

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., May 28, 1996.

Members present: Mayor G. Michael Shelton; Vice Mayor Larry D. Brookshier; Councilwoman Mary L. Flood; Councilwoman Joanne A. Grahame; Councilwoman Linda Kochendarfer; Councilman Ronnie C. Rice; and Councilman W. D. Tharp.

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 May 14, 1996, were approved as distributed.

Members of Council mentioned various activities that have been taking place in the City.

It was the concurrence of Council to hold a public hearing on candidates for the City School Board on June 11, 1996, and to interview the candidates and make said appointments to the School Board on June 25.

Mayor Shelton reported that appointments have been made to the task force which will make a utilization review regarding Bedford Middle School and the facilities there in terms of classroom space and gymnasium facilities. The Mayor then reviewed the list of committee members. Mayor Shelton asked Vice Mayor Brookshier to chair the committee and Councilman Tharp to serve as Vice Chairman.

City Manager Gross stated that at its meeting on August 8, 1995, Council approved the donation of a City-owned lot at 109 Edmund Street to the local chapter of Habitat for Humanity. Habitat had previously purchased two adjoining lots at 110 and 111 Edmund Street. Combining those two lots with the donated City lot created two improved sites for single-family homes. The City will retain a 15-foot easement on the property to allow access to a pumping station at the back of the property.

On motion by Councilwoman Grahame, seconded by Councilwoman Kochendarfer, voted upon and carried unanimously, Council waived the reading of the proposed ordinance deeding a lot to Bedford Habitat for Humanity, Inc.

On motion by Councilwoman Kochendarfer, seconded by Councilwoman Flood, voted upon and carried unanimously by the following roll call vote, Council adopted the ordinance authorizing the conveyance of a lot on Edmund Street to Bedford Habitat for Humanity, Inc. Roll call vote follows:

Vice Mayor Brookshier aye

Councilwoman Flood aye

Councilwoman Grahame aye

Councilwoman Kochendarfer aye

Councilman Rice aye

Councilman Tharp aye

Mayor Shelton aye

The ordinance follows as adopted:

**AN ORDINANCE AUTHORIZING THE CONVEYANCE
OF A LOT ON EDMUND STREET TO THE
BEDFORD HABITAT FOR HUMANITY**

WHEREAS, the City of Bedford owns a lot of land located on the east side of Edmund Street in the City; and

WHEREAS, the Bedford Habitat for Humanity, Inc. (herein referred to as "Bedford Habitat") owns two lots on Edmund Street and has requested the City to donate a part of its lot adjacent to one of the two Bedford Habitat lots in order to enable that organization to build two single family residences, and the City Council at a duly called meeting on August 8, 1995, approved the donation subject to Bedford Habitat's agreeing to resubdivide its two lots and the donated parcel so as to create two lots; and

WHEREAS, Bedford Habitat has caused the lots to be surveyed as shown on a plat of survey entitled "Plat Showing Re-Survey of Property Owned by Bedford Habitat for Humanity, Inc. . . .", prepared by Donnie W. Slusher, land surveyor, dated April 12, 1996, revised May 10, 1996, which plat shows the area to be donated by the City and the resubdivision of the three lots into two single family lots;

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

Section 1. That the City pursuant to Section 15.1-24 of the Code of Virginia agrees to donate to Bedford Habitat for Humanity, Inc. the following described real estate:

All that certain lot or parcel of land, together with the improvements thereon and the appurtenances thereunto belonging, lying, situate and being in the City of Bedford, Virginia being all that property designated on the 1995-96 City of Bedford Landbook and identified on the tax maps as tax parcel no. 214-A-109, LESS AND EXCEPT a small lot located at the back of said lot upon which a pump house is located and LESS AND EXCEPT a 15 foot wide right-of-way for underground water lines, all as shown on a plat of survey entitled "Plat Showing Re-Survey of Property Owned by: Bedford Habitat for Humanity, Inc. . . . prepared by Donnie W. Slusher, dated April 2, 1996, revised May 10, 1996."

It being a part of real estate conveyed to the Town of Bedford, Virginia, by Lawrence L. Leftwich and others by a deed dated September 5, 1931 and

recorded in the Clerk's Office of the Circuit Court of Bedford County, Virginia, in Deed Book No. 182, at page 344.

Section 2. That the Mayor and the City Clerk are hereby authorized to sign, seal, acknowledge, and deliver a deed, approved as to form by the City Attorney, conveying title to Bedford Habitat for Humanity, Inc.

Section 3. That this ordinance shall be in effect from and after the date of its adoption.

The deed to the property was then signed by the Mayor and the Clerk.

Reverend C. Edward West, President of the local Habitat chapter, announced that a ground breaking ceremony will be held at the site on June 22 at 10:00 a.m. Reverend West introduced other members of the Habitat chapter who were present at the meeting.

City Manager Gross stated that Council had previously adopted an ordinance and a resolution authorizing the issuance of lease revenue bonds in the maximum principal amount of \$3,000,000 to finance the acquisition of certain electric distribution facilities from Appalachian Power Company and to lease back to APCo the equipment pursuant to the terms of a sale and lease agreement dated October 17, 1995. A revised resolution has been received from Hunton & Williams, the City's bond counsel, together with a letter explaining the reasons for the revision. The amount of the bond issue has now been set at \$2,630,000. Council also received copies of the bond purchase agreement and the escrow agreement.

The City Manager stated that Council had also received a new page 7 on which item 13 has been changed slightly. City Manager Gross reported that under the agreed upon rate of return, the City will make \$82,841 per year for the next thirty years. At the end of that time, APCo will purchase back the equipment from the City, which is valued at \$2,559,040; and less depreciation, the City will receive over a million-dollar payment.

On motion by Councilwoman Kochendarfer, seconded by Councilwoman Flood, voted upon and carried unanimously, Council waived the reading of the resolution.

The Clerk of Council read aloud the preamble to the resolution as follows:

RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF \$2,630,000 TAXABLE LEASE REVENUE BONDS, SERIES OF 1996, OF THE CITY OF BEDFORD, VIRGINIA, HERETOFORE AUTHORIZED AND PROVIDING FOR THE FORM, DETAILS AND PAYMENT THEREOF.

On motion by Councilwoman Kochendarfer, seconded by Councilwoman Grahame, voted upon and carried unanimously by a roll call vote, Council adopted the resolution. Roll call vote follows:

Councilwoman Flood aye

Councilwoman Grahame aye

Councilwoman Kochendarfer aye

Councilman Rice aye

Councilman Tharp aye

Vice Mayor Brookshier aye

Mayor Shelton aye

(THE RESOLUTION WILL BE INCLUDED IN THE PERMANENT MINUTE BOOK)

Mayor Shelton adjourned the meeting at 7:56 p.m.