

March 25, 2014

A regular meeting of the Council of the Town of Bedford, Virginia, was held in the Council Hall of the Municipal Building at 7:00 p.m., March 25, 2014.

Members present: Mayor Robert T Wandrei; Councilman Robert D. Carson; Councilman Stacey L. Hailey; Councilman Steve C. Rush; Councilman C. G. Stanley, Jr.; Councilman W. D. Tharp; and Vice Mayor James A. Vest

Members absent: None

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

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

Mayor Wandrei declared that the minutes of an adjourned Council meeting held on March 11, 2014, were approved as distributed; and the minutes of a regular Council meeting held on March 11, 2014, were approved as corrected.

Town Manager Kolakowski reported on the following:

- Upcoming events: Virginia Furniture Market – Pre-Opening Celebration of its newly expanded store – March 27th from 5:00 p.m. to 7:00 p.m.; Legislative Wrap-up breakfast at The Bedford Columns – April 30; tentative information meeting scheduled for a presentation by Centra Health on the plans and operations of the Bedford Memorial Hospital – May 6; Second Annual Job Fair at the Bedford facility of Central Virginia Community College – May 14; and several upcoming Ribbon Cuttings
- Saturday, April 5 from 8:00 a.m. to 12:00 noon - annual electronics, recycling, paper shredding, spring cleanup at the Farmer's Market
- March 31 through April 4 – Spring Cleanup Week – any items for pickup need to be out no later than March 30
- April 12 – Keep Bedford Beautiful Cleanup Day

Vice Mayor Vest, Chairman of the Finance Committee, said the Committee met earlier in the evening and the budget projections are mostly in line.

The Public Hearing Notice follows:

PUBLIC HEARING NOTICE

Notice is hereby given of a public hearing to be held by the Town Planning Commission at 5:30 p.m. on Thursday, March 6, 2014 and by the Town Council at 7:00 p.m. on Tuesday, March 25, 2014 at the Town Municipal Building, Council Hall, 215 E. Main Street for the following purpose:

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- To consider rezoning Tax Map #233-A-15 from R-1, Single Family Residential, to B-2, General Business. The request is made by Glenn T. Stevens, 810 Roberts Lane, Bedford, VA 24523.
- To consider rezoning Tax Map #177-A-1, from WCD, Workplace Campus District to M1, Manufacturing. The request is made by Jeff Crawford, 4271 Hummingbird Lane, Concord VA 24538.
- To consider rezoning Tax Map #146B 1 9T, from B-2, General Business, to R-1, Single Family (rear of parcel) and B-2, General Business (front of parcel). The request is made by Mark Rudinas, 1115 Moneta Road, Bedford VA 24523.

Information regarding these rezonings is on file in the office of Planning & Community Development.

Anyone who is in favor of or opposed to these requests will have an opportunity to express their view at this hearing.

By the Authority of the Planning Commission
and Town Council of the Town of Bedford

Bart Warner, Assistant City Manager, reviewed and explained the request by Jeff Crawford to consider rezoning Tax Map #177-A-1, from WCD, Workplace Campus District, to M1, Manufacturing.

Mayor Wandrei reviewed the request by Glenn T. Stevens to consider rezoning Tax Map #233-A-15 from R-1, Single Family Residential, to B-2, General Business; and the request by Mark Rudinas to consider rezoning Tax Map #146B 1 9T, from B-2, General Business, to R-1, Single Family (rear of parcel) and B-2, General Business (front of parcel.)

The Mayor opened the public hearing regarding the rezoning requests by Mark Rudinas and Jeff Crawford at 7:13 p.m. As there were no comments, the Mayor closed the public hearing at 7:13 p.m.

The Mayor opened the public hearing regarding the rezoning request by Glenn T. Stevens at 7:14 p.m. As there were no comments, Mayor Wandrei closed the public hearing at 7:14 p.m.

