

June 8, 2010

A regular meeting of the Council of the City of Bedford, Virginia, was held in the Council Hall of the Municipal Building at 7:00 p.m., June 8, 2010.

Members present: Mayor W. D. Tharp; Councilwoman Mary L. Flood; Councilman Jeffrey B. Hubbard (arrived at 7:06 p.m.); Councilman Steve C. Rush; Councilman C. G. Stanley, Jr.; Councilman James A. Vest; and Vice Mayor Robert T. Wandrei

Members absent: None

Staff present: City Manager Charles P. Kolakowski; City Attorney W. W. Berry, IV; and Clerk of the Council Teresa W. Hatcher

Mayor Tharp opened the meeting and led all present in saying the Pledge of Allegiance to the Flag.

Mayor Tharp declared that the minutes of a regular Council meeting held on May 25, 2010, were approved as distributed.

Corey Crompton, Network & Systems Administrator, asked that the Shentel Corporation representative address the following items in his remarks during the public hearing: issues with connectivity and service levels; high definition television; maintaining a local office in Bedford; providing a local weather channel.

Councilman Vest stated that a primary election was held today that was paid for by the City. The Councilman stated he had asked the City Manager to work on some language to send to the legislature to see if the City can be relieved of having the cost of primaries.

Councilman Vest, Chairman of the Finance Committee, reported the Committee met earlier in the evening and discussed new hires and their portion of the payment for the Virginia Retirement System. Councilman Vest stated the City Manager reported that beginning this year, up to five percent could be charged to the employee for their portion of the retirement program and a decision on that will have to be made at the next meeting. The Committee also discussed the shortfall - \$789,000 in a negative situation.

Mayor Tharp opened the public hearing regarding the cable television franchise at 7:10 p.m.

The Notice of Public Hearing follows:

PUBLIC HEARING NOTICE

Notice is hereby given of a public hearing to be held by the City of Bedford City Council at 7:00 p.m. on Tuesday, 8 June 2010 at the City Municipal Building, Council Chambers, 215 East Main St. for the purpose of:

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- Approving the transfer of the cable franchise for the City of Bedford from JetBroadband, LLC to Shentel Corporation.
- Approving the transfer of the current schools fiber lease from JetBroadband, LLC and Contera to Shentel Corporation and Contera.
- Approving the transfer of the pole attachment agreements held with JetBroadband, LLC to Shentel Corporation.

Information regarding these transfers is on file in the Information Technology offices at 877 Monroe St. in Bedford.

Anyone who is in favor of or opposed to the transfers will have an opportunity to express his/her views at this hearing.

By the Authority of the City Council of the City of Bedford

Mr. Young, Shentel Corporation, stated that engineers will look at every aspect of the system as to what needs to be replaced and what needs to be improved. Mr. Young said Shentel has been a telephone company for over one hundred years and has been in the cable business for about thirty years. He stated the company is looking for office space in the downtown area and plan on offering all the employees the same jobs.

Mr. Crompton asked if Shentel had any plans to change the rate structure during the next year.

Mr. Young stated that would have to be reviewed.

Mayor Tharp stated that questions should be asked when the resolution is considered for adoption later in the meeting.

Mr. Bill Barbour, Vice President of Operations with JetBroadband, stated Shentel has assured JetBroadband that it will substantially keep all of the employees and that it is looking for another office location which is more convenient to downtown. Mr. Barbour stated that Shentel is very interested in adding additional channels, especially in the hi-definition format. He explained what would be involved in having a local weather channel.

As there were no further comments, the Mayor closed the public hearing at 7:15 p.m.

The Consent Agenda consisted of the following item:

Reappointment of Ms. Andrea Trotter and Mr. Paul Sherman to serve on the City School Board, terms to expire June 30, 2013

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On motion by Councilman Stanley, seconded by Vice Mayor Wandrei, voted upon and carried unanimously by a roll call vote, Council approved the Consent Agenda. Roll call vote follows:

Councilwoman Flood	aye
Councilman Hubbard	aye
Councilman Rush	aye
Councilman Stanley	aye
Councilman Vest	aye
Vice Mayor Wandrei	aye
Mayor Tharp	aye

The Mayor stated the next item on the agenda was the resolution dealing with the transfer of the cable television franchise agreement from JetBroadband, LLC, to Shentel Corporation.

