

August 23, 2011

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., August 23, 2011.

Members present: Mayor W. D. Tharp (arrived at 7:01 p.m.); Councilwoman Mary L. Flood; Councilman Guy E. Murray, Jr.; 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.

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

Mayor Tharp arrived at 7:01 p.m.

Mayor Tharp declared that the minutes of an adjourned Council meeting held on August 9, 2011, and the minutes of a regular Council meeting held on August 9, 2011, were approved as distributed.

City Manager Kolakowski reported on the following:

- There was no apparent damage to the City's infrastructure due to the earthquake that occurred earlier today.
- The City staff is looking at what can preparations need to be made if hurricane Irene affects Bedford during the upcoming weekend.

Councilman Vest commended the staff for the tremendous improvements at the new recycling and trash area.

The Mayor stated he sent letters to Senator Newman and Delegate Putney concerning the funding of the mandates received from the State on a regular basis. The Mayor said he had distributed to Council the letter he received from Senator Newman.

Mayor Tharp stated he had just come from starting the visitation for the late Mrs. Marie Otey, who was the widow of a former Mayor of Bedford, the Honorable Russell J. Otey.

The City Manager stated a revision to the agenda was the addition of an item under the Consent Agenda.

The Consent Agenda consisted of the following item:

- The Children's Ministry Committee of Main Street United Methodist Church is requesting that Council authorize blocking Washington Street between Otey Street and South Street for their Fall Festival on Saturday, October 15, 2011. The request is to close the above streets on Saturday, October 15th from 3:00 p.m. until 7:30 p.m.

August 23, 2011

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

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

Mr. Bob White, Deputy Director of Region 2000, introduced Mr. Mike Lawless, Draper Aden Associates, who gave a summary of the Regional Water Supply Plan, the Drought Response and Contingency Plan, and the Drought Management Ordinance. The following are required actions to be taken by each governing body:

- Adopt a Drought Management Ordinance which includes the components recommended by the Virginia Department of Environmental Quality (DEQ).
- Adopt a Drought Response and Contingency Plan which will be included in the Regional Water Supply Plan and will be adopted upon adoption of the Water Supply Plan; this does not need separate adoption.
- Hold a public hearing and pass a resolution adopting the Regional Water Supply Plan.

The City Manager recommended holding the public hearing on September 27 and for City Council to take action in October.

City Treasurer Debbie Roberts presented the following report on uncollected taxes:

REAL ESTATE TAX STATUS AS OF AUGUST 14, 2011

TAX YEAR	ASSESSMENT	UNCOLLECTED	COLLECTED
2006-2007	\$3,252,727.22	\$62.37	99.998%
2007-2008	\$3,232,761.76	\$86.67	99.997%
2008-2009	\$3,290,017.42	\$12,381.09	99.624%
2009-2010	\$3,537,030.04	\$67,958.11	98.079%
2010-2011	\$3,672,469.34	\$ 68,307.80	98.140%

August 23, 2011

PERSONAL PROPERTY TAX STATUS AS OF AUGUST 14, 2011

2006	\$930,010.15	\$2,202.60	99.763%
2007	\$978,709.41	\$1,990.09	99.797%
2008	\$1,104,296.31	\$ 7,792.41	99.294%
2009	\$1,185,736.18	\$ 8,975.42	99.243%
2010	\$1,162,022.38	\$11,570.18	99.004%

State Relief Annual Reimbursement is \$280,647.01

City Manager Kolakowski reported that during the called Council meeting on July 12, 2011, City staff discussed raising the late fee percentage for utility accounts. This was discussed in conjunction with the changes in the disconnection process for utility customers. The City manager said the proposal submitted was to change the late fee from 1.5% to 3.0% with a minimum late fee of \$5.00. Since this percentage is listed in the electric tariffs, City staff is requesting Council approve the amended electric tariffs to include the new late fee percent and minimum charge to be effective September 1, 2011.

On motion by Councilman Stanley, seconded by Councilman Murray, voted upon and carried unanimously by the following roll call vote, Council approved the amended electric tariffs to include the new late fee percent and minimum charge to be effective September 1, 2011. Roll call vote follows:

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

The Electric Tariffs follow as adopted:

**SCHEDULE R.S.
(Residential Electric Service)**

AVAILABILITY OF SERVICE

Available for full domestic electric service through one meter to individual residential customers, including rural residential customers engaged principally in agricultural pursuits.

August 23, 2011

MONTHLY RATE

Customer Charge	\$10.52 per month
Energy Charge	
First 900 KWH	\$0.087408 per KWH
All Over 900 KWH	\$0.072480 per KWH

MINIMUM CHARGE

This Schedule is subject to a minimum monthly charge equal to the Customer Charge.

