

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 24, 2004.

Members present: Mayor E. Thomas Messier; Councilwoman Mary L. Flood; Councilman Jeffrey B. Hubbard; Councilman C. G. Stanley, Jr.; and Councilman Robert T. Wandrei.

Members absent: Councilman Thomas M. Padgett and Vice Mayor 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 Messier opened the meeting and led all present in saying the Pledge of Allegiance to the Flag.

Mayor Messier declared that the minutes of a regular Council meeting held on August 10, 2004, were approved as distributed.

City Manager Meadows reviewed two proposed agenda changes:

- Review of State and Local Government Conflict of Interest Act and Virginia Freedom of Information Act – asked to defer until this item until a future meeting when all members of Council are present
- Domestic Preparedness Grant – Police Department – asked to add to agenda

The City Manager reported on the following:

- The City's Automated Meter Reading Project is moving ahead.
- Cable TV franchise renewal – discussions are being held with Charter Communications and also with Rice, Williams Associates, the City's consultants. The franchise expires June 30, 2005. This item will be on a future agenda for discussion.
- The City's annual financial audit will begin on September 13.
- The City offices will be closed on September 6 for the Labor Day Holiday.

The City Manager stated that Mr. Walter Kent has retired from the Electric Department.

Gene Ratzlaff, Electric Utility Director, spoke regarding the Mr. Kent's duties while employed by the City.

The Mayor presented Mr. Kent with a Certificate of Retirement, a Jefferson Cup, and a watch with the City seal in appreciation of his twenty-six years of service.

Discussion ensued regarding a recent possible increase in the charge for basic cable television service.

The City Manager indicated that he was not aware of any recent increases and will determine if there has been an increase in charges by the cable television company.

The Mayor announced that Council will return to proper business attire at the Council meeting after Labor Day.

Councilman Hubbard, Chairman of the Finance Committee, reported that the committee met earlier in the evening and discussed the following items:

- Funding for the Safe Haven Program – the committee voted to approve a grant in the amount of \$2,500 to the Safe Haven Program, which is run by the Red Cross – to be appropriated.
- Financial Advisor – the committee approved the staff's recommendation of Davenport & Company as the City's financial advisor.

Councilwoman Flood, Chairman of the Property Committee, reported that the committee met earlier in the evening and discussed a request for a memorial to be placed at the Welcome Center – it was voted that no action be taken.

Councilman Wandrei moved that the agenda be revised as follows:

- Defer agenda item - Review of State and Local Government Conflict of Interest Act and Virginia Freedom of Information Act
- Add agenda item - Domestic Preparedness Grant – Police Department
- Add agenda item - Appropriation - Safe Haven Program

The motion was seconded by Councilwoman Flood, voted upon and carried.

The City Manager indicated that the City recently advertised two parcel of surplus property and a bid was received on one of the properties (Bedford County Tax Parcel 73-A-31B.) The bid was placed by Thomas E. Reynolds, Jr., and Roslyn C. Reynolds, and Kenneth Moore and Frances Moore for a price of \$27,004. The City Manager reported that pursuant to the Code of Virginia of 1950, as amended, Section 15.2-1800, Council must have a public hearing on the proposed sale.

The notice of public hearing follows:

NOTICE OF PUBLIC HEARING

(CONVEYANCE OF REAL ESTATE)

The City Council of the City of Bedford, Virginia, on Tuesday, August 24, 2004 at 7:30 P.M. in the City Council Chambers, Municipal Building, 215 East Main Street, Bedford, Virginia 24523 will hold a public hearing pursuant to Virginia Code Section 15.2-1800 concerning approval of a bid by Thomas E. Reynolds, Jr. and Roslyn C. Reynolds, and Kenneth Moore

and Frances Moore to purchase from the City of Bedford for a price of \$27,004 certain real estate on the west side of Virginia Secondary Route No. 43, listed on the Bedford County Tax Map as parcel number 73-A-31B. The real estate to be conveyed is described in a deed dated May 14, 1885 and recorded in the Clerk's Office of the Circuit Court of Bedford County, Virginia in Deed Book No. 58, at page 301 in connection with the "Plan of Proposed System of Water Supply for the Town of Liberty, VA," dated 1885, and recorded in Deed Book 58, at page 297. The real estate includes an old dam site which created a reservoir upon the property.

Mayor Messier opened the public hearing at 7:41 p.m. As there were no comments, the Mayor closed the public hearing at 7:41 p.m.

