



**Town Council
Regular Council Meeting Minutes
May 24, 2022**

The Town Council of Bedford, Virginia, held a regularly scheduled meeting on Tuesday, May 24, 2022, at 7:00 p.m. in the Council Chambers of the Town Municipal Building at 215 East Main Street, Bedford, Virginia.

Town Council members present:

Mayor Tim Black, Councilman Bob Carson, Councilman Stacey Hailey, Councilman Bruce Hartwick, Councilman Bruce Johannessen, Councilman Darren Shoen

Town Council member absent:

Vice Mayor C. G. Stanley

Town Staff present:

Town Manager Bart Warner, Town Attorney Michael Lockaby, Police Chief Ronnie Lewis, Finance Director Anne Cantrell, Clerk of Council Debra B. Anderson, and Recording Secretary Julia Peters

Mayor Black called the meeting to order and led all those present in reciting the Pledge of Allegiance to the Flag.

APPROVAL OF MINUTES

Mayor Black declared that the minutes of the regularly scheduled Council meeting of May 10, 2022, were approved as presented.

REPORT OF TOWN MANAGER

Town Manager Bart Warner reported:

- An extension of thanks and recognition to the Town's employees who assisted with the successful Parade of Grads the past Sunday. He also thanked the parents who completely organized and executed the event and the downtown business/property owners for their patience and understanding.

- Congratulations to Bedford's Fire Chief Brad Creasy for his appointment by the Governor's Office to serve as the Executive Director for Fire Programs in the Commonwealth of Virginia. It is quite a responsible position, but Chief Creasy will do an outstanding job.
- If people are not aware, in the downtown area, bikes, skateboards, and scooters are not permitted on sidewalks. As school is out, he wanted to remind citizens that children should stay in the residential areas when riding bikes, scooters, etc. so there are not accidents.
- Town offices will be closed Monday, May 30, 2022, in observance of the Memorial Day holiday.

Mr. Warner deferred to Police Chief Lewis for the swearing-in of two new police officers, Justin Gravely and James Schley.

Clerk of Council Debra Anderson read the Oath of Office to the officers as they repeated it and signed copies of the Oath. Badges were then pinned onto the officers. Attendees applauded in support of the officers.

APPEARANCES BEFORE COUNCIL

None.

COUNCIL COMMENTS

Councilman Hartwick welcomed the new Chief of Police and congratulated the two new police officers. He also congratulated Brad Creasy on his appointment and all the high school seniors for a job well done.

Councilman Johannessen noted that Mr. Creasy would be greatly missed as the Fire Chief and replacing him will not be an easy task. He appreciated having the new police officers which should bring the force back up to full staff. Mr. Johannessen attended the Central Virginia Planning District Commission meeting on May 19, 2022. One interesting project they have worked on is getting the Central Virginia Training Center redeveloped. They are currently asking for \$25 million from the State to cover a bond before the property can be sold. Hopefully they will get the money and Amherst County would like to see the Center developed for industry and possibly housing. At one time, 1600 people were employed at the Center so Amherst is eager to have some redevelopment.

Councilman Hailey congratulated former Chief Creasy for his new appointment and welcomed the two new police officers. He knows they all will do a great job. He also congratulated the new Finance Director Anne Cantrell and Police Chief Ronnie Lewis, noting they will both do a fine job for the Town. He said that on a previous Saturday evening, while standing on West Main Street he turned around and had a bicycle up in his face. The bike handlebars hit him on his side, bruising him and it put him on the ground. He tried to take the brunt force so the rider would not be hurt. He did not call the police because he didn't want the kid to get in trouble, he just wanted

him to know the rules about riding bikes and told him to stay off the sidewalks. He saw the same kid riding on the sidewalk again about two weeks later. There is a Town policy and he was not singling out anyone but the issue needed to be addressed to avoid further accidents.

Councilman Shoen echoed the comments of Councilman Hartwick and Councilman Johannessen regarding Chief Creasy and the new police officers.

Councilman Carson congratulated Brad Creasy and the two new sworn-in police officers, Mrs. Cantrell and Police Chief Lewis. He was looking forward to working with them. He has also seen kids riding bikes recklessly on the sidewalks as well as riding scooters and it is something to be addressed to avoid more incidents. He noted the shooting in New York where ten people were killed and heard that day on the news about 14 children killed in a Texas school. He invited those attending to partake in a moment of silence for the victims as well as the parents.

Mayor Black welcomed Chief Lewis and Mrs. Cantrell and looked forward to working with them. He congratulated Mr. Creasy on his opportunity to work for the Commonwealth of Virginia. He noted there are many activities planned for the upcoming Memorial Day weekend and hoped everyone would have a chance to participate since these events were well-worth attending. On Saturday, June 4, 2022, the Visitors Center will have an unveiling of the highway marker for the Susie Gibson High School and a follow-up program at the school. They are doing good things to preserve the history of the community and he wanted everyone to be aware.

