anderson and Ms. Lo then answered clarifying questions from the  
217 Board.

218 **Vice Chairman Tuck made a motion, seconded by Supervisor Davis, to approve Resolution**  
219 **#R 021422-05.**

220 **WHEREAS**, email threats using social engineering tactics, phishing, business email compromise,  
221 and account takeovers has increased 47% in military and government sectors from 2020 to 2021; and

222 **WHEREAS**, the email is a critical communication function needed to ensure business continuity;  
223 and

224 **WHEREAS**, the proposed upgrade to email protection is a comprehensive solution that will replace  
225 the email security application, email archiver and a third-party cybersecurity training solution; and

226 **WHEREAS**, the proposed upgrade has the added functionality of preventing attacks, securing data  
227 and ensuring compliance by backing up Office 365 email to the cloud; and

228 **NOW, THEREFORE, BE IT RESOLVED**, that the Bedford County Board of Supervisors does hereby  
229 authorize the County Administrator to execute a contract with Barracuda to upgrade email protection.

230 **NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the Bedford County Board of Supervisors  
231 does hereby appropriate \$137,022.67 from operating contingency (109900) to the IT department (101251)  
232 for Barracuda Premium Plus.

233 **Voting yes: Mr. Johnson, Mr. Tuck, Mrs. Bansley, Mr. Sharp, Mr. Scott, Mr. Davis, and**



234 **Mrs. Parker**

235 **Voting no: None**

236 **Motion passed.**

237 \_\_\_\_\_

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

239 \_\_\_\_\_

240 **(11) Board Comments**

241 Supervisor Davis stated he is concerned about the escalating diesel fuel prices impact on the hauling  
242 costs for our solid waste. He asked that staff start looking at alternatives for disposing of this material in  
243 the future.

244 Supervisor Scott stated we need to decide what we are going to do about vehicle decals for  
245 convenience site access.

246 Chairman Sharp asked that the vehicle decals, enforcement ability, transportation options, et cetera,  
247 regarding solid waste and the convenience site be discussed at a worksession in the near future.

248 Mr. Hiss stated he had met with staff from the Solid Waste department on these issues just last  
249 week, and we'll hold a solid waste worksession soon since all these issues tie in with our budget discussions.

250 Chairman Sharp commented that everyone is praying for Supervisor Johnson and wishing him a  
251 quick recovery.

252 \_\_\_\_\_

253 **(12) Board Appointments**

254 **a. Supervisor Scott made a motion, seconded by Supervisor Parker, to appoint Teresa**  
255 **Craig to fill a vacant seat representing District 5 on the Recreation Advisory Board for a term beginning**  
256 **immediately and ending on January 31, 2024.**

257 **Voting yes: Mr. Johnson, Mr. Tuck, Mrs. Bansley, Mr. Sharp, Mr. Scott, Mr. Davis, and**  
258 **Mrs. Parker**

259 **Voting no: none**

260 **Motion passed.**

261 \_\_\_\_\_

262 **(13) County Administrator Report**

263 Mr. Hiss stated the Sheriff's Office is encountering unprecedented supply chain issues in their  
264 attempts to acquire replacement vehicles. The County typically funds 10 to 12 new pursuit vehicles in the  
265 budget each year, which the Sheriff's Office then orders and receives in a reasonable amount of time.  
266 However, dealerships are wanting orders placed now, before the County has even budgeted for the vehicles  
267 in the *hope* that the dealer will be able to get the vehicles to the Sheriff next year following (at the very  
268 least) a 12-month wait. The Sheriff's Office is looking at different options for acquiring vehicles and will  
269 be addressing the Board at a worksession in the near future regarding this issue.

270 -----

271 Supervisor Davis made a motion, seconded by Vice Chairman Tuck, to enter into Closed  
272 Session pursuant to Section 2.2-3711 (A) (3) Discussion or consideration of the acquisition of real  
273 property for a public purpose, or of the disposition of publicly held real property, where discussion in an  
274 open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

275 Voting yes: Mr. Johnson, Mr. Tuck, Mrs. Bansley, Mr. Sharp, Mr. Scott, Mr. Davis, and  
276 Mrs. Parker

277 Voting no: none

278 Motion passed.

279 -----

280 Supervisor Bansley made a motion to go back into regular session, seconded by Supervisor  
281 Scott.

282 Voting yes: Mr. Johnson, Mr. Tuck, Mrs. Bansley, Mr. Sharp, Mr. Scott, Mr. Davis, and  
283 Mrs. Parker

284 Voting no: none

285 Motion passed.

286 -----

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

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

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

<u>MEMBERS:</u>	<u>VOTE:</u>
298 John Sharp, Chairman	Yes
300 Edgar Tuck, Vice Chairman	Yes
301 Mickey Johnson	Yes
302 Charla Bansley	Yes
303 Tommy Scott	Yes
304 Bob Davis	Yes
305 Tammy Parker	Yes

306 -----

307

308 **Supervisor Bansley made a motion, seconded by Vice Chairman Tuck, to enter into a second**  
309 **Closed Session pursuant to Section 2.2-3711 (A) (3)** Discussion or consideration of the acquisition of real  
310 property for a public purpose, or of the disposition of publicly held real property, where discussion in an  
311 open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

312 **Voting yes: Mr. Johnson, Mr. Tuck, Mrs. Bansley, Mr. Sharp, Mr. Scott, Mr. Davis, and**  
313 **Mrs. Parker**

314 **Voting no: none**

315 **Motion passed.**

316 -----

317 **Supervisor Bansley made a motion to go back into regular session, seconded by Vice**  
318 **Chairman Tuck.**

319 **Voting yes: Mr. Johnson, Mr. Tuck, Mrs. Bansley, Mr. Sharp, Mr. Scott, Mr. Davis, and**  
320 **Mrs. Parker**

321 **Voting no: none**

322 **Motion passed.**

323 -----

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

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

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

<u>MEMBERS:</u>	<u>VOTE:</u>
335 John Sharp, Chairman	Yes
336 Edgar Tuck, Vice Chairman	Yes
337 Mickey Johnson	Yes
338 Charla Bansley	Yes
339 Tommy Scott	Yes
340 Bob Davis	Yes
341 Tammy Parker	Yes

342 \_\_\_\_\_

344

345 **(14) County Attorney Report - none**

346 \_\_\_\_\_

347 **(15) Board Information**

348       **a.** The Board was given a copy of the E-911 Communications Report for December 2021 and  
349 January 2022 for review.

