

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, 2002.

Members present: Mayor G. Michael Shelton; Councilwoman Mary L. Flood; Vice Mayor E. Thomas Messier; Councilman Thomas M. Padgett; Councilman C. G. Stanley, Jr.; Councilman W. D. Tharp; and Councilman Robert T. Wandrei.

Members absent: None

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 declared that the minutes of a called Council meeting held on November 7, 2002, and the minutes of a regular Council meeting held on November 26, 2002, were approved as distributed.

The City Manager asked that the following item be added to the agenda: closed session for consultation with legal counsel on several issues.

The City Manager informed Council of the following events and items:

- American Public Power Association Policymakers Workshop – December 10 in Roanoke – the Electric Utility Director and City Manager will be attending
- Employee Christmas Dinner and Awards – December 11, 6:00 p.m., at Bedford Elementary School
- State of the Commonwealth Address – December 12 at 12:00 noon at the Bedford County Club
- Statement of Economic Interests forms need to be submitted to the City Manager's Office by December 13
- VML/VACO Legislative Day – January 23, 2003
- The ordinance on the last Council agenda related to amendments to the M-1 zone which was referred to the Planning Commission will be considered by the Planning Commission at its regular meeting in January 2003

Mayor Shelton announced that it is necessary that he resign from his position on City Council and as Mayor effective January 7, 2003. The Mayor spoke regarding his eighteen and one-half years of serving the City, working with two City Managers, the department heads, and very dedicated elected officials. Mayor Shelton expressed his gratitude to members of Council for their support in allowing him to serve as Mayor for the last fourteen plus years.

The Mayor spoke of a tradition that began in the 1960's. The first person that started the tradition was Councilman Bill McAllister in 1963. The official "Crying Towel" is presented to an individual and when that person leaves the City, the "Towel" is passed to

someone else. The Mayor listed the former employees of the City who had possession of the "Towel": Bill McAllister, Emmett Armontrout, Director of Finance; Curt Anders, Electric Utility Director; Keith Cook, City Manager, Randy Bartlett, Director of Public Works; Danny Hylton, Superintendent of the Water and Sewer Plants; Barry Thompson, Assistant City Manager and Director of Finance; Mike Shelton, Mayor.

Mayor Shelton then presented the "Crying Towel" to Craig Meadows, City Manager. The Mayor stated that the City Manager's responsibility in receiving the "Towel" was to pass it along to someone else when he leaves the City.

The Consent Agenda consisted of the following items:

Reappointment of Ms. Frances Coles to the Redevelopment & Housing Authority to serve a four-year term expiring October 13, 2006

Reappointment of Mr. David Keith and Mr. Philip Garbarini to four-year terms on the Industrial Development Authority expiring November 30, 2006

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

Mr. John Aldridge, Brown Edwards and Company, presented an overview of the fiscal year 2001-02 Audit Report.

Mr. Roger Henderson, Bedford Community Health Foundation, made a presentation regarding the Bedford Ride Program.

The City Manager stated the City is engaged in a competitive bidding process for medical insurance coverage for the 2002-2003 fiscal year. Mr. Meadows reported that political subdivisions and municipal corporations of the Commonwealth of Virginia (collectively, "Political Subdivisions") are authorized to join together for the purpose of purchasing health insurance. Mid-Atlantic Medical Services, Inc., (MAMSI) has been retained to provide member-consulting services, claims administration, network access and development, member educational materials, and other administrative services.

City Manager Meadows stated the City has entered into a contract for a period of one year for coverage beginning July 1, 2002. One of the requirements to join the Virginia Political Subdivisions Health Insurance Trust is adoption of a resolution based on Section 15.1-21 of the Code of Virginia authorizing public entities, including cities, to join together for the purpose of purchasing health insurance.

On motion by Councilman Padgett, seconded by Councilman Stanley, voted upon and carried unanimously by a roll call vote, Council adopted the resolution authorizing membership in the Political Subdivision Health Benefits Trust. Roll call vote follows:

Councilwoman Flood	aye
Vice Mayor Messier	aye
Councilman Padgett	aye
Councilman Stanley	aye
Councilman Tharp	aye
Councilman Wandrei	aye
Mayor Shelton	aye

The resolution follows as adopted:

**A RESOLUTION AUTHORIZING AND EMPOWERING
THE CITY OF BEDFORD TO PARTICIPATE
IN THE POLITICAL SUBDIVISION
HEALTH BENEFITS TRUST**

WHEREAS, political subdivisions and municipal corporations of the Commonwealth of Virginia (collectively, “Political Subdivisions”), including the City of Bedford, are authorized by Section 15.1-21 of the Code of Virginia (the “Code”), to join together for the purpose of purchasing health insurance; and

WHEREAS, pursuant to the authority granted in the Code, certain Political Subdivisions, including the City of Bedford, have determined that it is necessary and desirable to join together for the purpose of providing health benefits to public entities providing employees and retirees and their dependents cost containment and managed care advice to Participants, all for the public purpose of reducing the cost of providing health benefits to public entity employees and retirees and their dependents; and

WHEREAS, the City Council of the City of Bedford has determined that it is in the best interests of the citizens of the City to participate in the Political Subdivision Health Benefits Trust (the “Trust”) and to adopt this resolution pursuant to the Code approving, and directing the execution and delivery of, the Political Subdivision Health Benefits Trust Agreement to be dated as of July 1, 1996 (the “Trust Agreement”); and

WHEREAS, under the terms of the Code, any payment obligation of the City of Bedford under the Trust Agreement will be a general obligation of the City of Bedford.