REPORT OF COUNCIL COMMITTEES

None.

REVISIONS TO AGENDA

Mayor Black requested adding a discussion about the delay in issuing real estate tax bills and providing a possible grace period to citizens.

Town Attorney Lockaby reported to Council that he spoke with Emily Sitzler, the attorney representing the Chamber of Commerce. She indicated that the Chamber was interested in the proposed option of purchasing the property and requested Council move forward in obtaining a current appraisal of the property as if the building was not there. Mr. Warner and Mr. Lockaby were in this process and hope to get it done sooner than later. In response to Mr. Shoen's question regarding this appraisal, Mr. Lockaby said the Chamber wanted an appraisal as if the building was not there, selling the land but not the building. Discussion followed about getting two appraisals, one with and one without the building and ownership of the building was also discussed. Consensus was agreeable to obtaining both appraisals.

PUBLIC HEARINGS

Mr. Warner read the following public hearing notice.

PUBLIC HEARING NOTICE

Notice is hereby given of public hearings to be held by Town Council at 7:00 p.m. on Tuesday, May 24, 2022, at the Town Municipal Building, Council Hall, 215 East Main Street for the purpose of hearing:

- Consideration of a request for a conditional use permit to install a roof mounted solar array for Donald Adams located at 1016 Hampton Ridge, Bedford, VA (Tax Parcel 175-A-35 T). The requester is Sunlight Solar, LLC, 10000 Chester Road, Chester, VA.
- Consideration of a request for a conditional use permit to install a roof mounted solar array for Daniel & Kimberly Whitworth located at 1123 Granite Drive, Bedford, VA (Tax Parcel 256-1-B-75 T). The requester is Power Home Solar, 919 North Main St Mooresville, NC.

Information is on file in the office of Planning and Community Development at 215 East Main Street. Anyone who is in favor of or opposed to the requests will have an opportunity to express his/her views at these hearings.

By the Authority of Town Council

Mayor Black opened the public hearing at 7:20 p.m.

Don Adams, 1016 Hampton Ridge, Bedford, VA

Mr. Adams said they have applied to put solar panels on his house. The home originally had oil heating but someone else took it out and installed individual electric heat in every room which is expensive. They hope to be approved for solar energy.

With no one else coming forward to speak, Mayor Black closed the public hearing at 7:21p.m.

Mayor Black opened the next public hearing at 7:22 p.m.

Daniel Whitworth, 1123 Granite Drive, Bedford, VA

Mr. Whitworth noted that his wife passed away that Sunday and his initial request was under both their names but he still wanted to be considered for the approval since he was caretaker for his wife's 85 year-old father. He uses oxygen and therefore more electricity is used and needed during loss of power due to severe weather. It is not his intention to sell or share the electricity generated and humbly requested approval for solar energy.

With no one else coming forward to speak, Mayor Black closed the public hearing at 7:23 p.m.

CONSENT AGENDA

Appointment of Member – Central Virginia Alcohol Safety Action Program Policy Board

Todd Foreman has been filling in as the Town Representative on the Central Virginia Alcohol Safety Action Program Policy Board until a new Chief of Police was in place. The term on this board expires on August 31, 2022. Chief Ronnie Lewis is prepared to step into this position, which will be a three-year term, if appointed by Council.

ACTION REQUESTED:

Council is requested to appoint Police Chief Ronnie Lewis to the Central Virginia Alcohol Safety Action Program Policy Board for a three-year term, said term to expire August 31, 2025.

Mr. Johannessen moved, seconded by Mr. Carson, to appoint Police Chief Ronnie Lewis to the Central Virginia Alcohol Safety Action Program Policy Board for a three-year term, said term to expire August 31, 2025.

Voted upon and carried by the following roll call vote.

Councilman Carson	aye
Councilman Hailey	aye
Councilman Hartwick	aye
Councilman Johannessen	aye
Councilman Shoen	aye
Mayor Black	aye

The motion carried with six members voting aye.

OLD BUSINESS

None.

NEW BUSINESS

Resolution – Permitting a Private Utility (Solar Panels) by Conditional Use Permit at Tax Parcel 175-A-35-T

The subject property is located at 1016 Hampton Ridge (identified as Tax Parcel 175-A-35-T). The property is zoned R-1A and is owned by Donald and Deborah Adams. The applicant is Sunlight Solar Virginia – Dominick Barlow. The applicant proposes to construct roof-mounted solar panels termed “Private Utility” in the zoning ordinance. The R-1A zoning district allows this use with a Conditional Use Permit in Section 603.02.a.