350 \_\_\_\_\_

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

352 Mr. Hiss noted the following upcoming meetings on the Board's calendar:

- 353       • February 28 – Worksession at 5:00 pm; Regular Meeting at 7:00 pm
- 354       • March 7 – Budget Worksession beginning at 5:00 pm (*Ground Floor Meeting Room*)
- 355       • March 14 – Worksession at 5:00 pm; Regular Meeting at 7:00 pm
- 356       • March 21 – Budget Worksession beginning at 5:00 pm (*Ground Floor Meeting Room*)
- 357       • March 28 – Worksession at 5:00 pm; Regular Meeting at 7:00 pm

358 \_\_\_\_\_

359 **Adjourn**

360 **Supervisor Scott made a motion, seconded by Supervisor Davis, to adjourn the Board of**  
361 **Supervisors at 8:32 pm.**

362 **Voting yes: Mr. Johnson, Mr. Tuck, Mrs. Bansley, Mr. Sharp, Mr. Scott, Mr. Davis, and**  
363 **Mrs. Parker**

364 **Voting no: None**

365 **Motion passed.**

Agenda Item #8  
Public Hearings and Presentations





## **BEDFORD COUNTY BOARD OF SUPERVISORS**

### **Agenda Item Summary**

---

**AGENDA ITEM # 8 a**

**ORDINANCE #O 022822-02**

**MEETING DATE:** February 28, 2022

**MEETING TYPE:** Regular Meeting

**AGENDA SECTION:** Public Hearings & Presentations

**ITEM TITLE:** Amendment to Chapter 6 "Elections"; specifically, Article III "Precincts and Polling Places" to amend Division III "Satellite Absentee Voting"

---

**RECOMMENDATION**

Approval of Ordinance

**SUMMARY**

Effective July 1, 2020, the General Assembly enacted Section 24.2-701 of the Code of Virginia, which authorizes all governing bodies to establish by ordinance a voter satellite office to be used for absentee voting in person. Such location shall be located within the County and approved by the Electoral Board and shall be deemed the equivalent of the office of the General Registrar. The Electoral Board proposed that the satellite office for the June 21, 2022 Primary Election be located at the Department of Parks and Recreation, Falling Creek Center Chapel, located at 1257 County Farm Road, Bedford, VA. It further proposed that the satellite office for the November 8, 2022 General Election be located at the Department of Parks and Recreation, Bedford County Gym, located at 1059 Turning Point Road, Bedford, VA.

**FISCAL IMPACT**

No anticipated additional costs above what is already budgeted for either of the proposed elections.

**PRIOR ACTIONS**

Falling Creek Center Chapel was used as a satellite early voting center for the June 8, 2021 Primary Election and the County Gym was used as a satellite early voting center for the November 2, 2021 General Election



**CONTACTS**

Patrick J. Skelley II, County Attorney Barbara Gunter, Registrar



At a regular meeting of the Board of Supervisors of the County of Bedford, Virginia held at the Bedford County Administration Building on February 28, 2022, beginning at 7:00 pm:

**MEMBERS:**

**VOTE:**

- John Sharp, Chairman
- Edgar Tuck, Vice Chairman
- Mickey Johnson
- Charla Bansley
- Tommy Scott
- Bob Davis
- Tammy Parker

On motion of Supervisor \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_ which carried by a vote of \_\_\_\_\_, the following was readopted:

**AN ORDINANCE**

**AMENDMENT TO CHAPTER 6 "ELECTIONS"; SPECIFICALLY, ARTICLE III "PRECINCTS AND POLLING PLACES" TO AMEND DIVISION III "SATELLITE ABSENTEE VOTING"**

**WHEREAS**, the General Assembly enacted Virginia Code §24.2-701.2, which authorizes the Board of Supervisors to establish by ordinance a voter satellite office to be used for absentee voting in person; and

**WHEREAS**, the Electoral Board proposed using the Department of Parks and Recreation, Falling Creek Center Chapel, located at 1257 County Farm Road, Bedford, Virginia 24523, for the June 21, 2022, Primary Election, and the Department of Parks and Recreation, Bedford County Gym, located at 1059 Turning Point Road, Bedford, Virginia 24523, for the November 8, 2022, General Election; and

**WHEREAS**, the ordinance text has been duly advertised.

**NOW, THEREFORE, BE IT RESOLVED**, by the Bedford County Board of Supervisors as follows:

**ARTICLE III. PRECINCTS AND POLLING PLACES**

**DIVISION III. SATELLITE ABSENTEE VOTING**

**Sec. 6-50. Generally.**

- (a) **The voter satellite office to be used in Bedford County for absentee voting in person for the June 21, 2022, Primary Election shall be the Department of Parks and Recreation, Falling**

