

08-28-2001 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., August 28, 2001.

Members present: Mayor G. Michael Shelton; Councilman Larry D. Brookshier; Councilwoman Mary L. Flood; Vice Mayor E. Thomas Messier; Councilman W. D. Tharp.

Members absent: Councilman Thomas M. Padgett and Councilman Robert T. Wandrei.

Staff present: City Manager F. Craig Meadows; City Attorney W. W. Berry, 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 the August 14, 2001, regular Council meeting were approved as distributed.

City Manager Meadows spoke regarding the following:

- The Jefferson's Assembly will be held at Poplar Forest on September 27, from 5:30 p.m. – 8:00 p.m.
- letter from Barry Lyons, Director Region 2000 Small Business Development Center, thanking the City for supporting the Small Business Development Center
- The "American Legion Run" course route will be from the D-Day Memorial, down the Elementary School Road, and back up to the Memorial.
- The Bedford Ride Program is scheduled to begin September 4.
- The Electric system is undergoing a systems study and development of a long-range plan. It is anticipated that the City will receive a rough draft of the plan by the end of September.
- The VML Annual Conference will be held October 14 –16 in Virginia Beach.
- The City Employee Picnic will be held on Saturday, September 8.
- The tentative date for the Council retreat will be November 2-3.

Mayor Shelton stated that agenda item "Resolution – Blue Ridge – Southwest Virginia Film Office, Inc., needed to be removed from the agenda.

The Consent Agenda consisted of the following items:

Request by Bedford Main Street, Inc., to close Center Street at the Farmer's Market from 7:00 p.m. to 10:00 p.m. for a concert on September 3, 2001.

Reappointment of Mr. Warner Scott and Mr. Robert Clark to each serve a three-year term on the Recreation Advisory Committee, said terms to expire June 30, 2004.

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

Mr. Leighton Langford and Ms. Marie Gardner, Bedford Social Services, spoke regarding the Bedford Community Resource Center, a program which was started in partnership with the United Way of Central Virginia. Services such as counseling, parenting classes, education materials and limited financial assistance are available at the Resource Center located on Otey Street.

The City Manager reported that per the Joint Economic Development and Growth Sharing Agreement, the City has agreed to extend water and sewer lines into the economic development areas. The first priority for extension of the water and sewer lines was determined to be the area that extends from the City limits east along U.S. Route 460 to the VDOT residency office. Mr. Meadows stated that a resolution has been prepared which indicates the City intends to finance the project through issuance of General Obligations Bonds in an amount not to exceed \$2,500,000 through the Virginia Resources Authority. The resolution also authorizes and directs the City Manager to prepare and submit an application to the VRA for a loan in an amount not to exceed \$2,500,000 to finance the project and to issue the Bonds to the Authority to evidence such loan.

On motion by Councilman Tharp, seconded by Councilwoman Flood, voted upon and carried by a roll call vote, Council adopted the resolution. Roll call vote follows:

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

Councilman Wandrei absent

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 \$2,500,000 TO FINANCE
EXTENSION OF WATER AND SEWER LINES IN THE ROUTE
460 ECONOMIC DEVELOPMENT AREA**

WHEREAS, the Council of the City of Bedford, Virginia (the "City"), intends to issue its Bonds, as hereinafter defined, to finance the costs of water and sewer line extensions into the Joint Economic Development and Growth Sharing area located at the eastern City limits along U. S. Route 460 to the Virginia Department of Transportation office (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 \$2,500,000 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 \$2,500,000 (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 \$2,500,000 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.

The City Manager stated that for many years, the Bedford Police Department and law enforcement agencies in Central Virginia localities operated under informal mutual aid agreements. By resolution adopted November 10, 1997, City Council approved the City's participation in a written mutual aid agreement. There have been a number of revisions to the State Code since Central Virginia law enforcement agencies and localities entered into the 1997 written mutual aid agreement, and it is appropriate to amend the written agreement to reflect these changes.

On motion by Councilman Brookshier, seconded by Councilman Tharp, voted upon and carried by a roll call vote, Council adopted the resolution amending the Mutual Aid Agreement. Roll call vote follows:

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

The resolution follows as adopted:

RESOLUTION

WHEREAS, for a number of years the Bedford Police Department and law enforcement agencies from surrounding localities participated in informal mutual aid agreements; and,

WHEREAS, these informal agreements (a) helped promote regional cooperation among law enforcement agencies (b) helped participating jurisdictions provide necessary law enforcement services during emergencies and (c) helped enhance the overall quality of law enforcement services in Central Virginia;

WHEREAS, the 1997 General Assembly amended the Code of Virginia to authorize law enforcement agencies and local governing bodies to enter into formal written mutual aid agreements; and,