Councilman Stanley moved for the adoption of the resolution. Councilwoman Flood seconded the motion.

Councilman Vest asked Mr. Barbour what impact the equipment improvement is going to have on the cable television customers pertaining to costs.

Mr. Barbour stated the company works very aggressively to keep the rates in check and that rate increases are a necessary evil. He said the company is subject to the increases that are bestowed on it in forms of insurance, programming fees. Mr. Barbour said that when the deal closes there will be no immediate impact on rates and that he could not speak to the rate strategy for the next 18 months. He stated that usually rates are an annual event and the last increase was in December 2009.

Vice Mayor Wandrei asked Mr. Barbour if he will be an employee of Shentel Corporation and Mr. Barbour indicated that he will have a position with Shentel.

The Vice Mayor spoke about the obnoxious JetBroadband commercials.

Mr. Barbour explained that if ad sales are sluggish, the commercials are autofilled into the unsold spaces.

Councilman Hubbard asked if the internet service will be affected.

Mr. Barbour stated that most likely there will be a domain change.

The motion to adopt the resolution was then voted upon and carried unanimously by the following roll call vote:

Councilman Hubbard	aye
Councilman Rush	aye
Councilman Stanley	aye

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Councilman Vest	aye	
Vice Mayor Wandrei		aye
Councilwoman Flood		aye
Mayor Tharp	aye	

The resolution follows as adopted:

**RESOLUTION APPROVING THE ASSIGNMENT OF THE
CABLE TELEVISION FRANCHISE TO SHENTEL BY
JETBROADBAND**

WHEREAS, JetBroadband VA, LLC (“Franchisee”) owns, operates, and maintains a cable television system (“System”) serving the City of Bedford, VA (“the City”), and Franchisee is the duly authorized holder of the Franchise; and

WHEREAS, on April 16, 2010, JetBroadband VA, LLC entered into an Asset Purchase Agreement (“the Agreement”) with Shentel Cable Company (“Shentel”) in which, among other things, the Franchisee proposes to sell and assign to Shentel certain of the assets, including the Franchise, used by Franchisee in the operation of the System (“the Transaction”); and

WHEREAS, Franchisee and Shentel have requested the consent of the City for the assignment of the Franchise in accordance with the requirements of the Franchise and applicable law and have filed with the City a franchise assignment application on FCC Form 394 that includes relevant information concerning the Transaction and the legal, technical and financial qualifications of Shentel (collectively, “the Application”); and

WHEREAS, the City has reviewed the Application, examined the legal, financial and technical qualifications of Shentel, followed all required procedures to consider and act upon the Application and considered the comments of all interested parties; and

WHEREAS, the City believes that it is in the interest of the community to approve the Application and the assignment of the Franchise and the System to Shentel, as described in the Application.

**NOW THEREFORE BE IT RESOLVED BY THE CITY OF
BEDFORD AS FOLLOWS:**

SECTION 1: The City hereby approves the Application and consents to the assignment of the Franchise and System to Shentel; all in accordance with the terms of the Franchise and applicable law.

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SECTION 2: the City confirms that (a) the Franchise was properly granted or assigned to Franchisee and is in full force and effect, and (b) the Franchisee is materially in compliance with the provisions of the Franchise and applicable law, and there exists no fact or circumstance known to the City which constitutes or which, with the passage of time or the giving of notice or both, would constitute a default or breach under the Franchise or would allow the City to cancel or terminate the rights of the Franchisee thereunder.