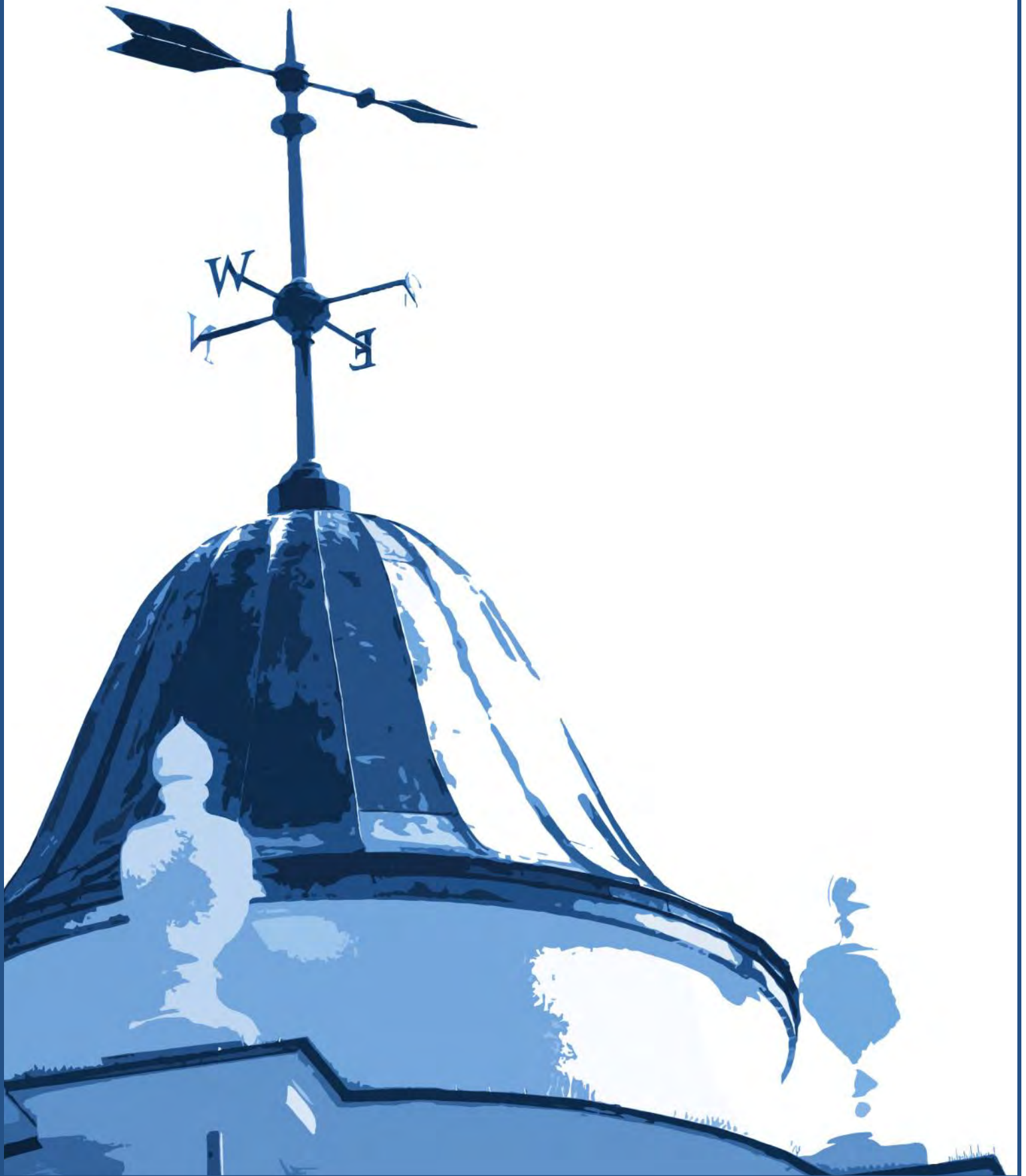
**Creek Center Chapel, located at 1257 County Farm Road, Bedford, Virginia 24523, and for the November 8, 2022, General Election shall be the Department of Parks and Recreation, Bedford County Gym, located at 1059 Turning Point Road, Bedford, Virginia 24523. Such location shall be deemed the equivalent of the Office of the General Registrar for the purposes of completing the application for an absentee ballot in person pursuant to §§ 24.2-701 and 24.2-706 of the Code of Virginia.**

**(State Law Reference Section 24.2-701.2)**

**Effective Date.**

**The amendment to the ordinance is effective immediately.**

Agenda Item #9  
Action and Discussion Items





## **BEDFORD COUNTY BOARD OF SUPERVISORS**

### **Agenda Item Summary**

---

**AGENDA ITEM # 9 a**

**RESOLUTION #R 022822-03**

**MEETING DATE:** February 28, 2022

**MEETING TYPE:** Regular Meeting

**AGENDA SECTION:** Action & Discussion Items

**ITEM TITLE:** to Initiate Public Hearing Process for "Utility Scale Solar Energy Facility" Use Text Amendment to Zoning Ordinance

---

#### **RECOMMENDATION**

The Board of Supervisors review the Planning Commission Draft Ordinance for “Utility Scale Solar Energy Facility” use and decide if they want to move forward with the public hearing process for the draft ordinance or other alternative options (more research needed, no longer want to move forward with the use, etc.). The Planning Commission has provided no recommendation of approval or denial of the draft ordinance.

#### **SUMMARY**

The Planning Commission has been working on the “Utility Scale Solar Energy Facility” draft ordinance for the majority of 2021, as requested by the Board of Supervisors. Information was sought through research, speaking with adjoining localities, and evaluating the construction phase of a project. The following summary of the ordinance is provided below:

- 1) New definition added for use.
- 2) Permitted Use Table amendment to permit use through a special use permit with more stringent standards specified in Article IV (S\*) in the AP, PCD, and PID zoning districts.
- 3) Provide Article IV standards to address application requirements, surety requirements, site development requirements, increased erosion and sediment control/stormwater measures, and site decommissioning.

Through developing this ordinance, the Planning Commission had concerns with the construction phase of the project related to erosion and sediment control, stormwater measures, road degradation around the site, and the ability of Community Development staff to handle workloads related to planning review and inspections/complaints. Should the Board decide to move forward with the public hearing process,

the Planning Commission requested that the Board provide input on a facility size restriction and if the use should be considered for more industrial districts (I-1 and I-2). 9a

**FISCAL IMPACT**

No fiscal impact.

**PRIOR ACTIONS**

The Board of Supervisors requested that the Planning Commission consider and recommend ordinance amendments for solar farms on October 26, 2020 (Resolution #R 102620-16). This action was due to the increasing popularity of solar farms for large landowners and changes to state law that make the use more financially attractive to local government. The Planning Commission completed the draft ordinance at their January 25, 2022, meeting, requesting that staff inform the Board of Supervisors that completion of the draft ordinance did not mean that they were in favor of proposed use or not. If the Board desires, the Planning Commission can provide a recommendation of approval or denial of the use.