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

Section 1. The participation of the City of Bedford in the Political Subdivision Health Benefits Trust is hereby approved.

Section 2. The Trust Agreement, in substantially the form attached hereto as Exhibit A, is hereby approved, and the City Manager is hereby authorized and directed to execute and deliver to the Trust the Trust Agreement in substantially the form attached hereto as Exhibit A.

Section 3. Pursuant to the Act, any payment obligation of the City of Bedford under the Trust Agreement shall be a general obligation of the City of Bedford.

Section 4. All officials, employees and agents of the City of Bedford are hereby authorized and directed to take any and all action necessary or appropriate to effect the participation of the City of Bedford in the Trust and to execute and deliver all documents, instruments, certificates, and opinions necessary or appropriate in connection therewith.

Section 5. The recitals to this resolution are hereby declared to be, and shall at all times and for all purposes be deemed to be, the findings of the City of Bedford in connection with its decision to participate in the Trust, and make premium payments, provided for in the Trust Agreement, and execute and deliver the Trust Agreement.

Section 6. This resolution shall become effective immediately upon its adoption.

Attachment A to the resolution will be included in the permanent minute book.

The City Manager stated notification has been received that the City is eligible to receive a total of \$26,941.81 in grant funds through the Virginia Department of Emergency Management. No matching funds are required. These grants are pass through funds from the U. S. Department of Justice to assist localities in preparation for response to biological and chemical terrorist incidents. The funds will be administered through five grants over the next two years. The Police Department, fire department and lifesaving crew will form a committee to establish a response plan that will include recommendations concerning expenditures of these funds.

On motion by Councilman Tharp, seconded by Councilwoman Flood, voted upon and carried unanimously by a roll call vote, Council adopted the resolution regarding the grant funds from the U. S. Department of Justice. Roll call vote follows:

Vice Mayor Messier	aye
Councilman Padgett	aye
Councilman Stanley	aye
Councilman Tharp	aye
Councilwoman Flood	aye
Councilman Wandrei	aye
Mayor Shelton	aye

The resolution follows as adopted:

DESIGNATION OF APPLICANTS AGENT

RESOLUTION

BE IT RESOLVED BY City Council of City of Bedford, VA, that F. Craig Meadows, City Manager is hereby authorized to execute for and in behalf of City of Bedford, a public entity established under the laws of the State of Virginia, this application and to file it in the appropriate State Office for the purpose of obtaining certain Federal financial assistance under the OJP, National Domestic Preparedness Office Grant Program(s), administered by the Commonwealth of Virginia.

That, **CITY OF BEDFORD**, a public entity established under the laws of the Commonwealth of Virginia, hereby authorizes its agent to provide to the Commonwealth and to the Office of Justice Programs (OJP) for all matters pertaining to such Federal financial assistance any and all information pertaining to these Grants as may be requested.

Mr. Clarke Gibson, Director of Public Works, presented an update on Water and Sewer Projects.

On motion by Vice Mayor Messier, seconded by Councilman Padgett, 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 2.2-3711(a)(7), for consultation with legal counsel. Roll call vote follows:

Councilman Padgett	aye
Councilman Stanley	aye
Councilman Tharp	aye
Councilwoman Flood	aye
Councilman Wandrei	aye
Vice Mayor Messier	aye
Mayor Shelton	aye

Council adjourned into closed session at 8:15 p.m. after a recess. Non-Council members attending: City Manager Meadows and City Attorney Berry.

Council reconvened into open session at 8:40 p.m.

The Clerk of Council read aloud the following proposed resolution:

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.

Councilman Tharp moved that the resolution be adopted. Councilman Padgett, seconded the motion, which was voted upon and carried by the following roll call vote:

Councilman Stanley	aye
Councilman Tharp	aye
Councilwoman Flood	aye
Councilman Wandrei	aye
Vice Mayor Messier	aye
Councilman Padgett	aye
Mayor Shelton	aye

On motion by Councilman Tharp, seconded by Vice Mayor Messier, voted upon and carried unanimously, the following item was added to the agenda:

Consideration of Policy for Filling a Seat to be Vacated on Bedford City Council

On motion by Councilman Tharp, seconded by Councilman Padgett, voted upon and carried unanimously, Council adopted a Policy for Filling a Seat to be Vacated on Bedford City Council.

The policy follows as adopted:

POLICY FOR FILLING SEAT TO BE VACATED ON BEDFORD CITY COUNCIL

The Bedford City Council during a regular meeting on December 10, 2002 approved the following policy. This policy will be used in filling seat to be vacated on City Council as a result of the resignation of Mayor G. Michael Shelton.