PAYMENT

Bills are due upon presentation and payable at the main office, or authorized collection agencies, of the City within twenty (20) days of the bill preparation date. A charge of 3.0% per month with a minimum penalty amount of \$5.00 per month will be applied to any account balances not received by the City by the due date.

TERM

Annual

SPECIAL TERMS AND CONDITIONS

See Terms and Conditions of Service.

This Schedule is available to rural domestic customers engaged principally in agricultural pursuits where service is taken through one meter for residential purposes, as well as for the usual farm uses outside the home, but service under this Schedule shall not be extended to operations of a commercial nature or operations such as processing, preparing or distributing products not raised or produced on the farm, unless such operation is incidental to the usual residential and farm uses.

Normally, this Schedule is available for single-phase service only. However, at the City's option, and subject to the City's Terms and Conditions of Service relating to the extension of service, three-phase service may be provided to individual residences under this Schedule, when all service on such Schedule is taken through one meter and usage is for domestic or agricultural purposes. Where three-phase power service is required and/or where motors or heating equipment are used for commercial or industrial purposes, the applicable power Schedule will apply to such power service.

**SCHEDULE S.W.S.
(Sanctuary Worship Service)**

AVAILABILITY OF SERVICE

Available only to the synagogue or church building in which the sanctuary or principal place of worship is located and to all educational buildings which are physically attached by enclosed corridors or hallways to the building in which the sanctuary or principal place of worship is located.

August 23, 2011

MONTHLY RATE

Customer Charge	\$10.52 per month
Energy Charge	
First 900 KWH	\$0.087408 per KWH
All Over 900 KWH	\$0.072480 per KWH

MINIMUM CHARGE

This Schedule is subject to a minimum monthly charge equal to the Customer Charge.

PAYMENT

Bills are due upon presentation and payable at the main office, or authorized collection agencies, of the City within twenty (20) days of the bill preparation date. A charge of 3.0% per month with a minimum penalty amount of \$5.00 per month will be applied to any account balances not received by the City by the due date.

TERM

Annual

SPECIAL TERMS AND CONDITIONS

Auxiliary buildings of church organizations, such as classrooms, day care centers, etc., are not eligible for this rate unless such buildings, including the electrical wiring, are an integral part of and physically attached to the building in which the sanctuary is located.

See Terms and Conditions of Service.

**SCHEDULE S.G.S.
(Small General Service)**

AVAILABILITY OF SERVICE

Available for small general service customers with normal maximum electrical capacity requirements of less than 300 KW per month. When a customer being served under this Schedule establishes or exceeds a normal maximum requirement of 300 KW per month, the customer will be placed on the appropriate rate Schedule.

MONTHLY RATE

Customer Charge	\$16.16 per month
Demand Charge	

August 23, 2011

All over 2.5 KW of Billing Demand	\$5.48 per KW
Energy Charge	
All Metered KWH	\$0.069600 per KWH

DETERMINATION OF BILLING DEMAND

The billing demand in KW shall be taken each month as the highest registration of a 15-minute demand meter or indicator.

Monthly billing demands of these customers shall not be less than 60% of the previous 12-month peak. Monthly billing demands will be rounded to the nearest tenth.

EQUIPMENT SUPPLIED BY CUSTOMER

When the customer owns, operates, and maintains the complete substation equipment, including any and all transformers and/or switches and/or other apparatus necessary for the customer to take his entire service at the primary voltage of the transmission or distribution line from which said customer is to receive service, a credit of \$0.30 per KW of monthly billing demand will be applied to each monthly bill.

MINIMUM CHARGE

This Schedule is subject to a minimum monthly charge equal to the customer charge, plus such additional charges as are derived from application of the demand charge, energy charge, and, if applicable, equipment credits.

PAYMENT

Bills are due upon presentation. Any amount due and not received at the main office, or authorized collection agencies, of the City within twenty (20) days of the bill preparation date shall be subject to a delayed payment charge of 3.0% with a minimum penalty amount of \$5.00 per month.

TERM

Annual

SPECIAL TERMS AND CONDITIONS

See Terms and Conditions of Service.

August 23, 2011

**SCHEDULE L.G.S.
(Large General Service)**

AVAILABILITY OF SERVICE

Available for large general service. Customers having a capacity of 100 KW or more.