**CONTACTS**

Jordan Mitchell, Director of Community Development

**ATTACHMENTS**

- 1) Resolution for Public Hearing initiation of "Utility Scale Solar Energy Facility" use.
- 2) Planning Commission Draft Ordinance for "Utility Scale Solar Energy Facility" use.





At a regular meeting of the Board of Supervisors of the County of Bedford, Virginia held at the Bedford County Administration Building on February 28, 2022, beginning at 7:00 pm:

**MEMBERS:**

John Sharp, Chairman  
 Edgar Tuck, Vice Chairman  
 Mickey Johnson  
 Charla Bansley  
 Tommy Scott  
 Bob Davis  
 Tammy Parker

**VOTE:**

On motion of Supervisor \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_, which carried by a vote of \_\_\_\_\_, the following was readopted:

**A RESOLUTION**

**TO INITIATE PUBLIC HEARING PROCESS FOR "UTILITY SCALE SOLAR ENERGY FACILITY" USE  
 TEXT AMENDMENT TO ZONING ORDINANCE**

**WHEREAS**, the regulations of the Bedford County Zoning Ordinance are designed to achieve the general purposes of promoting the public health, safety, convenience, and general welfare; and

**WHEREAS**, the Board of Supervisors understands that the social, economic, and physical development characteristics of Bedford County are not permanent but dynamic conditions; and that the Zoning Ordinance must be periodically examined and amended to respond to these changing community conditions; and

**NOW, THEREFORE, BE IT RESOLVED**, that in the furtherance of promoting the public necessity, convenience, general welfare, and for good zoning practice the Bedford County Board of Supervisors hereby initiates amendments to the regulations of the Bedford County Zoning Ordinance as follows:

**Part I.**

That **Section 30-28, Definitions**, be amended to include a new definition of a "Utility Scale Solar Energy Facility":

*Utility scale solar energy facility:* An electric generating system which operates as a principal use (primary or secondary) of the property and is used to produce power for consumption by offsite users, consisting of one or more photovoltaic panels, support structures and associated control, conversion, and transmission hardware.

**Part II.**

That **Section 30-79, Permitted Use Table**, be amended to permit a “Utility Scale Solar Energy Facility” use in the AP, PCD, and PID zoning district by special use with more stringent standards specified in article IV:

Sec. 30-79. - Permitted uses by district.

*Sec. 30-79-2. Permitted use table.*

Permitted uses by district shall be as shown in the following table where:

"R" Indicates a use by right

"S" Indicates a special use

"\*" Indicates more stringent standards as specified in article IV

USES	AP	AR	AV	R-1	R-2	R-3	R-4	PRD	RMH	C-1	C-2	NC	PCD	I-1	I-2	PID	EP
<b>Miscellaneous Uses</b>																	
Utility Scale Solar Energy Facility	S*												S*			S*	

**Part II.**

That **Section 30-87, Miscellaneous Uses**, be amended to add Section 30-87-11 for Use and Design standards for a “Utility Scale Solar Energy Facility” use:

*Sec. 30-87-11. Utility Scale Solar Energy Facility*

- (a) Prior to making application, the applicant shall schedule a meeting with Planning Staff to review the regulations and a siting agreement (if desired). This meeting is required to give an overview of the important local issues as well as how the project will be evaluated (siting, buffering, meeting(s) with surrounding property owners, financial guarantees, etc.).
- (b) General Standards:
  - a. Submittal of a project narrative identifying the following:
    - i. The applicant, facility owner, site owner, and operator, if known at the time of application.
    - ii. Description of the proposed utility scale solar generation including an overview of the project and its location; the size of the site and the project area; the current use of the site;

- permanent storm water facilities; the estimated time for construction and proposed date for commencement of operations.
- iii. The planned maximum rated capacity of the facility; the approximate number, representative types and expected footprint of solar equipment to be constructed, including, without limitation, photovoltaic panels; ancillary facilities, if applicable
  - iv. Transmission (how and where) of the electricity generated at the facility, including the location of the proposed electric grid interconnection.
- b. The project area shall be setback a minimum of 150 feet from all property lines (excluding property lines that are in common ownership of the applicant or landowner) and public rights-of-way.
  - c. All structures associated with the utility scale solar facility (excluding utility poles and interconnection to an overhead electric utility grid that meets State Corporation Commission requirements) shall be limited to a maximum height of 20 feet above ground level (AGL)
  - d. A security fencing plan shall be submitted for review. The plan shall include the following:
    - i. A security fencing that is not less than six (6) feet in height with an anti-climbing device (ex. Barbed wire) at the top of the fence.
    - ii. Location of the fencing shall be on the interior of the vegetative buffer to screen the fencing from view.
  - e. A vegetative buffering plan shall be submitted for review. The plan shall include the following:
    - i. Detailed list of the materials used, plant species, and the height and size at planting and maturity.
    - ii. A schematic/visual representation as to what the buffering shall look like at planting and at maturity with security fencing.
    - iii. Buffer area must be under the control of the facility owner.
  - f. In order to ensure that the facility is maintained properly, a facility management plan shall be required at the time of submittal that outlines the yearly maintenance operation for the facility that includes invasive plant/weed growth management. A yearly report shall be due to the Zoning Administrator on the first of each calendar year detailing the maintenance operations at the facility.
  - g. Lighting at the facility shall be the minimum required for security purposes. All lighting shall be directed downward with full cutoff lighting fixtures.
  - h. Virginia Department of Transportation approved trucking routes to facility.
  - i. A parking and staging area at the facility or off-site for trucks and other visitors when the facility is not accessible. This area shall not be permissible along any public roadway.