The Town Manager stated that Mr. Jeffrey Crawford is the owner of a property identified as 2136 McGhee Street (Tax Parcel 158-A-16T) within the Town of Bedford which is adjacent to the Bedford Center for Business (owned and operated by the Bedford Joint Economic Development Authority and identified as Tax Parcel 177-A-1). Mr. Crawford has entered into a contract for the purchase of approximately 2.2 acres of land from BJEDA which is to be resurveyed and combined with his existing property fronting McGhee Street. A contingency associated with the contract is that the 2.2 acres must be rezoned from Workplace Campus District (WCD) to Manufacturing (M1). Mr.

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Kolakowski reported that at its regular meeting on March 6, 2014, the Planning Commission unanimously recommended approval of Mr. Crawford's request.

On motion by Councilman Rush, seconded by Councilman Tharp, voted upon and carried unanimously by a roll call vote, Council adopted the ordinance rezoning the portion of Tax Parcel 177-A-1 which is the subject of the contract for purchase between Mr. Jeffrey Crawford and the Bedford Joint Economic Development Authority. Roll call vote follows:

Councilman Carson	aye
Councilman Hailey	aye
Councilman Rush	aye
Councilman Stanley	aye
Councilman Tharp	aye
Vice Mayor Vest	aye
Mayor Wandrei	aye

The ordinance follows as adopted:

ORDINANCE NO 14-1

**AN ORDINANCE REZONING A PORTION OF
TAX PARCEL 177-A-1 WITHIN THE TOWN OF BEDFORD**

WHEREAS, Mr. Jeffrey Crawford and the Bedford Joint Economic Development Authority (BJEDA) have entered a contract whereby Mr. Crawford intends to purchase approximately 2.2 acres of land currently owned by BJEDA and identified as Tax Parcel 177-A-1; and

WHEREAS, said 2.2 acres is intended to be resurveyed and combined with Mr. Crawford's existing property located at 2136 McGhee Street and identified as Tax Parcel 158-A-16T; and

WHEREAS, Mr. Crawford's property located at 2136 McGhee Street is currently zoned Manufacturing (M-1); and

WHEREAS, a contingency of the purchase contract between Mr. Crawford and BJEDA requires that the 2.2 acres to be purchased shall be rezoned from Workplace Campus District (WCD) to Manufacturing (M-1),

NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BEDFORD, VIRGINIA:

March 25, 2014

Section 1. The Zoning Map of the Town of Bedford is amended by rezoning the portion of Tax Parcel 177-A-1 which is the subject of the contract for purchase between Jeffrey Crawford and the Bedford Joint Economic Development from Workplace Campus District (WCD) to Manufacturing (M-1).

Section 2. This ordinance is effective upon enactment.

Town Manager Kolakowski said as part of the Voluntary Settlement Agreement related to the City's reversion to Town status, the City agreed to temporarily classify the properties within the Phase I Boundary Adjustment Area by applying the Town zoning district that was most comparable to the County zoning district in which each tax parcel was located immediately prior to the adjustment. This was accomplished by ordinance on June 25, 2013. Under the provisions of Section 8.4 of the Voluntary Settlement Agreement, the Town is required to either affirm the zoning districts established by the action taken on June 25, 2013 or reclassify one or more tax parcels within the Phase I Boundary Adjustment Area to different zoning districts at the Town's discretion.

The Town Manager stated that in execution of this task, staff sent letters to all property owners within the Phase I Boundary Adjustment Area advising them of their right to request rezoning of their particular property. Responses were received from a total of four total property owners who requested rezoning of seven total affected parcels. These requests were acted upon in December 2013. Since that time two additional property owners within this area have come forward to request rezoning. Their requests were considered by the Planning Commission at its regular meeting on March 6, 2014, and were unanimously recommended for approval.