The Consent Agenda consisted of the following item:

- Appointment of Mr. Jeffrey L. Hurst to serve on the Redevelopment and Housing Authority, said term to expire October 13, 2008, and appointment of Ms. Tracey L. Young to the Authority, said term to expire October 13, 2006.

Councilman Wandrei moved that the Consent Agenda be adopted. The motion was seconded by Councilman Stanley, voted upon and carried by the following roll call vote:

Councilwoman Flood	aye
Councilman Hubbard	aye
Councilman Padgett	absent
Councilman Stanley	aye
Vice Mayor Tharp	absent
Councilman Wandrei	aye
Mayor Messier	aye

The City Manager explained that the City currently owns surplus property located approximately five miles north of the City limits in Bedford County. The property is adjacent to Route 43 near its intersection with Karnes Road and is specifically identified as Bedford County Tax Map #73 A 31B. The parcel consists of approximately 1.85 acres and the current tax value is \$19,000. Sealed bids for the property were opened on July 23, 2004. As reported by the City Manager earlier in the meeting Mr. & Mrs. Reynolds and Mr. & Mrs. Moore jointly submitted a bid for purchase of the property. Their bid was in the amount of \$27,004.00 and was the only qualifying bid received.

The City Manager stated it is his understanding from the City Attorney that Council would need to defer approval at this meeting.

The City Attorney asked that Council approve the sale, if desired, and direct that an appropriate deed be drawn up and signed by the Mayor and the matter proceed to a closure. Mr. Berry stated that an ordinance is necessary and could be presented at the next meeting.

On motion by Councilman Stanley, seconded by Councilman Wandrei, voted upon and carried by a roll call vote, Council approved the City Manager's recommendation. Roll call vote follows:

Councilman Hubbard	aye
Councilman Padgett	absent
Councilman Stanley	aye
Vice Mayor Tharp	absent
Councilman Wandrei	aye
Councilwoman Flood	aye
Mayor Messier	aye

City Attorney Berry stated that he would have an ordinance prepared and posted for Council's consideration at the next meeting.

City Manager Meadows reported that Section 2.2 of the Blue Ridge Regional Jail Authority Service Agreement states that non-sheriff members of the Board shall be appointed by three-year terms. The terms of the initial Board members expired on June 30, 2004. The current non-sheriff members for the jurisdiction are Milton H. Graham, member, and F. Craig Meadows, alternate.

The Clerk of Council read aloud the proposed resolution:

RESOLUTION

WHEREAS, the Blue Ridge Regional Jail Authority Service Agreement dated November 10, 1994, as amended, states that members of the Authority Board (other than sheriffs) shall be elected; and

WHEREAS, the governing body of each participating jurisdiction has appointed a member and an alternate whose current terms expired June 30, 2004; and

WHEREAS, the governing body of each jurisdiction has been requested by the Authority to appoint a member and an alternate for a term commencing July 1, 2004, and ending June 30, 2007.

NOW THEREFORE, BE IT RESOLVED by the City Council of Bedford City that Milton H. Graham is hereby appointed as a member of the Blue Ridge Regional Jail Authority and F. Craig Meadows is appointed as the alternate for such member, each for terms commencing July 1, 2004, and ending June 30, 2007.

Councilman Hubbard moved that the resolution be adopted. The motion was seconded by Councilman Wandrei, voted upon and carried by a roll call vote, as follows:

Councilman Padgett	absent
Councilman Stanley	aye
Vice Mayor Tharp	absent
Councilman Wandrei	aye
Councilwoman Flood	aye
Councilman Hubbard	aye
Mayor Messier	aye

The City Manager stated that during the City Council meeting on August 10, Mr. Jack Mills requested that the City endorse his efforts in securing health insurance and pension benefits for employees of bankrupt corporations. The City Manager stated a resolution has been prepared for Council’s consideration regarding this matter.

The Clerk of Council read aloud the proposed resolution:

**A RESOLUTION EXPRESSING CONCERN
OVER THE LOSS OF MEDICAL AND RETIREMENT BENEFITS
AS A RESULT OF CORPORATE BANKRUPTCY**

WHEREAS, it has been brought to the attention of the City Council that in certain bankruptcy proceedings involving RBX Industries, Inc. and related companies (“Rubatex”), the Court determined that contractual rights to medical and retirement benefits for certain employees were unsecured claims, effectively terminating rights to health insurance and retirement benefits that many of the Rubatex employees and retirees had counted on remaining in effect; and

WHEREAS, the City Council desires to express its concern for the Rubatex employees and retirees; and

WHEREAS, the City Council recognizes that the problems such as those experienced by the Rubatex employees and retirees may involve complicated issues of Federal law and policy, which the City Council cannot address, but which are issues that should be addressed on a higher level.