MONTHLY RATE

(\$)	Delivery Voltage	
	120 to 1000 Volts (\$)	Over 1000 Volts
Customer Charge	\$63.86/ month	\$127.72/month
Demand Charge		
All KW of Billing Demand	\$14.1840/KW	\$13.3200/KW
Reactive Demand Charge		
All KVAR of Lagging Reactive Demand		\$0.45828/KVAR
\$0.45828/KVAR		
Energy Charge		
All Metered KWH	\$0.037500	\$0.037500

DETERMINATION OF BILLING DEMAND

The billing demand in KW shall be taken each month as the highest 15-minute peak in kilowatts as registered during the month by a demand meter or indicator. Monthly billing demand established hereunder shall not be less than 60% of the previous 12-month peak, nor less than 100 KW.

The reactive demand in KVAR shall be taken each month as the highest single 15-minute peak in KVAR as registered during the month by a KVAR meter or indicator. Billing demands shall be rounded to the nearest one KW and KVAR.

MINIMUM CHARGE

This Schedule is subject to a minimum monthly charge equal to the sum of the customer charge, demand charge, energy charge, and reactive demand charge of the monthly rate.

PAYMENT

Bills are due upon presentation. Any amount due and not received at the main office, or authorized collection agencies, of the City within twenty (20) days of the bill preparation date shall be subject to a delayed payment charge of 3.0% with a minimum penalty amount of \$5.00 per month.

TERM

Annual.

SPECIAL TERMS AND CONDITIONS

See Terms and Conditions of Service.

August 23, 2011

**SCHEDULE L.C.P.
(Large Capacity Power)**

AVAILABILITY OF SERVICE

Available for general service delivered and measured at voltage levels which have been designed as primary distribution, subtransmission, or transmission voltages for service in the general area, but not less than 2.4 KV. Customers shall have a capacity of 1000 KW or more.

MONTHLY RATE

	Delivery Voltage	
	<u>2.4 – 40 KV (\$)</u>	<u>Over 40 KV (\$)</u>
Customer Charge	\$387.00/ month	\$803.22/month
Demand Charge		
Each KW of Monthly Billing Demand	\$12.90/KW	\$11.57/KW
Energy Charge		
All Billing KWH		\$0.028080/KWH
\$0.026400/KWH		
Reactive Demand Charge		
For each KVAR of lagging reactive demand in excess of 50% of the KW monthly billing demand	\$1.008/KVAR	\$1.008/KVAR

MEASUREMENT AND DETERMINATION OF DEMAND AND ENERGY

The billing demand in KW shall be taken each month as the highest single 30-minute peak in KW as registered during the month by a demand meter or indicator, but the monthly billing demand so established shall in no event be less than 60% of the previous 12-month peak, nor less than 1,000 KW.

The reactive demand in KVAR shall be taken each month as the highest single 30-minute peak in KVAR as registered during the month by a KVAR meter or indicator.

Billing KWH shall be metered KWH, except, when the City elects to measure energy at the secondary side of transformers owned by the customer, billing KWH shall be metered KWH multiplied by 1.04, billing KW shall be metered KW multiplied by 1.04, billing KVAR shall be metered KVAR multiplied by 1.04.

MINIMUM CHARGE

This Schedule is subject to a minimum monthly charge equal to the sum of the customer charge, demand charge, energy charge, and reactive demand charge of the monthly rate.

August 23, 2011

**SCHEDULE L.C.P.
(Large Capacity Power – Continued)**

PAYMENT

Bills are due upon presentation. Any amount due and not received at the main office, or authorized collection agencies, of the City within twenty (20) days of the bill preparation date shall be subject to a delayed payment charge of 3.0 % with a minimum penalty amount of \$5.00 per month.

TERM OF CONTRACT

Annual.

SPECIAL TERMS AND CONDITIONS

See Terms and Conditions of Service.

**SCHEDULE I-4
(Industrial Power-4)**

AVAILABILITY OF SERVICE

Available for general service delivered and measured at voltage levels which have been designed as primary distribution, subtransmission, or transmission voltages for service in the general area, but not less than 2.4 KV. Customers shall have a capacity of 5,000 KW or more.

MONTHLY RATE

Customer Charge	\$370.42/month
Facilities Charge	\$5,350.00/month
Demand Charge	
Each KW of Monthly Billing Demand	\$4.80/KW
Energy Charge	
All Billing KWH	\$0.040200/KWH
Reactive Demand Charge	
For each KVAR of lagging reactive demand in excess of 50% of the KW monthly billing demand	\$1.008/KVAR

MEASUREMENT AND DETERMINATION OF DEMAND AND ENERGY

The billing demand in KW shall be taken each month as the highest single 30-minute peak in KW as registered during the month by a demand meter or indicator, but the

August 23, 2011

monthly billing demand so established shall in no event be less than 60% of the previous 12-month peak, nor less than 1,000 KW.