SECTION 3: The City hereby consents to and approves (a) the pledge or grant of a security interest to, or the exercise of associated remedies by, any lender(s) of Shentel or its affiliates in Shentel's assets, including, but not limited to, the Franchise, or of interests in Shentel, for purposes of securing any indebtedness; and (b) the assignment or transfer of Shentel's assets, including the Franchise, provided that such assignment or transfer is to an entity directly or indirectly controlling, controlled by or under common control with Shentel.

SECTION 3: The City's approval of the Application and its consent to the assignment of the Franchise to Shentel shall be effective immediately, and Shentel shall notify the City upon the closing date of the Transaction.

SECTION 4: The City releases JetBroadband VA, LLC ("Franchisee"), effective upon the closing date of the Transaction, from all obligations and liabilities under the Franchise and applicable law that accrue on and after the closing date, provided that Shentel shall be responsible for any obligations and liabilities under the Franchise that accrue on and after the closing date, and that Shentel becomes, in effect, the new Franchisee, assuming in full the role, responsibilities, obligations, and services currently part of the Franchise.

SECTION 5: This Resolution shall have the force of a continuing agreement with Franchisee and Shentel.

The City Manager stated Shentel Corporation has entered into an agreement to purchase the assets of JetBroadband, LLC, including their cable franchise in the City of Bedford. Cable line assets currently owned by JetBroadband, LLC that are attached to utility poles owned by the City of Bedford have an attendant pole attachment agreement and fee. Mr. Kolakowski reported that Shentel Corporation will assume both the assets (the cable) and the payments and responsibilities of the pole attachment agreement(s) per the terms of those agreement(s). Shentel Corporation has filed an FCC form 394 pursuant to the transfer of the franchise agreement, and will become the legal successor to JetBroadband for all leases and agreements that JetBroadband has made related to that franchise. Shentel will provide the City with a transfer (closing) date, and wishes to take over payments for the pole attachment agreement(s) as of that date. The City Manager stated that City Council was requested to adopt a resolution approving the transfer of the existing pole attachment agreement(s) from JetBroadband, LLC to Shentel Corporation.

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On motion by Councilman Hubbard, seconded by Councilman Stanley, voted upon and carried unanimously by a roll call vote, Council adopted the resolution regarding the transfer of the pole attachment agreement. Roll call vote follows:

Councilman Rush	aye
Councilman Stanley	aye
Councilman Vest	aye
Vice Mayor Wandrei	aye
Councilwoman Flood	aye
Councilman Hubbard	aye
Mayor Tharp	aye

The resolution follows as adopted:

**RESOLUTION APPROVING THE TRANSFER
OF THE EXISTING POLE ATTACHMENT
AGREEMENT(S) FROM JETBROADBAND TO SHENTEL**

WHEREAS, JetBroadband VA, LLC (“Lessee”) has certain of its infrastructure assets, namely aerial cable, attached to poles owned by the City of Bedford, VA (“the City”) as part of its service as cable provider and franchisee for the City; and

WHEREAS, the City has negotiated pole attachment agreements (“the Pole Attachments”) with Lessee which delineate a relationship, responsibilities, obligations and payments separate from their relationship as franchisor and franchisee, respectively, relating solely to the attachment of Lessee's assets to poles owned by the City; and

WHEREAS, on April 16, 2010, JetBroadband VA, LLC entered into an Asset Purchase Agreement (“the Agreement”) with Shentel Cable Company (“Shentel”) in which, among other things, the Lessee proposes to sell and assign to Shentel certain of the assets, including the Pole Attachments; and

WHEREAS, Lessee and Shentel have requested the consent of the City for the assignment of the Pole Attachments; and

WHEREAS, the Assignments do not provide for assignment or transfer without the approval of the City Council; and

WHEREAS, the City has considered the concerns and comments of all interested parties; and

WHEREAS, the City believes that it is in the interest of the community to approve the transfer of the Pole Attachments and their attendant payments and responsibilities to Shentel,

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NOW THEREFORE BE IT RESOLVED BY THE CITY OF BEDFORD AS FOLLOWS:

SECTION 1: The City hereby approves the transfer of the Pole Attachments and consents to the assignment of the Pole Attachments and all terms thereof to Shentel; all in accordance with applicable law.