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

1. The City Council hereby expresses its concern for the welfare of the Rubatex employees and retirees who have lost their anticipated retirement and medical benefits and for other similarly situated individuals who may experience such difficulties in the future.

2. The City Council encourages the discussion of issues raised by such events as the recent Rubatex bankruptcy in both the governmental

and private sectors in order to develop and implement policies and practices that will avoid such hardships in the future.

Councilwoman Flood moved that the resolution be approved as read. Councilman Hubbard seconded the motion.

Councilman Wandrei stated he felt this was feel-good legislation and he hoped that the people putting this forth realize that nothing Council does would provide any relief; that the relief has to come from the Congress and the Executive Branch of this Country.

The motion was then voted upon and carried by the following roll call vote:

Councilman Stanley	aye
Vice Mayor Tharp	absent
Councilman Wandrei	aye
Councilwoman Flood	aye
Councilman Hubbard	aye
Councilman Padgett	absent
Mayor Messier	aye

The City Manager stated that the City is eligible to receive \$34,873.00 in federal funding through the Virginia Department of Emergency Management Domestic Preparedness Program. Providing the funding level is adequate, the intended use of these funds is to provide: a public warning notification system, enhancing Bedford's emergency communications system and emergency operations center, and improvement of detection and investigative equipment. Due to the quick turn around time for this grant, emergency management could not get specific price quotes concerning the actual implementation costs of the previously mentioned projects. Until proposals are solicited the actual costs of the projects cannot be determined. As a result, some modifications to the projects may be necessary in order to keep costs within the awarded amount. In addition to being available for terrorist threats, these enhancements will be available for use during other manmade or natural emergencies that may endanger the City's population.

City Manager Meadows requested that Council authorize the receipt and acceptance of the federal grant and designate F. Craig Meadows as the applicant's agent. It was also requested that Council approve the appropriation of these funds to be used by the City for its domestic preparedness program, which will be shown as an increase in the City's Public Safety appropriation in the General Fund.

On motion by Councilman Stanley, seconded by Councilwoman Flood, voted upon and carried, Council approved the request regarding the Domestic Preparedness Grant.

The City Manager reported that the Finance Committee, at its meeting earlier in the evening, recommended that an additional \$2,500 be appropriated to the Safe Haven Program. Mr. Meadows stated this would be accomplished by an appropriation from the General Fund unappropriated contingency in the amount of \$2,500 and an increase in the outside agency funding to the American Red Cross for \$2,500.

Councilwoman Flood moved that Council approve the appropriation. Councilman Wandrei seconded the motion.

Councilman Hubbard explained why he would vote “no” for the appropriation. Councilman Stanley agreed with Councilman Hubbard.

Councilman Wandrei made a substitute motion to table the matter until the next regular Council meeting. Councilwoman Flood seconded the motion.

The substitute motion was then voted upon and carried.

Councilman Hubbard moved that Council adjourn into closed session pursuant to Section 2.2-3711(a)(7) of the Code of Virginia of 1950, as amended, for consultation with legal counsel regarding legal matters. Councilwoman Flood seconded the motion. The motion was voted upon and carried by the following roll call vote:

Vice Mayor Tharp	absent
Councilman Wandrei	aye
Councilwoman Flood	aye
Councilman Hubbard	aye
Councilman Padgett	absent
Councilman Stanley	aye
Mayor Messier	aye

Council adjourned into closed session at 7:56 p.m. Non-council members attending: City Manager Meadows and City Attorney Berry.

Council reconvened into open session at 8:17 p.m.

The Clerk of Council read aloud the following 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 Tharp, seconded by Councilman Padgett, voted upon and carried by a roll call vote, Council adopted the resolution. Roll call vote follows:

Councilman Wandrei	aye
Councilwoman Flood	aye
Councilman Hubbard	aye
Councilman Padgett	aye
Councilman Stanley	absent

Vice Mayor Tharp
Mayor Messier

aye absent

Mayor Messier adjourned the meeting at 8:18 p.m.