The reactive demand in KVAR shall be taken each month as the highest single 30-minute peak in KVAR as registered during the month by a KVAR meter or indicator.

Billing KWH shall be metered KWH, except, when the City elects to measure energy at the secondary side of transformers owned by the customer, billing KWH shall be metered KWH multiplied by 1.04, billing KW shall be metered KW multiplied by 1.04, and billing KVAR shall be metered KVAR multiplied by 1.04.

MINIMUM CHARGE

This Schedule is subject to a minimum monthly charge equal to \$5,650 USD.

FACILITIES CHARGE

As part of the MONTHLY RATE charges stated above, the Consumer shall pay monthly Facilities Charges based on the installed cost of facilities furnished by the City and its wholesale power suppliers to render service to the Consumer hereunder.

The City's Facility Charge shall be the dollar investment in facilities provided by the City (including net replacements) to furnish service hereunder to the Consumer times a monthly carrying cost factor. This factor is based upon costs estimated at the effective date shown below and may be revised by the City in accordance with the latest cost information available, upon notice to Consumer of how any such revision is calculated. The City's facilities shall include both specific and reasonably allocable investment amounts associated with providing service to the Consumer. In no event shall any Facility Charge exceed \$5,650 USD/month during the term of this agreement.

PAYMENT

Bills due shall be paid within 20 days of the bill preparation date at the office of the Seller for service furnished or made available during the preceding month. If the Consumer shall fail to make any such payment on or before this date, the Seller shall add a three percent (3.0%) penalty to the bill with a minimum penalty amount of \$5.00 per month.

TERM

Service hereunder shall be for a period of not less than one (1) year, and thereafter on year-to-year terms unless provided otherwise by written agreement between the City and the Consumer.

SPECIAL TERMS AND CONDITIONS

August 23, 2011

See Agreement for Electric Services between Wheelabrator Abrasives, Inc., and the City of Bedford, Virginia Electric Department, effective as of the date of the Agreement.

**SCHEDULE O.L.
(Outdoor Lighting)**

AVAILABILITY OF SERVICE

Available for outdoor lighting to individual customers and municipal street lighting systems.

MONTHLY RATE

Overhead Lighting Service

A.	For each 175 w MV/100 w HPS	\$14.94 per month
	For each 250 w MV/150 w HPS	\$19.67 per month
	For each 400 w MV/250 w HPS	\$24.59 per month

The City will provide lamp, photo-electric relay control equipment, luminaire and upsweep arm, and shall mount same on an existing pole. If a new pole which can be connected to existing secondary circuits by one span of not over 150 feet is installed by the City at the customer's request, the customer will pay an installation charge of \$100.00.

- B. When new facilities, in addition to those specified in Paragraph A are to be installed by the City, the customer will, in addition to the above monthly charge, pay in advance the installation cost of such additional facilities.

PAYMENT

For all Residential customers with outdoor lights, bills are due upon presentation and payable at the main office or authorized collection agencies, of the City within twenty (20) days of the bill preparation date. A charge of 3.0% per month with a minimum penalty amount of \$5.00 per month will be applied to any account balances not received by the City by the due date.

For all other customers with outdoor lights, bills are due upon presentation. Any amount due and not received at the main office, or authorized collection agencies of the City, within twenty (20) days of the bill preparation date shall be subject to a delayed payment charge of 3.0% with a minimum penalty amount of \$5.00 per month.

HOURS OF LIGHTING

All lamps shall burn from one-half hour after sunset until one-half hour before sunrise, every night and all night, burning approximately 4,000 hours per annum.

OWNERSHIP OF FACILITIES

August 23, 2011

All facilities necessary for service, including fixtures, controls, poles, transformers, secondaries, lamps and other appurtenances, shall be owned and maintained by the City. All service and necessary maintenance will be performed only during the regular scheduled working

**SCHEDULE O.L.
(Outdoor Lighting - Continued)**

hours of the City. The City shall be allowed 48 hours after notification by the customer to replace all burned-out lamps.

TERM OF CONTRACT

For residential or farm customers – one year.
For commercial or general service customers – three years.

SPECIAL TERMS AND CONDITIONS

See Terms and Conditions of Service.

The City shall have the option of rendering bills monthly or bi-monthly.

Issued: August 23, 2011

Effective: September 1, 2011

Issued by the Council of the City of Bedford, Virginia

Mayor Tharp adjourned the meeting at 7:33 p.m.