On motion by Councilman Rush, seconded by Councilman Hailey, voted upon and carried by a roll call vote, Council adopted the ordinance rezoning certain parcels within the Phase I Boundary Adjustment Area. Roll call vote follows:

Councilman Hailey	aye
Councilman Rush	aye
Councilman Stanley	aye
Councilman Tharp	aye
Vice Mayor Vest	aye
Councilman Carson	aye
Mayor Wandrei	aye

The Ordinance follows as adopted:

ORDINANCE NO. 14-2

**AN ORDINANCE CHANGING THE ZONING MAPS
FOR THE TOWN OF BEDFORD BY REZONING**

March 25, 2014

**TWO TAX PARCELS WITHIN THE
PHASE I BOUNDARY ADJUSTMENT AREA**

WHEREAS, the Planning Commission of the Town of Bedford held a public hearing on March 6, 2014; and

WHEREAS, the Town Council held a public hearing after notice was given in the *Bedford Bulletin* once a week for two successive weeks as required by Virginia Code 15.2-2204;

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN
COUNCIL OF THE TOWN OF BEDFORD, VIRGINIA:**

Section 1. The Zoning Map of the Town of Bedford is amended by rezoning Tax Parcel 233-A-15T from Single Family Residential (R-1) to General Business (B-2) and rezoning the rear portion of Tax Parcel 146B-1-9T from General Business (B-2) to Single Family Residential (R-1).

Section 2. This ordinance is effective upon enactment.

Mr. Elmer Hodge, Chairman of the Board of Directors of the Bedford Regional Water Authority (BRWA) asked for Council's support of the Mandatory Connection Policy adopted by the Board of Directors.

On motion by Vice Mayor Vest, seconded by Councilman Stanley, voted upon and carried unanimously by a roll call vote, Council adopted the proposed resolution concurring with the Bedford Regional Water Authority Mandatory Connection Policy. Roll call vote follows:

Councilman Rush	aye
Councilman Stanley	aye
Councilman Tharp	aye
Vice Mayor Vest	aye
Councilman Carson	aye
Councilman Hailey	aye
Mayor Wandrei	aye

The resolution follows as adopted:

**RESOLUTION
IN THE TOWN COUNCIL OF THE
TOWN OF BEDFORD, VIRGINIA,**

A RESOLUTION concurring in a Mandatory Connection Policy adopted by the Bedford Regional Water Authority in accordance with Virginia Code §15.2-5137 of the Virginia Water and Waste Authorities

March 25, 2014

Act, Chapter 51 of Title 15.2 of the Code of Virginia, 1950 as amended (the “Act”), and

WHEREAS, the Bedford Regional Water Authority (the “Authority”) was formed December 18, 2012 pursuant to the provisions of a Consolidation Agreement among the then City of Bedford (the “City”), Bedford County and the Bedford County Public Service Authority (the “BCPSA”); and

WHEREAS, the City and the BCPSA transferred to the Authority all of their assets and liabilities related to their water and sewer utilities; and

WHEREAS, the Authority has assumed the responsibility for providing water and sewer services to the citizens of Bedford County, including the Town of Bedford; and

WHEREAS, the Authority’s funding agencies require that the Authority have in place a Mandatory Connection Policy; and

WHEREAS, by action of its Board of Directors taken March 26, 2013, the Authority adopted its Mandatory Connection Policy, a copy of which is attached hereto and incorporated herein; and

WHEREAS, the Town has been asked by the Authority to concur in its Mandatory Connection Policy as it may be amended from time to time (the “Mandatory Connection Policy”), in accordance with Section 15.2-5137 of the Act; and

WHEREAS, the Town Council has been briefed on the Authority’s policy on granting exceptions to its Mandatory Connection Policy; and

WHEREAS, the Town Council of the Town of Bedford has determined that it is in the best interests of its citizens and water and sewer utility customers that it concur in the Mandatory Connection Policy.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Bedford, Virginia as follows:

1. The Town Council hereby determines that it is in the best interests of the citizens and water and sewer utility customers of the Town of Bedford that it concur, and it hereby concurs, in the Mandatory Connection Policy.