- j. Entrances to site shall be constructed with pavement or other approved dustless surface that is no less than 100 feet in length.
  - k. A decommissioning plan shall be included with the anticipated life of the project/facility, estimated cost of decommission and how the estimate was determined, and how the project/facility will be decommissioned.
  - l. A bond that meets the requirements of §15.2-2241.2 of the Code of Virginia for review prior to site plan approval. This bond is subject to review every five (5) years or upon reasonable notice from the County of issues with the facility owner or bonding agency.
  - m. Financial guarantees that ensure repair of damage to publicly owned and maintained roads from excess construction traffic.
  - n. The County reserves the right to hire a 3<sup>rd</sup> party consultant to review plan submittals and require the applicant to pay for the review fees.
- (c) Erosion and Sediment Control Measures
- a. Disturbance shall be phased with no more than 50 acres of disturbance at one time. Prior to moving to another phase of a grading plan, the area from the previous phase must be permanently stabilized.
  - b. A wash station shall be required at an approved location on site plan/grading plan.
  - c. Stormwater sediment basins and traps shall be designed for twice the volume required by Virginia Erosion and Sediment Control handbook. Additionally, the use of sediment basin skimmers is a requirement.
  - d. Third party inspections of erosion and sediment control measures are required at the cost of the facility owner. Whom the facility owner chooses to perform third party inspections shall be approved by the Erosion and Sediment Control Administrator.
  - e. The County reserves the right to hire a 3<sup>rd</sup> party consultant to review plan submittals, perform inspections, and charge the applicant for such fees.
- (d) Decommission
- a. When a Utility Scale Solar Energy Facility is scheduled to end or be abandoned, the facility owner shall notify the Zoning Administrator and County Attorney (in writing) at least six (6) months prior to ceasing operations. This notification shall include a schedule for implementation of the decommissioning plan.
  - b. If for one (1) continuous year the facility is not in operation or if the decommissioning plan fails to progress in a timely manner, the Board of Supervisors may take any action necessary (including, but not limited to, use of the decommission bond, or injunctive relief from a court of competent jurisdiction) to compel the physical removal of the solar energy project in compliance with the decommissioning plan after notice is given to the facility owner by

certified mail. The facility owner shall have thirty (30) days from the date of the letter to provide a written explanation of the inactivity and to request a delay in action by the Board of Supervisors.

**AND BE IT FURTHER RESOLVED**, that the proposed amendment be referred to the Planning Commission for review and recommendation to be forwarded to the Board of Supervisors for final consideration and action in accordance with all procedural and public notification requirements as prescribed by local ordinance and state statute.

**Zoning Ordinance Text Amendment Final PC Draft  
 “Utility Scale Solar Energy Facility” Use**

That **Section 30-28, Definitions**, be amended to include a new definition of a “Utility Scale Solar Energy Facility”:

*Utility scale solar energy facility:* An electric generating system which operates as a principal use (primary or secondary) of the property and is used to produce power for consumption by offsite users, consisting of one or more photovoltaic panels, support structures and associated control, conversion, and transmission hardware.

That **Section 30-79, Permitted Use Table**, be amended to permit a “Utility Scale Solar Energy Facility” use in the AP, PCD, and PID zoning districts by Special Use with more stringent standards as specified in Article IV under Miscellaneous Uses:

Sec. 30-79. - Permitted uses by district.

*Sec. 30-79-2. Permitted use table.*

Permitted uses by district shall be as shown in the following table where:

"R" Indicates a use by right

"S" Indicates a special use

"\*\*" Indicates more stringent standards as specified in article IV

USES	AP	AR	AV	R-1	R-2	R-3	R-4	PRD	RMH	C-1	C-2	NC	PCD	I-1	I-2	PID	EP
<b>Miscellaneous Uses</b>																	
Utility Scale Solar Energy Facility	S*												S*			S*	

That **Section 30-87, Miscellaneous Uses**, be amended to add Section 30-87-11 for Use and Design standards for a “Utility Scale Solar Energy Facility” use:

*Sec. 30-87-11. Utility Scale Solar Energy Facility*

- (a) Prior to making application, the applicant shall schedule a meeting with Planning Staff to review the regulations and a siting agreement (if desired). This meeting is required to give an overview of the important local issues as well as how the project will be evaluated (siting, buffering, meeting(s) with surrounding property owners, financial guarantees, etc.).
- (b) General Standards:
  - 1) Submittal of a project narrative identifying the following:

- i. The applicant, facility owner, site owner, and operator, if known at the time of application.
  - ii. Description of the proposed utility scale solar generation including an overview of the project and its location; the size of the site and the project area; the current use of the site; permanent storm water facilities; the estimated time for construction and proposed date for commencement of operations.
  - iii. The planned maximum rated capacity of the facility; the approximate number, representative types and expected footprint of solar equipment to be constructed, including, without limitation, photovoltaic panels; ancillary facilities, if applicable
  - iv. Transmission (how and where) of the electricity generated at the facility, including the location of the proposed electric grid interconnection.
- 2) The project area shall be setback a minimum of 150 feet from all property lines (excluding property lines that are in common ownership of the applicant or landowner) and public right-of-ways.
- 3) All structures associated with the utility scale solar facility (excluding utility poles and interconnection to an overhead electric utility grid that meets State Corporation Commission requirements) shall be limited to a maximum height of 20 feet above ground level (AGL)
- 4) A security fencing plan shall be submitted for review. The plan shall include the following:
  - i. A security fencing that is not less than six (6) feet in height with an anti-climbing device (ex. Barbed wire) at the top of the fence.
  - ii. Location of the fencing shall be on the interior of the vegetative buffer to screen the fencing from view.
- 5) A vegetative buffering plan shall be submitted for review. The plan shall include the following:
  - i. Detailed list of the materials used, plant species, and the height and size at planting and maturity.
  - ii. A schematic/visual representation as to what the buffering shall look like at planting and at maturity with security fencing.
  - iii. Buffer area must be under the control of the facility owner.
- 6) In order to ensure that the facility is maintained properly, a facility management plan shall be required at the time of submittal that outlines the yearly maintenance operation for the facility that includes invasive plant/weed growth management. A yearly report shall be due to the Zoning Administrator on the first of each calendar year detailing the maintenance operations at the facility.



