

3-13-01 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., March 13, 2001.

Members present: Mayor G. Michael Shelton; Councilman Larry D. Brookshier; Councilwoman Mary L. Flood; Vice Mayor E. Thomas Messier; Councilman Thomas M. Padgett; and Councilman Robert T. Wandrei.

Members absent: Councilman W. D. Tharp.

Staff present: City Manager F. Craig Meadows; 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 welcomed Carson Stanley, Boy Scout Troop 145, who was in attendance at the meeting working on his "Citizenship in the Community Merit Badge."

Mayor Shelton declared that the minutes of the February 27, 2001, regular Council meeting were approved as distributed.

On motion by Councilman Padgett, seconded by Councilman Brookshier, voted upon and carried, the following items were added to the agenda:

Appropriation – Growth Sharing Agreement

Resolution – Virginia Resources Authority Loan Application – Phase III of the City Landfill

Closed Session pursuant to Section 2.1-344(a)(1) of the Code of Virginia of 1950, as amended - personnel matters

The Mayor recognized Mr. Terry Lee upon his retirement from the City. The Mayor presented Mr. Lee with tokens of appreciation for his service to the community.

City Manager Meadows spoke regarding the following:

- o many positive comments have been received in response to the Council meetings being broadcast on radio station WBLT
- o items given to Council for information

- update – status of Regional Industrial Park: it is the consensus of the managers and informally most of the boards and commissions in the region, that at this time, no other jurisdiction is willing to come forth and purchase additional shares. If that continues to be the case, from a regional effort, the project may go away. Bedford County has expressed an interest in purchasing that property if it fails as a regional effort.
- reviewed the budget schedule
- meeting with Brian Wishneff & Associates and others to discuss the Old Grammar School Building
- annual meeting and awards dinner for the Bedford Area Chamber of Commerce is March 30

Mayor Shelton spoke regarding the Governor's announcement about cutting State funding in order to balance the State budget. The Mayor spoke about what effects this would have on the City's budget.

The Consent Agenda consisted of the following item:

Request to close Venture Boulevard for the 4th Annual Car Show on Saturday, June 9, 2001, from 8:00 a.m. to 5:00 p.m. The Bedford County Deputy Sheriff's Association made the request.

On motion by Vice Mayor Messier, seconded by Councilman Padgett, voted upon and carried, the Consent Agenda was adopted.

Ms. Charlene McFall, Recreation Advisory Board, reviewed a list of accomplishments by the Recreation Department in the past ten years. Ms. McFall also reviewed the Board's Short Range, Mid Term, and Long Range Goals.

Mr. John Eggleston, "What's Next" Day Coordinator, gave background information on the "What's Next" organization. Mr. Eggleston thanked Council for its support and asked Council to appropriate the same amount of funds as last year.

It was the consensus of Council to support this request through existing appropriations within the budget. If this cannot be done, the City Manager is to bring this back as an appropriation request.

A representative of Draper Aden Associates reviewed the Water and Sewer Rate Study.

The City Manager stated it is the recommendation of the staff that Council review the study and it is anticipated that this item would be on the agenda of the April 10 meeting for action.

City Manager Meadows stated that the City and County entered into a growth and revenue sharing agreement on February 9, 1998. Mr. Meadows indicate the City has been receiving payments since March, 1999, per the agreement. It has been brought to the City's attention that the payments made by the County to the City constituted 100% of the shared revenue instead of 50% that the City should have received. This resulted in an overpayment to the City of \$366,490.21. Currently the County owes the City \$141,840.36 for the next payment per the growth and revenue sharing agreement. The net result of these two figures is \$224,649.85 owed by the City to the County. The funds that have been received by the water and sewer fund will be repaid as an advance from the General Fund, and are included in this amount.