SECTION 2: the City confirms that (a) the Pole Attachments were properly granted or assigned to Lessee and are in full force and effect, and (b) the Lessee is materially in compliance with the provisions of the Pole Attachments and applicable law, and there exists no fact or circumstance known to the City which constitutes or which, with the passage of time or the giving of notice or both, would constitute a default or breach under the Pole Attachments or would allow the City to cancel or terminate the rights of the Lessee thereunder.

SECTION 3: The City's approval of the transfer and its consent to the assignment of the Pole Attachments to Shentel shall be effective immediately, and Shentel shall notify the City upon the closing date of the Agreement.

The City Manager stated Shentel Corporation has entered into an agreement to purchase the assets of JetBroadband, LLC, including services provided such as the internet service to the Liberty District schools. Shentel Corporation will assume the payments and responsibilities attendant upon this lease and per the terms of the lease will become JetBroadband's legal successor. Mr. Kolakowski said assignment is provided for in the lease itself, pending Council approval. Shentel will provide the City with a transfer (closing) date, and wishes to take over providing service to the schools and payment of the lease as of that date. The City Manager stated that Council was requested to adopt a resolution approving the transfer of the schools fiber lease from JetBroadband, LLC to Shentel Corporation.

Vice Mayor Wandrei moved that the resolution regarding the transfer of the existing schools fiber lease be adopted. The motion was seconded by Councilman Stanley.

Mayor Tharp asked if there are any plans to expand fiber coverage.

Mr. Barbour stated that the company continues to be aggressively pursuing fiber opportunities and that he expects there will be some improvements and some expansion.

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

Councilman Stanley	aye
Councilman Vest	aye
Vice Mayor Wandrei	aye
Councilwoman Flood	aye

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Councilman Hubbard	aye
Councilman Rush	aye
Mayor Tharp	aye

The resolution follows as adopted:

**RESOLUTION APPROVING THE TRANSFER
OF THE EXISTING SCHOOLS FIBER LEASE
FROM JETBROADBAND TO SHENTEL**

WHEREAS, JetBroadband VA, LLC (“Lessee”) leases certain strands of fiber optic cable from the City of Bedford, VA (“the City”) for the purpose of providing internet service to the schools in and around the City, under a lease dated *26 June 2009* (“the Lease”); and

WHEREAS, on April 16, 2010, JetBroadband VA, LLC entered into an Asset Purchase Agreement (“the Agreement”) with Shentel Cable Company (“Shentel”) in which, among other things, the Lessee proposes to sell and assign to Shentel certain of the assets, including the Lease; and

WHEREAS, Lessee and Shentel have requested the consent of the City for the assignment of the Lease; and

WHEREAS, the Lease does not provide for assignment or transfer without the approval of the City Council; and

WHEREAS, the City has considered the concerns and comments of all interested parties; and

WHEREAS, the City believes that it is in the interest of the community to approve the transfer of the Lease and its attendant payments and responsibilities to Shentel,

**NOW THEREFORE BE IT RESOLVED BY THE CITY OF
BEDFORD AS FOLLOWS:**

SECTION 1: The City hereby approves the transfer of the Lease and consents to the assignment of the Lease and all terms thereof to Shentel; all in accordance with applicable law.

SECTION 2: the City confirms that (a) the Lease was properly granted or assigned to Lessee and is in full force and effect, and (b) the Lessee is materially in compliance with the provisions of the Lease and applicable law, and there exists no fact or circumstance known to the City which constitutes or which, with the passage of time or the giving of notice or both, would constitute a default or breach under the Lease or would allow the City to cancel or terminate the rights of the Lessee thereunder.

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SECTION 3: The City's approval of the transfer and its consent to the assignment of the Lease to Shentel shall be effective immediately, and Shentel shall notify the City upon the closing date of the Agreement.