- 7) Lighting at the facility shall be the minimum required for security purposes. All lighting shall be directed downward with full cutoff lighting fixtures.
  - 8) Virginia Department of Transportation approved trucking routes to facility.
  - 9) A parking and staging area at the facility or off-site for trucks and other visitors when the facility is not accessible. This area shall not be permissible along any public roadway.
  - 10) Entrances to site shall be constructed with pavement or other approved dustless surface that is no less than 100 feet in length.
  - 11) A decommissioning plan shall be included with the anticipated life of the project/facility, estimated cost of decommission and how the estimate was determined, and how the project/facility will be decommissioned.
  - 12) A bond that meets the requirements of §15.2-2241.2 of the Code of Virginia for review prior to site plan approval. This bond is subject to review every five (5) years or upon reasonable notice from the County of issues with the facility owner or bonding agency.
  - 13) Financial guarantees that ensure repair of damage to publicly owned and maintained roads from excess construction traffic.
  - 14) The County reserves the right to hire a 3<sup>rd</sup> party consultant to review plan submittals and require the applicant to pay for the review fees.
- (c) Erosion and Sediment Control Measures
- 1) Disturbance shall be phased with no more than 50 acres of disturbance at one time. Prior to moving to another phase of a grading plan, the area from the previous phase must be permanently stabilized.
  - 2) A wash station shall be required at an approved location on site plan/grading plan.
  - 3) Stormwater sediment basins and traps shall be designed for twice the volume required by Virginia Erosion and Sediment Control handbook. Additionally, the use of sediment basin skimmers are a requirement.
  - 4) Third party inspections of erosion and sediment control measures are required at the cost of the facility owner. Whom the facility owner chooses to perform third party inspections shall be approved by the Erosion and Sediment Control Administrator.
  - 5) The County reserves the right to hire a 3<sup>rd</sup> party consultant to review plan submittals, perform inspections, and charge the applicant for such fees.
- (d) Decommission
- 1) When a Utility Scale Solar Energy Facility is scheduled to end or be abandoned, the facility owner shall notify the Zoning Administrator and County Attorney (in writing) at least six (6) months prior to

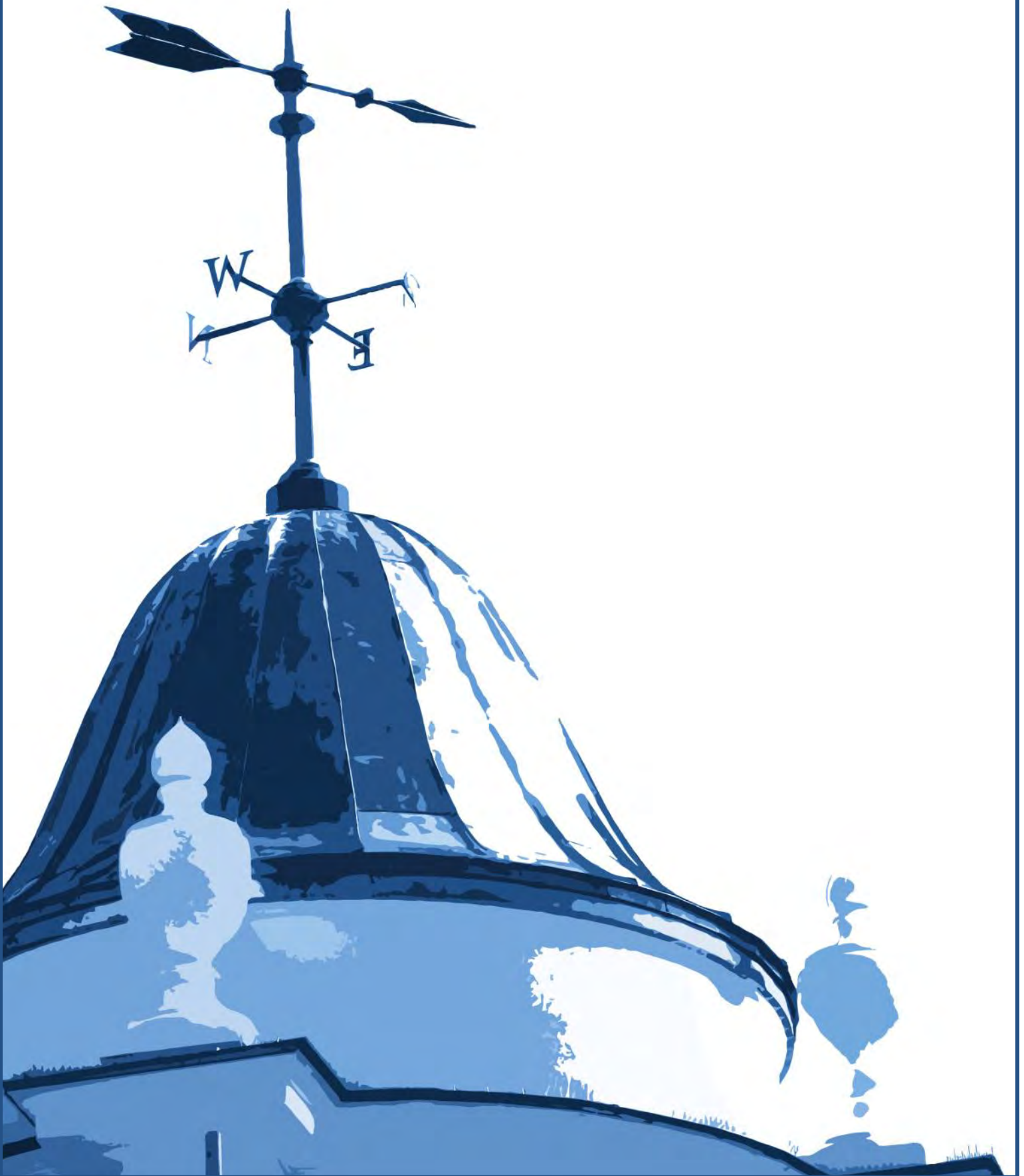
ceasing operations. This notification shall include a schedule for implementation of the decommissioning plan.

