

## 6-23-98 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., June 23, 1998.

Members present: Mayor G. Michael Shelton; Vice Mayor Larry D. Brookshier; Councilwoman Mary L. Flood; Councilwoman Linda Kochendarfer; and Councilman W. D. Tharp.

Members absent: Councilman H. Davis Ballard and Councilman Robert T. Wandrei.

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 June 9, 1998, were approved as distributed.

On motion by Vice Mayor Brookshier, seconded by Councilwoman Kochendarfer, voted upon and carried, the following items were added to the agenda:

Consent Agenda - Request to Block Street for Baseball Tournaments -  
City of Bedford Department of Parks, Recreation & Cemeteries

Executive Session, pursuant to the Code of Virginia of 1950, as amended,  
Section 2.1-344(a)(1) Personnel, Regarding City Manager Search

The Consent Agenda consisted of the following items:

Appointment of Mr. Robert Clark to the City Recreation Advisory  
Committee, term expiring June 30, 2001

Request from the City of Bedford Department of Parks, Recreation &  
Cemeteries to block Bedford Avenue from 3:00 p.m. to 9:00 p.m. on July  
5 and from 5:00 p.m. to 9:00 p.m., July 6 - July 10 for Dixie Baseball  
Tournaments.

On motion by Councilwoman Kochendarfer, seconded by Councilwoman Flood, voted upon and carried, the Consent Agenda was adopted.

City Manager Gross reported the 1998 General Assembly adopted House Bill 428 and revised Section 37.1 of the Code of Virginia of 1950, as amended. This section governs the establishment and operation of community services boards. Mr. Gross explained that one of the changes in Section 37.1 requires immediate action by local jurisdictions, in

consultation with their community services board, to designate prior to July 1, 1998, the type of community services board that is now operating in their jurisdiction or group of jurisdictions.

On motion by Councilwoman Kochendarfer, seconded by Vice Mayor Brookshier, voted upon and carried by a roll call vote, Council adopted the resolution regarding the Central Virginia Community Services Board. Roll call vote follows:

Councilman Ballard	absent
Vice Mayor Brookshier	aye
Councilwoman Flood	aye
Councilwoman Kochendarfer	aye
Councilman Tharp	aye
Councilman Wandrei	absent
Mayor Shelton	aye

The resolution follows as adopted:

#### **RESOLUTION**

**WHEREAS**, Section 37.1-194 of the Code of Virginia, 1950 as amended, requires each city and county to establish, singly or in combination, a community services board for the provision of mental health, mental retardation, and substance abuse services to its residents; and

**WHEREAS**, the City of Bedford already has established the Central Virginia Community Services Board pursuant to this statutory provision; and

**WHEREAS**, Section 37-194 of the Code of Virginia, 1950 as amended, further requires each city and county to designate, in consultation with its community services board, this board as an operating community services board, an administrative policy community services board, or a policy-advisory community services board with a local government department; and

**WHEREAS**, the Central Virginia Community Services Board provides a community mental health, mental retardation, and substance abuse services, directly through its own staff or through contracts with other providers; and

**WHEREAS**, the Central Virginia Community Services Board conforms to the definition of an operating community services board that is contained in Section 37.1-194.1 of the Code of Virginia, 1950 as amended; now therefore,

**BE IT RESOLVED**, by the City of Bedford, Virginia, that the Central Virginia Community Services Board is hereby designated as an operating community services board with the powers and duties enumerated in Section 37.1-197.A of the Code of Virginia, 1950 as amended.

City Manager Gross stated in order to proceed with construction of the Industrial Park, it is necessary to provide the Virginia Department of Transportation (VDOT) with a resolution requesting industrial access funds. The resolution will go before the Commonwealth of Virginia Transportation Board within the next 60 to 100 days for their approval. Mr. Gross reported that the advertisement for bids of the project is scheduled for mid-August. It is anticipated this project will be completed in May of 1999. The estimated cost for road construction is \$480,000. Mr. Gross indicated industrial access funds for bonded projects provide up to \$300,000. Where the cost of a project exceeds \$300,000, an additional \$150,000 can be required on a dollar-for-dollar match. The City Manager stated the total bonded amount for this project will be approximately \$366,000.