SECTION 4: The City releases JetBroadband VA, LLC (“Lessee”), effective upon the closing date of the Agreement, from all obligations and liabilities under the Lease and applicable law that accrue on and after the closing date, provided that Shentel shall be responsible for any obligations and liabilities under the Lease that accrue on and after the closing date, and that Shentel becomes, in effect, the new Lessee, assuming in full the role, responsibilities, obligations, payments and services enumerated by the Lease.

SECTION 5: This Resolution shall have the force of a continuing agreement with Lessee and Shentel.

City Manager Kolakowski stated the Fiscal Year 2010-2011 Budget is a document that has resulted from a very structured and formal development process. Council conducted work sessions to further refine it on April 21, April 27 and May 11, 2010. A public hearing on the budget was conducted May 25, 2010, and interested parties were given an opportunity to publicly voice their opinion of its contents. Having gone through this process, staff feels that the Fiscal Year 2010-2011 Budget in its current form is a policy document that is adequate to serve as the City’s work plan for the coming year. The City Manager stated that Council was requested to adopt the budget for Fiscal Year 2010-2011.

Councilman Vest moved that the budget for Fiscal Year 2010-2011 be adopted. The motion was seconded by Councilman Rush.

Rosie Jordan, Director of Finance, gave a brief review of minor changes in the proposed budget. Ms. Jordan stated that members of Council had been given a list of the changes.

The motion to adopt the Fiscal Year 2010-2011 budget was then voted upon and carried by the following roll call vote:

Councilman Vest	aye
Vice Mayor Wandrei	aye
Councilwoman Flood	aye
Councilman Hubbard	aye
Councilman Rush	aye
Councilman Stanley	aye
Mayor Tharp	aye

The City Manager stated that Section 58.1-3005 of the Code of Virginia of 1950, as amended, requires that Council annually levy a tax on all real estate located within the City. Mr. Kolakowski said the proposed ordinance establishes a tax rate for Fiscal Year

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2010-2011 of \$0.86 per one hundred dollars of assessed valuation. The ordinance has been posted in accordance with § 2-54 of the City Code. The City Manager said that Council was requested to adopt the ordinance establishing the real estate tax rate for Fiscal Year 2010-2011 at \$0.86 per one hundred dollars of assessed valuation.

Councilman Vest moved that the ordinance regarding the real estate tax rate be adopted. The motion was seconded by Councilman Stanley.

Councilman Rush stated that in essence Council was voting on a tax increase.

The City Manager stated it is an increase in the amount of taxes collected.

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

Vice Mayor Wandrei	aye
Councilwoman Flood	aye
Councilman Hubbard	aye
Councilman Rush	aye
Councilman Stanley	aye
Councilman Vest	aye
Mayor Tharp	aye

The ordinance follows as adopted:

ORDINANCE NO. 10-4

**AN ORDINANCE LEVYING TAX UPON REAL ESTATE
AND CERTAIN TANGIBLE PERSONAL PROPERTY OF
PUBLIC SERVICE CORPORATIONS AND ESTABLISHING
THE TAX RATE THEREON FOR THE FISCAL YEAR
BEGINNING JULY 1, 2010**

ORDINANCE

BE IT ORDAINED by the City Council of the City of Bedford, Virginia, that there be, and is hereby levied for the Fiscal Year 2010-2011, a tax rate of \$0.86 per one hundred dollars of assessed valuation on all taxable real estate located in the City, the respective levy hereby ordered being also applicable to the real estate and tangible personal property of public service corporations within the limitations specified by Section 58.1-2606 of the Code of Virginia of 1950, as amended, based upon the assessment thereof fixed by the State Corporation Commission and duly certified.

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City Manager Kolakowski stated Section 58.1-3005 of the Code of Virginia of 1950, as amended, requires that Council shall annually levy a tax on tangible personal property located within the City. The proposed ordinance establishes a tax rate for calendar year 2010 of \$2.43 per one hundred dollars of one hundred per centum (100%) of assessed value on all taxable tangible personal property, with the exception of household goods and personal effects as classified in §58.1-3504 and horses, mules and other kindred animals, hogs, poultry, grains and other feeds used for the nurture of farm animals, grain and tobacco; cattle, sheep and goats, farm machinery and farm implements as such items are classified in Section 58.1-3505.