2. This resolution shall take effect immediately upon its adoption.

THE ATTACHMENT TO THE RESOLUTION FOLLOWS:



**OPERATING
POLICY
MANUAL**

Chapter: Connections
Document Number: 3.10
Page 1 of 3

Issue (Effective) Date: July 1, 2013
Approval Date: March 26, 2013
Approved By: Board of Directors

MANDATORY CONNECTION

Section 1. PURPOSE

In order to meet bond covenants, to ensure that debt service can be covered, and to provide revenue for repair and replacement funding, the Bedford Regional Water Authority (“Authority”) shall utilize the rights granted to the Authority by the State of Virginia and by Bedford County. The applicable Code of Virginia is listed herein.

Section 2. POLICY

- A. The owner, tenant, or occupant of each lot or parcel of land where any new residential, commercial, or industrial construction abuts upon or adjoins a public or private street or other public way or easement containing a waterline and/or a sewer line shall be compelled to connect to said utility and pay all appropriate fees.
- B. Exemptions for Private Facilities: Parcels subdivided from parent tracts are not subject to the exemptions contained herein, unless the subdivision a) contains no internal road right of ways, b) has internal road right of way(s) with a width of twenty feet (20’) or less, and c) does not include the construction of public roads.
 - 1. Existing sources and disposals:
 - a. Water: When new waterlines are installed by the Authority, all adjacent properties that have a proper and adequate existing private water source are not required to connect to the Authority’s water system, nor will the property owner, tenant, or occupant be required to pay any connection or user fees. If that private source should fail, the property must then be connected to the Authority’s water system and cannot develop or utilize an alternate source.
 - b. Sewer: When new sewer lines are installed by the Authority, all properties that have a proper and adequate method for private sewage disposal will not be required to connect to the Authority’s sewer system, nor will the property owner, tenant, or occupant be required to pay any connection or user fees. Should those private sewer facilities fail, the property must then be connected to the Authority’s sewer system and an alternative method for disposal cannot be developed or utilized.
 - 2. Proposed sources and disposals: All exemptions related to developing new water sources or new sewer disposal facilities under the terms of this policy shall be approved by the Executive Director of the Authority. Exemptions that may be approved include, but are not limited to, the following:
 - a. Water:
 - i. A private water source may be developed for agricultural purposes on property that is adjacent to the Authority’s water system.
 - ii. Properties where the nearest structure requiring service is greater than five hundred feet (500’) from the point where the water meter would be located by the Authority.
 - b. Sewer:
 - i. Properties where the nearest structure requiring sewer service is greater than five hundred feet (500’) from the point where the private connection to the public sewer system would be made.



**OPERATING
POLICY
MANUAL**

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MANDATORY CONNECTION

- ii. Properties that would require pumps, external to the structure, to access the non-pressure (gravity) sewer system.

Section 3. CODE OF VIRGINIA: WATER AND SEWER CONNECTIONS

The following is an excerpt copied verbatim from the Code of Virginia “§ 15.2-5137. Water and Sewer Connections: Exceptions” which was in effect at the time this policy was adopted. Any changes to the Code of Virginia shall take precedence over this policy.