The Planning Commission held a public hearing on May 5, 2022. The property owner was the only citizen who spoke in the hearing. There was one Commissioner comment about whether glare would be an issue based on the question being raised at the last hearing for solar panels for the former middle school project. Another Commissioner noted a similar panel installation on Maiden Lane did not produce glare.

The Commission voted 7-0 to recommend approval to Council without conditions.

ACTION REQUESTED:

Town Council is requested to consider adopting a resolution to issue a Conditional Use Permit for residential roof-mounted solar panels as a “Private Utility” use. As part of a resolution approving the application for a Conditional Use Permit, Council may also impose conditions. Council also has the option to not adopt the resolution.

Mr. Hailey moved, seconded by Mr. Carson to adopt a resolution to issue a Conditional Use Permit for residential roof-mounted solar panels as a “Private Utility” use.

Voted upon and carried by the following roll call vote.

Councilman Hailey	aye
Councilman Hartwick	aye
Councilman Johannessen	aye
Councilman Shoen	aye
Councilman Carson	aye
Mayor Black	aye

The motion carried with six members voting aye.

The resolution follows.

RESOLUTION

**PERMITTING A PRIVATE UTILITY
(SOLAR PANELS) By CONDITIONAL USE PERMIT
AT TAX PARCEL 175-A-35-T**

WHEREAS, the Planning Commission of the Town of Bedford held a public hearing on May 5, 2022 and recommended approval of the request without conditions; 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; and

WHEREAS, Section 603.02.a. of the Land Development Regulations allows “Private Utility” to be permitted with a conditional use permit in the R-1A zoning district; and

WHEREAS, the Town Council finds as a fact that the proposed use is consistent with the intent of the land development ordinance and the land use plan, and is in the public interest; and

NOW, THEREFORE, BE IT Resolved BY THE TOWN COUNCIL OF THE TOWN OF BEDFORD, VIRGINIA that a conditional use permit is granted to Donald and Deborah Adams for the property tax parcel 175-A-35-T (1016 Hampton Ridge) to allow a “Private Utility” for roof-mounted solar panels.

Resolution – Permitting a Private Utility (Solar Panels) by Conditional Use Permit at Tax Parcel 256-1-B-75-T

The subject property is located at 1123 Granite Drive (identified as Tax Parcel 256-1-B-75-T). The property is zoned R-1 and is owned by Daniel and Kimberly Whitworth. The applicant is Power Home – Bryan Law. The applicant proposes to construct roof-mounted solar panels termed “Private Utility” in the zoning ordinance. The R-1 zoning district allows this use with a Conditional Use Permit in Section 602.02.e.

The Planning Commission held a public hearing on May 5, 2022. The property owner was the only citizen who spoke in the hearing. The Commission voted 7-0 to recommend approval to Council without conditions.

ACTION REQUESTED:

Town Council is requested to consider adopting a resolution to issue a Conditional Use Permit for residential roof-mounted solar panels as a “Private Utility” use. As part of a resolution approving the application for a Conditional Use Permit, Council may also impose conditions. Council also has the option to not adopt the resolution.

Mr. Johannessen moved, seconded by Mr. Hartwick to adopt a resolution to issue a Conditional Use Permit for residential roof-mounted solar panels as a “Private Utility” use.

Voted upon and carried by the following roll call vote.

Councilman Hartwick	aye
Councilman Johannessen	aye
Councilman Shoen	aye
Councilman Carson	aye
Councilman Hailey	aye
Mayor Black	aye

The motion carried with six members voting aye.

The resolution follows.

RESOLUTION
PERMITTING A PRIVATE UTILITY
(SOLAR PANELS) BY CONDITIONAL USE PERMIT
AT TAX PARCEL 256-1-B-75-T

WHEREAS, the Planning Commission of the Town of Bedford held a public hearing on May 5, 2022 and recommended approval of the request without conditions; 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; and

WHEREAS, Section 602.02.e. of the Land Development Regulations allows “Private Utility” to be permitted with a conditional use permit in the R-1 zoning district; and

WHEREAS, the Town Council finds as a fact that the proposed use is consistent with the intent of the land development ordinance and the land use plan, and is in the public interest; and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF BEDFORD, VIRGINIA that a conditional use permit is granted to Daniel and Kimberly Whitworth for the property tax parcel 256-1-B-75-T (1123 Granite Drive) to allow a “Private Utility” for roof-mounted solar panels.

Ordinance - Establishing Real Estate Tax Rate – Fiscal Year 2022-2023

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 attached ordinance establishes a tax rate for Fiscal Year 2022-2023 of \$0.31 per one hundred dollars of assessed valuation. The ordinance has been posted in accordance with § 2-54 of the Town Code.

ACTION REQUESTED:

Town Council is requested to adopt the ordinance establishing the real estate tax rate for Fiscal Year 2022-2023 at \$0.31 per one hundred dollars of assessed valuation.