The City Manager said all tangible personal property employed in a trade or business other than that described in subdivisions 1 through 16 of §58.1-3503 is taxed at a levy of \$1.50 per one hundred dollars of one hundred per centum (100%) of the assessed valuation. The ordinance also establishes a tax rate of \$1.30 per one hundred dollars of one hundred per centum (100%) of assessed valuation on machinery and tools as classified in §58.1-3507, and motor carriers as separately classified in §58.1-3506. The ordinance has been posted in accordance with §2-54 of the City Code. The City Manager said that Council was requested to adopt the ordinance establishing the personal property tax rate for Calendar Year 2010.

On motion by Vice Mayor Wandrei, seconded by Councilman Hubbard, voted upon and carried by a roll call vote, Council adopted the proposed ordinance regarding the personal property tax rate. Roll call vote follows:

Councilwoman Flood	aye
Councilman Hubbard	aye
Councilman Rush	aye
Councilman Stanley	aye
Councilman Vest	aye
Vice Mayor Wandrei	aye
Mayor Tharp	aye

The ordinance follows as adopted:

ORDINANCE NO. 10-5

**AN ORDINANCE LEVYING TAX UPON
TANGIBLE PERSONAL PROPERTY AND
ESTABLISHING THE TAX RATES THEREON
FOR THE CALENDAR YEAR BEGINNING JANUARY 1, 2010**

ORDINANCE

BE IT ORDAINED by the City Council of the City of Bedford, Virginia, that there be, and is hereby levied, for the calendar year 2010, a tax rate of \$2.43 per one hundred dollars of one hundred per centum (100%) of assessed value on all taxable tangible personal property, including property separately classified in Section 58.1-3503 of the Code

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of Virginia of 1950, as amended, unless exempted from taxation or subject to a different rate under this ordinance. All tangible personal property employed in a trade or business other than that described in subdivisions 1 through 18 of Section 58.1-3503 is taxed at a levy of \$1.50 per one hundred dollars of one hundred per centum (100%) of the assessed valuation. Household goods and personal effects as classified in Section 58.1-3504 and horses, mules and other kindred animals, hogs, poultry, grains and other feeds used for the nurture of farm animals, grain and tobacco; cattle, sheep and goats, farm machinery and farm implements as such items are classified in Section 58.1-3505 are exempted in whole from tangible personal property taxation. The following items are taxed at a rate of \$1.30 per one hundred dollars of one hundred per centum (100%) of the assessed valuation: (a) machinery and tools as separately classified in Section 58.1-3507; and (b) motor carriers as separately classified in Section 58.1.3506.

On motion by Councilman Stanley, seconded by Vice Mayor Wandrei, voted upon and carried unanimously, Council adopted the resolution setting a percentage tax relief rate. Roll call vote follows:

Councilman Hubbard	aye
Councilman Rush	aye
Councilman Stanley	aye
Councilman Vest	aye
Vice Mayor Wandrei	aye
Councilwoman Flood	aye
Mayor Tharp	aye

The resolution follows as adopted:

**A RESOLUTION ESTABLISHING A PERCENTAGE TAX
RELIEF RATE PURSUANT TO THE VIRGINIA PERSONAL
PROPERTY TAX RELIEF ACT**

WHEREAS, the Virginia General Assembly in 1998 passed the Personal Property Relief Act based upon a philosophy that in passing the Act the personal property tax on personal motor vehicles would be eliminated; and

WEHREAS, in 2001, the Virginia General Assembly set the reimbursement rate to localities for personal property taxes for personal vehicles at seventy percent (70%) of the personal property tax amount; and

WHEREAS, in 2004, the Virginia General Assembly enacted statutes which drastically changed the philosophy of the Act and capped

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the contribution of the Commonwealth to localities for reimbursement for personal property taxes; and