- 2) If for one (1) continuous year the facility is not in operation or if the decommissioning plan fails to progress in a timely manner, the Board of Supervisors may take any action necessary (including, but not limited to, use of the decommission bond, or injunctive relief from a court of competent jurisdiction) to compel the physical removal of the solar energy project in compliance with the decommissioning plan after notice is given to the facility owner by certified mail. The facility owner shall have thirty (30) days from the date of the letter to provide a written explanation of the inactivity and to request a delay in action by the Board of Supervisors.

Agenda Item #10  
Board Committee Reports



Agenda Item #11  
Board Member Comments



Agenda Item #12  
Board Appointments

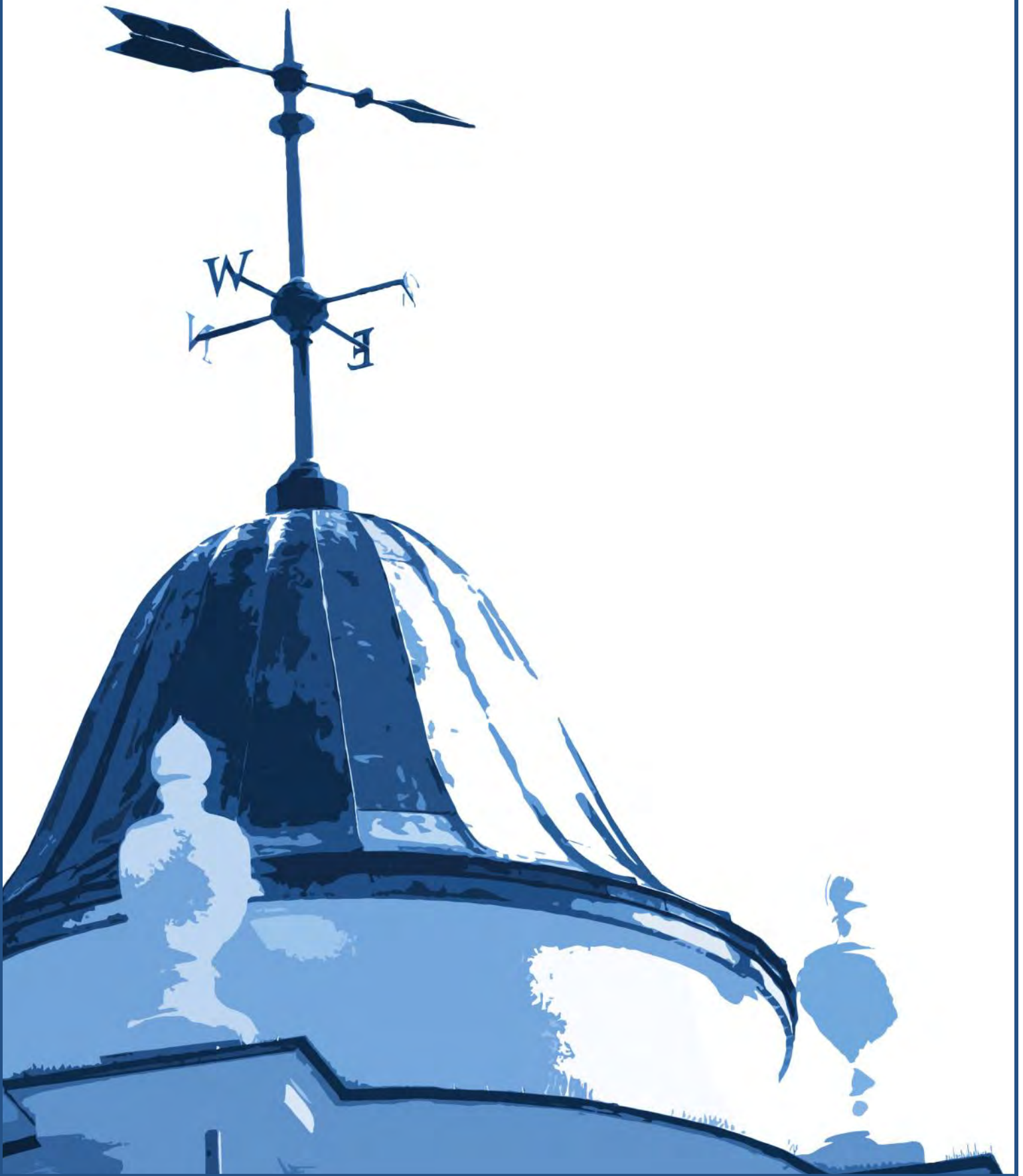




Agenda Item #13  
County Administrator Report



Agenda Item #14  
County Attorney Report





Agenda Item #15  
Board Information



---

**Bedford Regional Water Authority – Board of Directors  
Regular Board Meeting – Minutes  
December 21, 2021**

A regular meeting of the Board of Directors of the Bedford Regional Water Authority (“BRWA”) was held on Tuesday, December 21, 2021, in the Board Meeting Room in Bedford Water’s Annex building located at 1723 Falling Creek Road in Bedford County.

Members Present:..... Bob Flynn, Chair  
Michael Moldenhauer, Vice Chair  
Jay Gray  
Rusty Mansel  
Kevin Mele  
Thomas Segroves  
Walter Siehien

Members Absent: ..... None

Staff & Counsel Present: . Brian Key – Executive Director  
Nathan Carroll – Assistant Executive Director (Virtually)  
Rhonda English – Director of Engineering (Virtually)  
Megan Pittman – Director of Administration (Virtually)

**1. Call to Order**

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

**2. Review of Agenda**

The following agenda was reviewed as shown.

1. Call to Order
  - a. Pledge of Allegiance
  - b. Moment of Silence
2. Review of Agenda
3. Public Comments
4. Approval of Minutes: November 16, 2021 – Regular Board Meeting
5. Financial Report: Presented by Brian Key
6. Operations Report: Presented by Nathan Carroll
7. Administration Report: Presented by Megan Pittman
8. Engineering Report: Presented by Rhonda English
9. Executive Director’s Report: Presented by Brian Key
10. Election of Officers
  - a. Existing Terms and Officer History
  - b. Resolution 2021-12.01 Elections of Officers
11. Other business not covered on the above agenda
12. Motion to Adjourn

### 3. Public Comments

There were no public comments.

