

12-10-91 Minutes

A regular meeting of the Council of the City of Bedford, Virginia, was held in the Council Hall of the Municipal Building at 7:30 p.m., December 10, 1991.

Members present: Mayor G. Michael Shelton; Councilman Larry D. Brookshier; Councilwoman Joanne A. Grahame; Councilman Payton M. Otey; Vice Mayor John M. Owen, III; Councilman Ronnie C. Rice; and Councilman James A. Vest.

Members absent: None.

Staff present: City Manager Jack A. Gross; City Attorney W. W. Berry, IV; and Clerk of the Council Teresa W. Hatcher.

Mayor Shelton opened the meeting and led all present in saying the Pledge of Allegiance to the Flag.

Mayor Shelton declared that the minutes of a regular Council meeting held on November 26, 1991, were approved as mailed.

On motion by Councilman Rice, seconded by Councilman Otey, voted upon and carried unanimously, the following items were added to the agenda: 1. Consent Agenda: Appointment of Member to the Central Virginia Community Services Board. 2. Executive Session, pursuant to Section 2.1-344(a)(7) of the Code of Virginia of 1950, as amended, regarding consultation with staff and legal counsel concerning litigation.

Councilman Rice suggested that a letter of appreciation be sent to Scott & Bond commending them for the outstanding Christmas parade which they sponsored. He also suggested commending the City employees who participated in the parade.

The Mayor reminded Council of the retreat scheduled for January 11, which will be a called meeting.

The Consent Agenda consisted of the following item:

Appointment of Rev. James R. Henry to serve a three-year term on the Central Virginia Community Services Board, said term to expire December 31, 1994.

On motion by Councilman Vest, seconded by Councilwoman Grahame, voted upon and carried unanimously, the consent agenda was approved.

Mr. Donald C. Reid, Manager, C & P Telephone Company of Virginia, made a presentation regarding the process in implementing Extended Area Service (EAS) from Big Island to Bedford.

Mr. Harwell M. Darby, Jr., of Glenn, Flippin, Feldmann & Darby, counsel to the City of Roanoke Industrial Development Authority spoke regarding a proposed resolution which would allow the City of Roanoke Industrial Development Authority to issue hospital revenue bonds to benefit hospitals including the Bedford County Memorial Hospital.

Mr. John Fretz from the Bedford County Memorial Hospital explained that the funds would be used to refinance existing debt at a lower interest rate and to fund the hospital's capital needs for next year.

On motion by Councilwoman Grahame, seconded by Councilman Rice, voted upon and carried unanimously,

Council waived the reading of the proposed resolution.

Councilwoman Grahame moved that the resolution be adopted. The motion was seconded by Councilman Vest, voted upon and carried unanimously by the following roll call vote:

Councilman Brookshier	aye
Councilwoman Grahame	aye
Councilman Otey	aye
Vice Mayor Owen	aye
Councilman Rice	aye
Councilman Vest	aye
Mayor Shelton	aye

The resolution follows as adopted:

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
BEDFORD, VIRGINIA AUTHORIZING THE INDUSTRIAL DEVELOPMENT  
AUTHORITY OF THE CITY OF ROANOKE, VIRGINIA TO HOLD A PUBLIC  
HEARING IN CONNECTION WITH THE ISSUANCE OF NOT TO EXCEED  
\$60,000,000 AGGREGATE PRINCIPAL AMOUNT OF THE INDUSTRIAL  
DEVELOPMENT AUTHORITY OF THE CITY OF ROANOKE, VIRGINIA  
HOSPITAL REVENUE BONDS (ROANOKE MEMORIAL HOSPITALS,  
COMMUNITY HOSPITAL OF ROANOKE VALLEY, BEDFORD COUNTY  
MEMORIAL HOSPITAL, GILES MEMORIAL HOSPITAL AND RADFORD  
COMMUNITY HOSPITAL PROJECT) SERIES 1992**

**WHEREAS**, the City of Bedford, Virginia (the "City") is a political subdivision of the Commonwealth of Virginia exercising public and essential governmental functions pursuant to the Constitution and laws of the Commonwealth of Virginia; and