WHEREAS, on November 22, 2005 the City Council of the City of Bedford passed an ordinance (Ordinance No. 05-24) which provided, among other things, that the allocation of personal property tax relief be allocated in such a manner as to eliminate personal property taxation on each qualifying vehicle with an assessed value of \$1,000 or less and that with respect to qualifying vehicles with assessed values of more than \$1,000 the City Council, by resolution, would set annually a percentage to be applied to the first \$20,000 in value of each such qualifying vehicle that based upon estimates of assessments would use up all remaining available state personal property tax relief; and

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

Section 1. In accordance with the requirements set forth in Section 58.1-3524(C) (2) and Section 58.1-3912(E) of the Code of Virginia, as amended by Chapter 1 of the Acts of Assembly (2004 Special Session 1) and as set forth in item 503.E (Personal Property Tax Relief Program) of Chapter 951 of the 2005 Acts of Assembly any qualifying vehicle having a situs within the City commencing January 1, 2010, shall receive personal property tax relief in the following manner:

- Personal use vehicles valued at \$1,000 or less will be eligible for 100% tax relief;

- Personal use vehicles valued at \$1,001 to \$20,000 will be eligible for 50% tax relief;

- Personal use vehicles valued at \$20,001 or more shall only receive 50% tax relief on the first \$20,000 of value; and

- All other vehicles which do not meet the definition of "qualifying" (business use vehicles, farm use vehicles, motor home, etc.) will not be eligible for any form of tax relief under this program.

Section 2. Any amount of Personal Property Tax Relief Act relief not used within and the City's fiscal year shall be carried forward and used to increase the funds available for personal property tax relief in the following fiscal year.

Section 3. This Resolution shall take effect on July 1, 2010.

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City Manager Kolakowski stated that Section 58.1-3005 of the Code of Virginia of 1950, as amended, requires that Council shall, on a regular basis, make an appropriation of funds for expenditure by the City. The proposed ordinance directs that the funds as set out in the budget for Fiscal Year 2010-2011 be appropriated and set aside to the appropriate funds, and authorizes the City Manager to expend the funds in accordance with said budget and in accordance with prior appropriations. The ordinance denoting the original appropriations has been posted in accordance with §2-54 of the City Code. The City Manager stated that Council was requested to adopt the ordinance appropriating funds as set out in the budget for Fiscal Year 2010-2011 and authorize the City Manager to expend the funds in accordance with said budget.

Councilman Vest moved that Council approve the ordinance appropriating funds for Fiscal Year 2010-2011. The motion was seconded by Councilman Hubbard.

Councilman Vest asked if it includes the changes.

The City Manager stated that the changes are included in the budget.

The Mayor complimented Mr. Kolakowski, Ms. Jordan, and the City staff for their work on the budget and those members of Council who have been actively involved in the process.

The motion was then voted upon and carried by a roll call vote as follows:

Councilman Rush	aye
Councilman Stanley	aye
Councilman Vest	aye
Vice Mayor Wandrei	aye
Councilwoman Flood	aye
Councilman Hubbard	aye
Mayor Tharp	aye

The ordinance follows as adopted:

ORDINANCE NO. 10-6

BE IT ORDAINED that the City Council of the City of Bedford, Virginia, hereby directs that the funds as set out in the budget for Fiscal Year 2010-2011 for the City of Bedford are appropriated and set aside to the General Fund, to the Solid Waste Fund, to the Water and Sewer Fund, to the Electric Fund, to the General Capital Projects Fund, to the Solid Waste Capital Projects Fund, to the Water and Sewer Capital Projects Fund and to the Electric Capital Projects Fund, as shown in said budget, and that the City Manager is authorized to expend the funds in the General Fund, Solid Waste Fund, Water and Sewer Fund, Electric Fund, General Capital Projects Fund, Solid Waste Capital Projects Fund, Water and Sewer Capital Projects Fund and Electric Capital Projects Fund in accordance with said budget and in accordance with prior appropriations.

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Mayor Tharp adjourned the meeting at 7:42 p.m.