### 4. Approval of Minutes: November 16, 2021 Regular Board Meeting

The regular Board Meeting Minutes from November 16, 2021, were reviewed.

Member Moldenhauer made a motion to approve the minutes.

Member Mele seconded the motion.

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

### 5. Financial Report: Presented by Brian Key

The budget goal is 42% for November with operating revenues at 47% and operating expenses at 39%. Capital Recovery fees received so far this FY are 40% of the total budgeted amount, with water at 28% and sewer at 81%. There were 6 new connections in Forest and one at Smith Mountain Lake during November.

The board discussed whether to keep the financials in landscape or portrait mode; staff will explore options on how to make it easier to read in landscape mode.

The BRWA has been awarded \$57,977.71 in federal State and Local Fiscal Recovery Funds (SLFRF) through the American Recovery Plan Act (ARPA) for the COVID-19 ARPA SLFRF Municipal Utility Assistance Program. The BRWA has received the executed paperwork from the County and is submitting them to the state in advance of the December 17<sup>th</sup> biweekly submission deadline. Once the funds are received, they will be allocated to the past due customers that meet the program criteria.

In response to questions about developer projects, Mr. Key reviewed how capital recovery fees and prepayment credits work.

Mr. Mele asked about the contract water sales. In an email, Ms. Underwood said that after the audit an adjustment was made when the account was trued up. This is in reference to how water from Smith Mountain Lake Water Treatment Facility is charged to Western Virginia Water Authority (WVWA).

### 6. Operations Report: Presented by Nathan Carroll

Mr. Carroll said that the labor hours by task type show Engineering on the report, a department that is not typically shown every month, which could be attributed to time off in the Maintenance and Operations departments.

Mr. Carroll also mentioned that WVWA is absorbing Vinton's water and sewer department, which opens up more water sources for them and may provide value to the BRWA. The BRWA has a study in process about the Stewartsville system. The consultant has been in touch with WVWA and they may join the study to see how both Authorities can benefit from the study and water sources.

A contract modification has been received for the Energy Savings project which extends it to August 2022 due to supply chain issues related to the manufacturing and shipping of all nine blowers. In response to a question from Mr. Mele, Mr. Carroll explained the purpose of the blowers in the wastewater treatment process.

## 7. Administration Report: Presented by Megan Pittman

Ms. Meador, Human Resources Manager, thanked the board for their support of the compensation study and wished them a happy holiday.

Ms. Pittman reviewed the news articles and grease campaign summary included in the board packet and answered questions about the campaign. Mr. Gray praised the social media presence that the BRWA presents.

## 8. Engineering Report: Presented by Rhonda English

Three developer projects closed out since the report was put into the packets. The Moneta Park Waterline plans are waiting for VDOT approval. Ivy Creek easements are still coming in; there are 14 remaining easements. DEQ is still in review of the Environmental Assessment. The parking lot is paused until the stormwater materials are in stock, which will hopefully be in January. A proposal has been received and is under review for the Helm Street tank replacement. The Bell Town project is in the process of being surveyed.

## 9. Executive Director's Report: Presented by Brian Key

Mr. Key updated the board about the Clay Chastain case. At court, the deposit had not been paid so the emergency injunction was removed, and the BRWA is no longer required to make the connection until the fees are paid. The outstanding suit is to determine whether the rates are reasonable and fair and if Mr. Chastain will have to pay the rates. The judge gave Mr. Chastain 21 more days to respond with facts about how the rates are not fair. The BRWA is likely going to file another demurrer that says the case has not been made. The court date is still set for February 2, 2022 and the hope is that it will be dismissed.

The board discussed if the BRWA should be working with the County and Town to be part of the administrative process for development and new construction. The board would like to pursue getting involved earlier in the process with the Town.

## 10. Election of Officers

### a. Existing Terms and Officer History

No discussion was had about this item.

### b. Resolution 2021-12.01 Elections of Officers

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 21<sup>st</sup> day of December 2021, beginning at 7:00pm:

**WHEREAS**, the Authority Bylaws Policy 1.30 states that each year at the December meeting of the board the Authority will elect officers, including Chair, Vice Chair, Treasurer, and Secretary; now,

**THEREFORE BE IT RESOLVED**, the following nominations and motions were made for Calendar Year 2022:

Chair:

A motion was made by Member Moldenhauer to Nominate Member Flynn for the position of Chair.

The motion was seconded by Member Gray

Board Member Votes: 7 Aye 0 Nay 0 Abstain. The motion passed.

Vice-Chair:

A motion was made by Member Flynn to Nominate Member Moldenhauer for the position of Vice-Chair.

The motion was seconded by Member Siehien

Board Member Votes: 7 Aye 0 Nay 0 Abstain. The motion passed.

Secretary / Treasurer:

A motion was made by Member Siehien to Nominate Mr. Key for the position of Secretary / Treasurer.

The motion was seconded by Member Moldenhauer.

Board Member Votes: 7 Aye 0 Nay 0 Abstain. The motion passed.

#### **11. Other Business**

Mr. Gray stated that he was able to attend the Winter Luncheon and that it was a good event. He liked the recognition of service awards and the effort put on by staff. He was able to represent the board and speak a few words at the event.

Mr. Key thanked the board for their service, and presented them with their holiday gift basket.

Mr. Flynn thanked the staff for their hard work all year long.

#### **12. Motion to Adjourn:**

There being no further business to discuss:

Member Segroves made a motion to adjourn.

Member Moldenhauer seconded the motion.

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

The meeting adjourned at approximately 8:23 pm.



## Agenda Item #16

### Board Calendars & Reminders

- **March 7** - Budget Worksession beginning at 5:00 pm (*Ground Floor Meeting Room*)
- **March 14** - Worksession at 5:00 pm; Regular Meeting at 7:00 pm
- **March 21** - Budget Worksession beginning at 5:00 pm (*Ground Floor Meeting Room*)
- **March 28** - Worksession at 5:00 pm; Regular Meeting at 7:00 pm