1. Upon or after the acquisition or construction of any water system or sewer system under the provisions of this chapter, the owner, tenant, or occupant of each lot or parcel of land (i) which abuts a street or other public right of way which contains, or is adjacent to an easement containing, a water main or a water system, or a sanitary sewer which is a part of or which is or may be served by such sewer system and (ii) upon which a building has been constructed for residential, commercial, or industrial use, shall, if so required by the rules and regulations or a resolution of the Authority, with concurrence of the locality in which the land is located, connect the building with the water main or sanitary sewer, and shall cease to use any other source of water supply for domestic use or any other method for the disposal of sewage, sewage waste, or other polluting matter. All such connections shall be made in accordance with rules and regulations adopted by the Authority, which may provide for a reasonable charge for making such a connection. A private water company which purchases water from a regional Authority for sale or delivery to or within a municipality may impose a charge for connection to the water company’s system in the same manner, and subject to the same restrictions, as an Authority may impose for connection to its water system, subject to the approval of the State Corporation Commission.
2. Notwithstanding any other provision of this chapter, those persons having a domestic supply or source of potable water shall not be required to discontinue the use of such water. However, persons not served by a water supply system, as defined in § 15.2-2149, producing potable water meeting the standards established by the Virginia Department of Health may be required to pay a Connection Fee, a Front Footage Fee, and a Monthly Nonuser Service Charge, which charge shall not be more than that proportion of the minimum Monthly User Charge, imposed by the Authority, as debt service bears to the total operating and debt service costs, or any combination of such fees and charges. In York County and James City County, the Monthly Nonuser Fee may be as provided by general law or not more than 85 percent of the minimum Monthly User Charge imposed by the Authority, whichever is greater.
3. Notwithstanding any other provision of this chapter, those persons having a private septic system or domestic sewage system meeting applicable standards established by the Virginia Department of Health shall not be required under this chapter to discontinue the use of such system. However, such persons may be required to pay a Connection Fee, a Front Footage Fee, and a Monthly Nonuser Service Charge, which charge shall not be more than that proportion of the minimum Monthly User Charge, imposed by the Authority, as debt service bears to the total operating and debt service costs, or any combination of such fees and charges.



**OPERATING
POLICY
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MANDATORY CONNECTION

4. Persons who have obtained exemption from or deferral of taxation pursuant to an ordinance authorized by § 58.1-3210 may be exempted or deferred by the Authority from paying any charges and fees authorized by Section 1.A.3, to the same extent as the exemption from or deferral of taxation pursuant to such ordinance.
5. Water and sewer connection fees established by any Authority shall be fair and reasonable. Such fees shall be reviewed by the Authority periodically and shall be adjusted, if necessary, to assure that they continue to be fair and reasonable. Nothing herein shall affect existing contracts with bondholders which are in conflict with any of the foregoing provisions.

Section 4. CONCURRENCE

- A. As detailed in the Articles of Incorporation, the Authority was created by the City of Bedford ("City") and Bedford County ("County"). For this reason, the Authority requested that both entities adopt resolutions supporting this policy.

Section 5. REVISIONS

- A. This policy was approved and adopted by the Authority's Board of Directors on March 26, 2013, effective July 1, 2013.

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Mr. Hodge gave a progress report on the activities of the BRWA. He said the Board was very pleased with the progress that has been made on the new water system, with the transition to form the new water authority, and the day to day operations. Mr. Hodge gave an update on the Smith Mountain Lake water system, which is on time and on budget.

Town Manager Kolakowski said the Fiscal Year 2014-2015 Budget is a document that has resulted from a very structured and formal development process. Council conducted work sessions to further refine it on February 18th and March 11th. A public hearing on the budget was conducted March 11, 2014, and interested parties were given an opportunity to publicly voice their opinion of its contents. Mr. Kolakowski said that having gone through this process, staff feels that the Fiscal Year 2014-2015 Budget in its current form is a policy document that is adequate to serve as the Town's work plan for the coming year. Town Council was requested to adopt the budget for Fiscal Year 2014-2015.

On motion by Vice Mayor Vest, seconded by Councilman Stanley, voted upon and carried unanimously by a roll call vote, Council adopted the budget for Fiscal Year 2014-2015. Roll call vote follows:

Councilman Stanley	aye
Councilman Tharp	aye
Vice Mayor Vest	aye
Councilman Carson	aye
Councilman Hailey	aye
Councilman Rush	aye
Mayor Wandrei	aye

The Town Manager said 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 Town. The proposed ordinance establishes a tax rate for Fiscal Year 2014-2015 of \$0.30 per one hundred dollars of assessed valuation. The ordinance has been posted in accordance with § 2-54 of the Town Code. Town Council was requested to adopt the ordinance establishing the real estate tax rate for Fiscal Year 2014-2015 at \$0.30 per one hundred dollars of assessed valuation.