Mr. Gross reported that the Industrial Access Program is not a grant program, and jurisdictions receiving funds under this program are committed to reimburse VDOT for the bonded project amount, if qualifying industrial investment is not reached within three years. This performance based incentive program will require Bedford to have approximately \$4.5 million in qualifying industrial investment made in the Bedford Center for Business within a 3-year period of time from the date the Commonwealth Transportation Board approves funding.











Councilwoman Flood	aye
Councilwoman Kochendarfer	aye
Councilman Tharp	aye
Councilman Wandrei	absent
Councilman Ballard	absent
Vice Mayor Brookshier	aye
Mayor Shelton	aye

The resolution follows as adopted:

**RESOLUTION**

**CITY OF BEDFORD BONDED INDUSTRIAL ACCESS ROAD PROJECT  
FOR THE BEDFORD CENTER FOR BUSINESS INDUSTRIAL PARK**

**WHEREAS**, the City of Bedford has acquired approximately one hundred ten acres located in the City of Bedford for the purpose of developing a jointly owned industrial park with Bedford County; and

**WHEREAS**, the Industrial Access road funds requested are to be a Bonded project with participation of over three hundred thousand dollars to be a shared cost based on a fifty percent match with the Virginia Department of Transportation; and

**WHEREAS**, this development is expected to be the site of new private capital investment in land, building, and manufacturing equipment which will provide substantial employment, as well as promote regional growth and cooperation; and

**WHEREAS**, the subject property has no access to a public street or highway and will require the construction of a new roadway to connect with Independence Boulevard (U.S. route 221 business); and

**WHEREAS**, the City of Bedford hereby guarantees that the necessary right of way for this new roadway and utility relocations, will be provided at no cost to the Virginia Department of Transportation; and

**NOW, THEREFORE, BE IT RESOLVED**, that The City of Bedford hereby requests that the Commonwealth Transportation Board provide Industrial Access Road funding to provide an adequate road to this property;

**BE IT FURTHER RESOLVED**, that The City of Bedford hereby agrees to provide a surety or bond, acceptable to and payable to the Virginia Department of Transportation, in the full amount of the cost of the road; this surety shall be exercised by the Department of Transportation in the event that sufficient qualifying capital investment does not occur on the parcels within the Bedford Center for Business Industrial Park, particularly parcels three, four, and five within three years of the Commonwealth Transportation Board's allocation of funds pursuant to this request.

**BE IT FURTHER RESOLVED**, that The City of Bedford hereby agrees that the new roadway will be constructed so as to become accepted into the City of Bedford's road system for maintenance.

On behalf of Council and the community, Mayor Shelton presented tokens of appreciation to Councilwoman Kochendarfer for her four years of service on City Council.

On motion by Vice Mayor Brookshier, seconded by Councilwoman Flood, voted upon and carried by a roll call vote, Council adjourned into executive session pursuant to Section 2.1-344(a)(1) of the Code of Virginia, of 1950, Personnel, Regarding City Manager Search. Roll call vote follows:

Councilwoman Kochendarfer	aye
Councilman Tharp	aye
Councilman Wandrei	absent
Councilman Ballard	absent
Vice Mayor Brookshier	aye
Councilwoman Flood	aye
Mayor Shelton	aye

Council adjourned into executive session at 7:40 p.m. Non-council members attending were: Council member elect Tom Messier.

Council reconvened into open session at 8:05 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 (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.

Councilman Tharp moved that the resolution be adopted. The motion was seconded by Vice Mayor Brookshier, voted upon and carried by the following roll call vote:

Councilman Tharp	aye
Councilman Wandrei	absent
Councilman Ballard	absent

Vice Mayor Brookshier                      aye

Councilwoman Flood                      aye

Councilwoman Kochendarfer              aye

Mayor Shelton                              aye

Mayor Shelton adjourned the meeting at 8:06 p.m. until July 1, 1998, at 8:00 a.m. for a reorganizational meeting which will include swearing in of the newly elected Council members, and election of a Mayor and a Vice Mayor.