**WHEREAS**, Roanoke Memorial Hospitals ("RMH") is a private, nonstock corporation duly incorporated and validly existing under and by virtue of the laws of the Commonwealth of Virginia, which owns and operates a health care facility located in the City of Roanoke, Virginia; and

**WHEREAS**, Community Hospital of Roanoke Valley ("CHRV") is a private, nonstock corporation duly

incorporated and validly existing under and by virtue of the laws of the Commonwealth of Virginia, which owns and operates a health care facility located in the City of Roanoke, Virginia; and

**WHEREAS**, Giles Memorial Hospital, Incorporated ("GMH") is a private, nonstock corporation duly incorporated and validly existing under and by virtue of the laws of the Commonwealth of Virginia, which owns and operates a health care facility located in the Town of Pearisburg, in Giles County, Virginia; and

**WHEREAS**, Bedford County Memorial Hospital, Incorporated ("BCMh") is a private, nonstock corporation duly incorporated and validly existing under and by virtue of the laws of the Commonwealth of Virginia, which owns and operates a health care facility located in the City of Bedford, Virginia; and

**WHEREAS**, The Radford Community Hospital, Incorporated ("RCH") is a private, nonstock corporation duly incorporated and validly existing under and by virtue of the laws of the Commonwealth of Virginia, which owns and operates a health care facility located in the City of Radford, Virginia; and

**WHEREAS**, the Industrial Development Authority of the City of Roanoke, Virginia (the "Roanoke Authority") has been requested to

issue its revenue bonds for the following purposes: (I)(a) financing for RMH a portion of the costs of (i) renovating or expanding certain portions of the existing hospital facilities, and (ii) acquiring certain capital equipment for use in or in connection with the RMH hospital facilities (the "RMH Project"), (b) financing for CHRV a portion of the costs of (i) renovating or expanding certain portions of the existing hospital facilities, and (ii) acquiring certain capital equipment for use in or in connection with the CHRV hospital facilities (the "CHRV Project"), (c) financing for GMH a portion of the costs of (i) renovating or expanding certain portions of the existing hospital facilities, and (ii) acquiring certain capital equipment for use in or in connection with the GMH hospital facilities (the "GMH Project"), (d) financing for BCMH a portion of the costs of (i) renovating or expanding certain portions of the existing hospital facilities, and (ii) acquiring certain capital equipment for use in or in connection with the BCMH hospital facilities (the "BCMh Project"), and (e) financing for RCH a portion of the costs of (i) renovating or expanding certain portions of the existing hospital facilities, and (ii) acquiring certain capital equipment for use in or in connection with the RCH hospital facilities (the "RCH Project") (the RMH Project, the CHRV Project, the GMH Project, the BCMh Project and the RCH Project are hereinafter collectively referred to as the "Project"), and (II) refunding certain bonds previously issued by the Roanoke Authority for the benefit of RMH, by the Industrial Development Authority of the City of Bedford, Virginia for the benefit of BCMH and GMH and by the Industrial Development Authority of the City of Radford, Virginia for the benefit of RCH (collectively, the "Prior Bonds"); and

**WHEREAS**, prior to the issuance of the Bonds, it is required by state and federal law that a public hearing be held during which members of the public are given an opportunity to express their views on the proposed issuance of the Bonds;

**WHEREAS**, RMH, CHRV, GMH, BCMh and RCH have requested the Roanoke Authority to hold a public hearing in the City of Roanoke, Virginia on behalf of the City of Roanoke, Virginia, the County of Giles, Virginia, the City of Bedford, Virginia and the City of Radford, Virginia in connection with the issuance of the Bonds;

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Bedford, Virginia:

**SECTION 1.** The City hereby authorizes the Roanoke Authority to hold a public hearing on its behalf in connection with the proposed issuance by the Roanoke Authority of the Industrial Development Authority of the City of Roanoke, Virginia Hospital Revenue Bonds (Roanoke Memorial Hospitals, Community Hospital of Roanoke Valley, Bedford County Memorial Hospital, Giles Memorial Hospital and Radford Community Hospital Project) Series 1992 in the aggregate principal amount not to exceed \$60,000,000 (the "Bonds") for

the purpose of (i) financing a portion of the costs of the Project, (ii) refunding the Prior Bonds, (iii) paying a portion of the interest accruing on the Bonds during the construction period of the Project, and (iv) paying certain expenses incurred in connection with the authorization and issuance of the Bonds; provided, however, that in accordance with Chapter 33, Title 15.1, Code of Virginia of 1950, as amended, the Roanoke Authority shall, if it approves the financing, convey a reasonably detailed summary of the comments expressed at the hearing to the City Council together with its recommendation at which time the City Council shall either approve or disapprove the issuance of the Bonds.

**SECTION 2.** This Resolution shall take effect immediately upon its passage.

Ms. Diana Gardner, 728 Vine Street, read aloud the following:

We, the residents of Vine Street, require municipal action to remedy the water run-off conditions damaging property on Vine Street.

Vine Street is more than 30 years old. Water drainage problems have existed for years. Now, because of numerous asphalt resurfacing (raising the height of the street), and lack of any storm drain maintenance, storm water pours into yards and houses damaging real estate and personal property.

We hereby petition the City of Bedford to provide Vine Street with an adequate engineering plan to remedy the problem and petition the City of Bedford to take action to solve the problem.

Additionally, since the new Bedford Elementary School has opened, children's foot traffic walking back and forth to school has increased substantially. We believe that in order to insure their security that we do need some sidewalks in that area.

We believe that a solution including sidewalks, curbs, and storm drains could most benefit Vine Street and insure the safety of our children and property.

Discussion ensued.

Mr. Amos B. Ruff, 721 Vine Street, spoke regarding the water problem at his home. Mr. Ruff requested that the water problem be corrected.

Councilman Grahame asked Mr. Dave Ballard, Engineering Project Manager, to report on the situation.

Mr. Ballard stated that City employees have met with Mrs. Pinion, 717 Vine Street, regarding the water situation. He stated that City employees went out to construct a shallow swale in front her house, but Mrs. Pinion asked the City not to do the work. Mr. Ballard stated that there is no real viable solution without some sort of sidewalk or curb and gutter.

Mayor Shelton explained the procedure for handling requests of this nature. The Mayor referred this item to the Street and Safety Committee for review and prioritization.

Ms. Delores Creasey spoke regarding the safety of the children.

On motion by Councilwoman Grahame, seconded by Councilman Otey, voted upon and carried unanimously, Council adjourned into executive session for consultation with staff and legal counsel

concerning litigation pursuant to Section 2.1-344(a)(7) of the Code of Virginia of 1950, as amended. Roll call vote follows:

Councilwoman Grahame aye

Councilman Otey aye

Vice Mayor Owen aye

Councilman Rice aye

Councilman Vest aye

Councilman Brookshier aye

Mayor Shelton aye

Council adjourned into executive session at 8:16 p.m. after a five minute recess. Non-council members attending were: City Manager Gross, City Attorney Berry, and Clerk of the Council Hatcher.

Council reconvened into open session at 8:34 p.m.

The Clerk of Council read aloud the following proposed resolution:

BE IT RESOLVED that the Council of the City of Bedford hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Council.

On motion by Councilman Brookshier, seconded by Councilwoman Grahame, voted upon and carried unanimously by a roll call vote, Council approved the resolution as read:

Councilman Otey aye

Vice Mayor Owen aye

Councilman Rice aye

Councilman Vest aye

Councilman Brookshier aye

Councilwoman Grahame aye

Mayor Shelton aye

A brief discussion ensued regarding topics to be addressed to the City's state senator and delegate as the General Assembly Session is pending. Councilman Vest's suggested topic: 122 North/South Connector.

Discussion ensued regarding scheduling a meeting with the State Highway Department officials regarding the 122 North/South Connector.

Mayor Shelton adjourned the meeting at 8:45 p.m. until January 14, 1992, at 7:30 p.m.