On motion by Vice Mayor Vest, seconded by Councilman Stanley, voted upon and carried unanimously by a roll call vote, Council adopted the ordinance establishing the real estate tax rate for Fiscal Year 2014-2015 at \$0.30 per one hundred dollars of assessed valuation. Roll call vote follows:

Councilman Tharp	aye
Vice Mayor Vest	aye
Councilman Carson	aye
Councilman Hailey	aye
Councilman Rush	aye
Councilman Stanley	aye
Mayor Wandrei	aye

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The ordinance follows as adopted:

**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, 2014**

ORDINANCE NO 14-3

BE IT ORDAINED by the Town Council of the Town of Bedford, Virginia, that there be, and is hereby levied for the Fiscal Year 2014-2015, a tax rate of \$0.30 per one hundred dollars of assessed valuation on all taxable real estate located in the Town, 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.

Town Manager Kolakowski stated that 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 Town. The proposed ordinance establishes a tax rate for calendar year 2014 of \$1.06 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. Mr. Kolakowski said that 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 \$0.000001 per one hundred dollars of one hundred per centum (100%) of the assessed valuation. One vehicle owned by disabled veterans are taxed at a rate of \$0.000001 per one hundred dollars of one hundred per centum (100%) of assessed value on taxable tangible personal property, separately classified in Section 58.1-3506 (a) (19). The ordinance also establishes a tax rate of \$0.000001 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 Town Code. Town Council was requested to adopt the ordinance establishing the personal property tax rate for Calendar Year 2014.

On motion by Vice Mayor Vest, seconded by Councilman Tharp, voted upon and carried unanimously by a roll call vote, Council adopted the ordinance establishing the personal property tax rate for Calendar Year 2014. Roll call vote follows:

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Vice Mayor Vest	aye
Councilman Carson	aye
Councilman Hailey	aye
Councilman Rush	aye
Councilman Stanley	aye
Councilman Tharp	aye
Mayor Wandrei	aye

The ordinance follows as adopted:

**AN ORDINANCE LEVYING TAX UPON
TANGIBLE PERSONAL PROPERTY AND
ESTABLISHING THE TAX RATES THEREON
FOR THE CALENDAR YEAR BEGINNING JANUARY 1, 2014**

ORDINANCE NO 14-4

BE IT ORDAINED by the Town Council of the Town of Bedford, Virginia, that there be, and is hereby levied, for the calendar year 2014, a tax rate of \$1.06 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 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 \$0.000001 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 \$0.000001 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. The following items are taxed at a rate of \$0.000001 per one hundred dollars of one hundred per centum (100%) of assessed value on taxable tangible personal property, separately classified in Section 58.1-3506 (a)(19), one vehicle owned by disabled veterans, of the Code of Virginia of 1950, as amended.

The Town Manager reported that the Virginia General Assembly in 1998 passed the Personal Property Tax Relief Act with the philosophy that relief would be gradually implemented to eliminate personal property tax on personal use motor vehicles. By

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2004, the Virginia General Assembly had revised its philosophy and capped the contribution from the Commonwealth to localities for reimbursement for personal property taxes. As a result, the City Council, on November 22, 2005, in accordance with state statutes, adopted an ordinance which provided that the funds to be reimbursed to the City of Bedford by the Commonwealth would 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 the Council would set, annually by resolution, a percentage of relief in respect to assessed values of more than \$1,000 as applied to the first \$20,000 in value of each such qualifying vehicle so as to exhaust fully the PPTRA funds provided to the City by the Commonwealth.

Town Manager Kolakowski said that the Finance Director has been advised that the State has allocated \$280,647 toward personal property tax relief in the Town of Bedford for fiscal year 2014-2015. Based upon projected personal property tax valuations, staff recommends that Council resolve to provide that the state relief funds be allocated in the following ways for fiscal year 2014-2015: (a) personal property taxation upon qualifying vehicles with an assessed value no more than \$20,000 will have 100% of the applicable tax relieved, and (b) the applicable tax rate shall apply to all assessed values over \$20,000 and to all non-qualifying vehicles. Town Council was requested to adopt the resolution as recommended by staff.