WHEREAS, written mutual aid agreements are viewed as a means of improving law enforcement services throughout Central Virginia; and,

WHEREAS, on November 10, 1997, the Bedford City Council adopted a resolution authorizing the City of Bedford to enter into a written mutual aid agreement with the law enforcement agencies and local governing bodies in Central Virginia; and,

WHEREAS, there have been a number of revisions to the State Code since Central Virginia's law enforcement agencies and governing bodies entered into the 1997 written mutual aid agreement and it is appropriate to amend the original mutual aid agreement to reflect those changes; and,

WHEREAS, at this time the Amherst County Sheriff's Department and the Town of Amherst are still deciding whether or not they wish to participate in the new mutual aid agreement. The other law enforcement agencies and localities in Central Virginia do not wish to delay the signing of a new mutual aid agreement while the Amherst County Sheriff's Department and the Town of Amherst decide whether or not to participate in the agreement. If the Amherst County Sheriff's Department and the Town of Amherst ultimately decide to participate in the new mutual aid agreement it would be appropriate to enter into an agreement including the Amherst County Sheriff's Department and the Town of Amherst; and,

NOW, THEREFORE, BE IT RESOLVED that the Bedford City Council hereby authorizes the City to enter into a written mutual aid

agreement with the Bedford County Sheriff's Office, the Campbell County Sheriff's Office, the Town of Altavista, the City of Lynchburg, and the Town of Brookneal for the joint use of law enforcement forces, both regular and auxiliary, equipment and materials, in order to maintain the peace and good order, and the City Manager and City Attorney are authorized to execute such agreement on behalf of the City of Bedford; and,

BE IT FURTHER RESOLVED that if the Amherst County Sheriff's Office and the Town of Amherst decide to participate in the new mutual aid agreement the Bedford City Council hereby approves such participation and the City Manager and City Attorney are authorized to execute an agreement including the Amherst County Sheriff's Office and the Town of Amherst.

The City Manager stated a request has been received from Carilion Health System asking Council to adopt a resolution authorizing the City of Roanoke Industrial Development Authority to hold the required public hearing in connection with the issuance of hospital revenue bonds not to exceed \$100,000,000. Following the public hearing, Council will be requested to approve the issuance of the bonds and the allocation of a portion of the bonds for use by Bedford Memorial Hospital.

On motion by Vice Mayor Messier, seconded by Councilwoman Flood, voted upon and carried by a roll call vote, Council adopted the resolution regarding hospital revenue bonds. Roll call vote follows:

Councilman Padgett	absent
Councilman Tharp	aye
Councilman Wandrei	absent
Councilman Brookshier	aye
Councilwoman Flood	aye
Vice Mayor Messier	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 IN ONE OR MORE SERIES OF NOT TO EXCEED \$100,000,000 AGGREGATE PRINCIPAL AMOUNT OF THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE CITY OF ROANOKE, VIRGINIA HOSPITAL REVENUE BONDS (CARILION HEALTH SYSTEM OBLIGATED GROUP PROJECT)

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, Carilion Medical Center ("CMC") 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 Carilion Roanoke Memorial Hospital in the City of Roanoke, Virginia; and

WHEREAS, CMC also owns and operates Carilion Roanoke Community Hospital in the City of Roanoke, Virginia; and

WHEREAS, Carilion Giles Memorial Hospital ("CGMH") 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 Carilion Giles Memorial Hospital in the Town of Pearisburg, Giles County, Virginia; and

WHEREAS, Bedford Memorial Hospital ("BMH") 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 Bedford Memorial Hospital in the City of Bedford, Virginia; and

WHEREAS, Carilion Franklin Memorial Hospital ("CFMH") 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 Carilion Franklin Memorial Hospital in the Town of Rocky Mount, Franklin County, Virginia; and

WHEREAS, the Industrial Development Authority of the City of Roanoke, Virginia (the "Roanoke Authority") has by resolution adopted on July 26, 2001 (the "Inducement Resolution") evidenced its desire to issue one or more series of its revenue bonds for the following purposes: (D)(a) paying, or reimbursing CMC for paying, a portion of the costs of (i)