1. A "Public Notice" will be placed in the December 18, 2002 edition of the "Bedford Bulletin", and other media as determined, as follows:

NOTICE OF SEAT TO BE VACATED ON BEDFORD CITY COUNCIL

NOTICE IS HEREBY GIVEN THAT A VACANCY WILL EXIST ON THE CITY COUNCIL OF THE CITY OF BEDFORD FOR A TERM THAT WILL EXPIRE ON JUNE 30, 2004. CITIZENS OF THE CITY OF BEDFORD INTERESTED IN SEEKING APPOINTMENT TO THIS SEAT TO BE VACATED SHOULD CONTACT VICE-MAYOR E. THOMAS MESSIER, P.O. BOX 807, BEDFORD, VIRGINIA 24523, OR CALL 587-6001. THOSE EXPRESSING INTERESTS WILL BE SENT AN INFORMATION PACKET DETAILING THE APPLICATION PROCESS. THE DEADLINE FOR EXPRESSING INTEREST BY MAIL OR BY TELEPHONE IS FRIDAY, JANUARY 3, 2003. INTERVIEWS WITH CANDIDATES WILL TAKE PLACE BEGINNING THE WEEK OF JANUARY 13, 2003 WITH THE APPOINTMENT DECISION MADE NO LATER THAN JANUARY 28, 2003.

- A press release containing the above information and other pertinent data as delineated below will be developed and submitted to the news media covering the Bedford area, to include radio and television stations, daily newspapers, posting of the Notice in public places, placement of the notice on Channel 12 and any other means deemed appropriate.
2. Applicants shall submit a written request to be considered for appointment to City Council, including a resume of the applicant's background and reasons for wishing to serve on the City Council.
 3. All names being considered will be made public after the deadline date of January 3, 2003.
 4. The Vice-Mayor may appoint a Council search committee.
 5. The City Council, in closed session, will hold interviews with the applicants beginning the week of January 13, 2003.
 6. Upon completion of the interviews and upon selection of a candidate to fill the vacancy, the Vice-Mayor will send letters to the unsuccessful candidates. All written correspondence with the candidates will come from the Vice-Mayor.

As calls or letters of interest come into the Mayor's Office as a result of the Public Notice or media coverage, the City Manager's Office will immediately have the following response sent to the interested parties. Information to be provided to those expressing interest in writing or by telephone as noted in #1 above will include the following:

1. A letter from the Vice-Mayor expressing appreciation for the individual's interest. The letter will indicate how individuals will submit their papers. (See attached letter)
2. A copy of the policy for filling the vacancy.
3. A listing of the committees, boards and commissions on which the appointed member may be required to serve, recommended by the Mayor and as approved by the City Council.
4. A statement that the successful candidate must fulfill the requirements of the State "Conflicts of Interests Act" by the submission a "Statement of Economic Interests" upon appointment.
5. A statement that additional information can be received from the Office of the City Manager.
6. All letters received for consideration will be marked "CONFIDENTIAL - CITY COUNCIL VACANCY" on the envelope containing the papers and provided only to the Vice-Mayor for dissemination to the members of the City Council. Once all papers have been received by the deadline date, the names of the candidates will be provided to the public via press release and any other means deemed appropriate.

DATES:	December 11	Press release on appointment process
	December 18	Public Notice appears in "Bedford Bulletin"
	January 3	Deadline for submissions by interested persons
	Weeks of January 13 & 20	Council interviews with candidates
	January 28	Appointment decision made by the Council and swearing-in of appointee; appointee takes seat

LETTER TO BE SENT TO CANDIDATES AFTER INITIAL EXPRESSION OF INTEREST - INFO. PACKET WILL GO WITH THIS LETTER.

Dear <Candidate>:

Thank you for your expression of interest in being considered for the vacancy on the Bedford City Council that has occurred due to the resignation of Mayor G. Michael Shelton. City Council has set forth a process for the orderly appointment of an individual to fill this unexpired term, which runs through June 30, 2004.

Enclosed for your review is information about the process for seeking this vacant seat. Please make sure that you submit the documents as requested in order for your candidacy to be given full consideration. When you are ready to submit your papers to me, please do so no later than 5:00 p.m., Friday, January 3, 2003. On the front of the envelope containing your resume and reasons for wishing to serve on the City Council, please write CONFIDENTIAL - CITY COUNCIL VACANCY. This insures that your papers will come directly to me in a confidential manner. After the deadline date, I will issue a press release about those persons who have expressed interest in the appointment. You may be subject to being contacted by citizens and the news media as a result. If you wish to release your interest to the news media on your own prior to the press release I will issue, that is up to you. However, I will hold all names as confidential until the deadline has passed.

Please review the attached information thoroughly. If you have any questions, please feel free to give me a call at 586-3059 (home) in the evenings. You may also contact the City Manager if you have questions or require additional information. City Council will conduct interviews with each candidate beginning the week of January 13, 2003. Please allow your evening schedule to be flexible during that week so we may have an opportunity to discuss this appointment with you.

Again, thank you for your expression of interest in this vacancy on the City Council. I wish you the very best in this process.

Sincerely,

E. Thomas Messier
Vice-Mayor

Mayor Shelton adjourned the meeting at 8:41 p.m.