On motion by Vice Mayor Vest, seconded by Councilman Hailey, voted upon and carried unanimously by a roll call vote, Council adopted the resolution setting percentage tax relief to exhaust PPTRA Relief Funds. Roll call vote follows:

Councilman Carson	aye
Councilman Hailey	aye
Councilman Rush	aye
Councilman Stanley	aye
Councilman Tharp	aye
Vice Mayor Vest	aye
Mayor Wandrei	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

WHEREAS, 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

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WHEREAS, in 2004, the Virginia General Assembly enacted statutes which drastically changed the philosophy of the Act and capped 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 TOWN 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 Town commencing January 1, 2014, shall receive personal property tax relief in the following manner:

- Personal use vehicles valued up to \$20,000 will be eligible for 100% tax relief;
- Personal use vehicles valued at \$20,001 or more shall only receive 100% tax relief on the first \$20,000 of value with the applicable tax rate applied to the value over \$20,000; 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 Town’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, 2014.

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Town 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 Town. A proposed ordinance directs that the funds as set out in the budget for Fiscal Year 2014-2015 be appropriated and set aside to the appropriate funds, and authorizes the Town 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 Section 2-15 of the Town Code. Mr. Kolakowski said that Council was requested to adopt the ordinance appropriating funds as set out in the budget for Fiscal Year 2014-2015 and authorize the Town Manager to expend the funds in accordance with said budget.

On motion by Councilman Rush, seconded by Councilman Hailey, voted upon and carried unanimously by a roll call vote, Council adopted the ordinance appropriating funds as set out in the budget for Fiscal Year 2014-2015 and authorizing the Town Manager to expend the funds in accordance with said budget. Roll call vote follows:

Councilman Hailey	aye
Councilman Rush	aye
Councilman Stanley	aye
Councilman Tharp	aye
Vice Mayor Vest	aye
Councilman Carson	aye
Mayor Wandrei	aye

The ordinance follows as adopted:

ORDINANCE NO 14-5

BE IT ORDAINED that the Town Council of the Town of Bedford, Virginia, hereby directs that the funds as set out in the budget for Fiscal Year 2014-2015 for the Town of Bedford are appropriated and set aside to the General Fund, to the Solid Waste Fund, to the Electric Fund, to the General Capital Projects Fund, to the Solid Waste Capital Projects Fund, and to the Electric Capital Projects Fund, as shown in said budget, and that the Town Manager is authorized to expend the funds in the General Fund, Solid Waste Fund, Electric Fund, General Capital Projects Fund, Solid Waste Capital Projects Fund, and Electric Capital Projects Fund in accordance with said budget and in accordance with prior appropriations.

Councilman Tharp moved that Council adjourn into closed session pursuant to Section 2.2-3711(a)(1), personnel, of the Code of Virginia of 1950, as amended. Councilman Stanley seconded the motion. The motion was voted upon and carried by the following roll call vote:

March 25, 2014

Councilman Rush	aye
Councilman Stanley	aye
Councilman Tharp	aye
Vice Mayor Vest	aye
Councilman Carson	aye
Councilman Hailey	aye
Mayor Wandrei	aye

Council adjourned into closed session at 7:35 p.m. after a five minute recess.

Council reconvened into open session at 8:01 p.m.

The Clerk of Council read aloud the following resolution:

BE IT RESOLVED that the Council of the Town 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 Councilman Tharp, seconded by Councilman Hailey voted upon and carried by a roll call vote, Council adopted the resolution. Roll call vote follows:

Councilman Stanley	aye
Councilman Tharp	aye
Vice Mayor Vest	aye
Councilman Carson	aye
Councilman Hailey	aye
Councilman Rush	aye
Mayor Wandrei	aye

Mayor Wandrei adjourned the meeting at 8:02 p.m.