Councilman Brookshier moved that Council appropriate \$224,649.85 from the general fund contingency to pay Bedford County for this overpayment. The motion was seconded by Vice Mayor Messier, voted upon and carried by the following roll call vote:

Councilman Brookshier	aye
Councilwoman Flood	aye
Vice Mayor Messier	aye
Councilman Padgett	aye
Councilman Tharp	absent
Councilman Wandrei	aye
Mayor Shelton	aye

The City Manager reported that the City has determined its need to expand the current landfill with the proposed construction of Phase III. Mr. Meadows stated members of Council had received a proposed resolution that indicates the City intends to finance the project through the issuance of General Obligation Bonds in an amount not to exceed \$500,000 through the Virginia Resources Authority.

On motion by Councilman Padgett, seconded by Councilwoman Flood, voted upon and carried by a roll call vote, Council approved the resolution that authorizes the submission of the application by the City Manager to the Virginia Resources Authority in an amount not to exceed \$500,000. Roll call vote follows:

Councilwoman Flood	aye
Vice Mayor Messier	aye
Councilman Padgett	aye

Councilman Tharp	absent
Councilman Wandrei	aye
Councilman Brookshier	aye
Mayor Shelton	aye

The resolution follows as adopted:

**RESOLUTION AUTHORIZING SUBMISSION OF APPLICATION
TO VIRGINIA RESOURCES AUTHORITY FOR A LOAN
IN AN AMOUNT NOT TO EXCEED \$500,000 TO FINANCE
CONSTRUCTION OF PHASE III OF THE CITY LANDFILL**

WHEREAS, the Council of the City of Bedford, Virginia (the "City"), intends to issue its Bonds, as hereinafter defined, to finance the costs of construction of Phase III at the existing landfill located adjacent to the City's wastewater treatment facility on Orange Street in the City (the "Project"); and

WHEREAS, the City intends to pay costs of the Project prior to the issuance of the Bonds and to receive reimbursement for such expenditures from proceeds of the sale of the Bonds; and

WHEREAS, the City has determined that it will be in the best interest of the City to apply to the Virginia Resources Authority (the "Authority") for a loan in an amount not to exceed \$500,000 to finance the Project and to issue the Bonds to the Authority to evidence such loan;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BEDFORD, VIRGINIA:

1. The City intends to finance the Project through the issuance of its general obligation Bonds in an amount not to exceed \$500,000 (the "Bonds"). The Bonds may also be secured by the revenues of the Project.

2. The City intends to receive reimbursement from proceeds of the sale of the Bonds for costs of the Project paid by the City prior to the issuance of the Bonds.
3. The City intends that the adoption of this Resolution be considered as "Official Intent" within the meaning of Treasury Regulations Section 1.103-18 promulgated under the Internal Revenue Code of 1986, as amended.
4. The City Manager is authorized and directed to prepare and submit an application to the Authority for a loan in an amount not to exceed \$500,000 to finance the costs of the Project. The City Manager is authorized to take such action as may be necessary or convenient to complete the application process.
5. The City Clerk is directed to make a copy of this Resolution continuously available for inspection by the general public during normal business hours at the City Clerk's office from the date of adoption hereof through the date of issuance of the Bonds.

On motion by Councilman Brookshier, seconded by Vice Mayor Messier, voted upon and carried by a roll call vote, Council adjourned into closed session pursuant to the Code of Virginia of 1950, as amended, Section 2.1-344(a)(1) for discussion of a personnel matter. Roll call vote follows:

Vice Mayor Messier	aye
Councilman Padgett	aye
Councilman Tharp	absent
Councilman Wandrei	aye
Councilman Brookshier	aye
Councilwoman Flood	aye
Mayor Shelton	aye

Council adjourned into closed session at 8:55 p.m., after a five-minute recess declared by the Mayor. Non-council members attending were: City Manager Meadows, City Attorney Berry, and Clerk of the Council Hatcher.

Council reconvened into open session at 9:20 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 closed meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Council.

On motion by Vice Mayor Messier, seconded by Councilman Padgett, voted upon and carried, Council adopted the resolution as read.

Mayor Shelton adjourned the meeting at 9:21 p.m.