renovating and/or expanding certain portions of Carilion Roanoke Memorial Hospital and/or (ii) acquiring certain capital equipment for use in or in connection with Carilion Roanoke Memorial Hospital (the "Carilion Roanoke Memorial Hospital Project"), (b) paying, or reimbursing CMC for paying, a portion of the costs of (i) renovating and/or expanding certain portions of Carilion Roanoke Community Hospital and/or (ii) acquiring certain capital equipment for use in or in connection with Carilion Roanoke Community Hospital (the "Carilion Roanoke Community Hospital Project"), (c) paying, or reimbursing CGMH for paying, a portion of the costs of (i) renovating and/or expanding certain portions of Carilion Giles Memorial Hospital and/or (ii) acquiring certain capital equipment for use in or in connection with Carilion Giles Memorial Hospital (the "Carilion Giles Memorial Hospital Project"), (d) paying, or reimbursing BMH for paying, a portion of the costs of (i) renovating and/or expanding certain portions of Bedford Memorial Hospital and/or (ii) acquiring certain capital equipment for use in or in connection with Bedford Memorial Hospital (the "Bedford Memorial Hospital Project"), and (e) paying, or reimbursing CFMH for paying, a portion of the costs of (i) renovating and/or expanding certain portions of Carilion Franklin Memorial Hospital and/or (ii) acquiring certain capital equipment for use in or in connection with Carilion Franklin Memorial Hospital (the "Carilion Franklin Memorial Hospital Project") (the Carilion Roanoke Memorial Hospital Project, the Carilion Roanoke Community Hospital Project, the Carilion Giles Memorial Hospital Project, the Bedford Memorial Hospital Project and the Carilion Franklin Memorial Hospital Project are hereinafter collectively referred to as the "Project"); (II) refinancing certain outstanding interim indebtedness incurred by CMC, CGMH, BMH and CFMH in connection with the financing of a portion of the cost of acquiring, constructing, renovating and equipping the Project; (III) paying a portion of the interest accruing on the Bonds during the acquisition, construction, renovation and equipping of the Project; and (IV) paying certain expenses incurred in connection with the issuance of the Bonds; and

WHEREAS, the Roanoke Authority has delivered or caused to be delivered to the City a copy of the Inducement Resolution; and

WHEREAS, prior to the issuance of said revenue 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 said revenue bonds; and

WHEREAS, CMC, CGMH, BMH and CFMH 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 County of Franklin, Virginia in connection with the issuance of said revenue bonds; and

WHEREAS, the Roanoke Authority has requested that the County of Giles, Virginia, the City of Bedford, Virginia and the County of Franklin, Virginia (a) authorize the Roanoke Authority to hold a public hearing in connection with the issuance of said revenue bonds and (b) concur with the adoption of the Inducement Resolution;

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

SECTION 1. The City hereby (a) authorizes the Roanoke Authority to hold a public hearing on its behalf in connection with the proposed issuance by the Roanoke Authority of one or more series of its Industrial Development Authority of the City of Roanoke, Virginia Hospital Revenue Bonds (Carilion Health System Obligated Group Project) in the aggregate principal amount not to exceed \$100,000,000 (collectively, the "Bonds") for the purpose of (i) financing a portion of the costs of the Project, (ii) refinancing certain interim indebtedness incurred by CMC, CGMH, BMH and CFMH in connection with the financing of a portion of the cost of acquiring, constructing, renovating and equipping the Project, (iii) paying a portion of the interest accruing on the Bonds during the acquisition, construction, renovation and equipping of the Project and (iv) paying certain expenses incurred in connection with the issuance of the Bonds, and (b) concurs with the adoption of the Inducement Resolution; provided, however, that in accordance with Chapter 49, Title 15.2, Code of Virginia of 1950, as amended, the Roanoke Authority shall, after it holds the public hearing, convey a fiscal impact statement and a reasonably detailed summary of the comments expressed at the hearing to the City together with its recommendation at which time the City shall either approve or disapprove the issuance of the Bonds.

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

On motion by Councilman Tharp, seconded by Councilman Brookshier, voted upon and carried by a roll call vote, Council adopted a resolution in recognition of David W. English for his contributions to the Bedford community. Roll call vote follows:

Councilman Tharp aye

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

The resolution follows as adopted:

Resolution

Virginia Department of Transportation Resident

Engineer David W. English

For His Contribution to the City of Bedford

WHEREAS, David W. English has 37 years of service with the Virginia Department of Transportation, (VDOT) and has most recently served as Resident Engineer for the Bedford office of VDOT; and

WHEREAS, he has served the citizens of Bedford City in providing the best transportation infrastructure improvements possible with the resources provided and has provided these services in a friendly, cooperative manner; and

WHEREAS, Mr. English has decided to retire effective September 1, 2001;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BEDFORD, VIRGINIA, that David W. English be congratulated on his accomplishments as Resident Engineer with the Virginia Department of Transportation, thanked for his service on behalf of the City of Bedford, and given a key to the City of Bedford to symbolize our appreciation for his efforts and as a reminder that he is a valuable member of this community. We extend our sincere appreciation

for his distinguished service and extend our very best wishes to him for a long, happy, healthy and fruitful retirement.

Mayor Shelton adjourned the meeting at 7:55 p.m.