Mr. Hailey moved, seconded by Mr. Hartwick to adopt the ordinance establishing the real estate tax rate for Fiscal Year 2022-2023 at \$0.31 per one hundred dollars of assessed valuation.

Voted upon and carried by the following roll call vote.

Councilman Johannessen	aye
Councilman Shoen	aye
Councilman Carson	aye
Councilman Hailey	aye
Councilman Hartwick	aye
Mayor Black	aye

The motion carried with six members voting aye.

The ordinance follows.

ORDINANCE NO. 22-4

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, 2022

BE IT ORDAINED by the Town Council of the Town of Bedford, Virginia, that there be, and is hereby levied for the Fiscal Year 2022-2023, a tax rate of \$0.31 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.

Ordinance - Establishing Personal Property Tax Rate - Calendar Year 2022

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 attached ordinance establishes a tax rate for calendar year 2022 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. 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, motor carriers as separately classified in §58.1.3506, and motor vehicles with a seating capacity of not less than 30

persons, including the driver as classified in §58.1—3506(a)(39). The ordinance has been posted in accordance with §2-54 of the Town Code.

ACTION REQUESTED:

Town Council is requested to adopt the ordinance establishing the personal property tax rate for calendar year 2022.

Mr. Hailey moved, seconded by Mr. Hartwick to adopt the ordinance establishing the personal property tax rate for calendar year 2022, which is the same rate as calendar year 2021.

Voted upon and carried by the following roll call vote.

Councilman Shoen	aye
Councilman Carson	aye
Councilman Hailey	aye
Councilman Hartwick	aye
Councilman Johannessen	aye
Mayor Black	aye

The motion carried with six members voting aye.

The ordinance follows.

ORDINANCE NO. 22-5

AN ORDINANCE LEVYING TAX UPON TANGIBLE PERSONAL PROPERTY AND ESTABLISHING THE TAX RATES THEREON FOR THE CALENDAR YEAR BEGINNING JANUARY 1, 2022

BE IT ORDAINED by the Town Council of the Town of Bedford, Virginia, that there be, and is hereby levied, for the calendar year 2022, 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, 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 subdivision 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 separately classified in Section 58.1-3507; and (b) motor carriers as separately classified in Section 58.1-3506; (c) one vehicle owned by disabled veterans, of the Code of Virginia, 1950, as amended, as separately

classified in Section 58.1-3506(a)(19); and (d) motor vehicles with a seating capacity of not less than 30 persons, including the driver, as separately classified in Section 58.1-3506 (a) (39).

Resolution - Setting Percentage Tax Relief to Exhaust PPTRA Relief Funds

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 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.

The Treasurer has been advised that the State has allocated **\$280,647** toward personal property tax relief in the Town of Bedford for fiscal year 2022-2023. 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 2022-2023: (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.

ACTION REQUESTED:

Town Council is requested to adopt the resolution as recommended by staff.

Mr. Hartwick moved, seconded by Mr. Carson to adopt the resolution as recommended by staff.

Voted upon and carried by the following roll call vote.

Councilman Carson	aye
Councilman Hailey	aye
Councilman Hartwick	aye
Councilman Johannessen	aye
Councilman Shoen	aye
Mayor Black	aye

The motion carried with six members voting aye.

The resolution follows.

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

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, 2022, 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, 2022.

Adoption of Budget for Fiscal Year 2022-2023

The Fiscal Year 2022-2023 Budget is a document that has resulted from a very structured and formal development process. Town Council conducted work sessions to further refine it on February 26th and March 22nd. A public hearing on the budget was conducted May 10, 2022, and interested parties were given an opportunity to publicly voice their opinion of its contents.

Having gone through this process, staff amended the Fiscal Year 2022-2023 Budget to reflect changes discussed in Council work sessions and; recommended by consensus of Council members, subsequent to the work sessions.

ACTION REQUESTED:

Town Council is requested to adopt the budget for Fiscal Year 2022-2023 with the following amendments:

1. In the General Fund, Revenue Account **Prior Year Fund Balance** shall be changed to \$544,529.
2. In the General Fund, Expenditure Account **Aerial Photography** shall be inserted at \$38,000.
3. In the General Fund, Expenditure Account **Bedford Ride Program** shall be changed to \$4,500.
4. In the General Fund, Expenditure Account **Wharton Gardens** shall be changed to \$3,000.
5. In the General Fund, Expenditure Account **Bedford Area Educational Foundation** shall be changed to \$2,000.
6. In the General Fund, Expenditure Account **Bedford Boys Tribute Center** shall be changed to \$3,000.

In the General Fund Capital Improvement Program:

1. Under **Information Technology**, the line item entitled "Cell Phone Upgrades" at a cost of \$75,000 shall be deferred to FY23-24.
2. Under **Information Technology**, the line item entitled "Office 365 Hybrid" at a cost of \$35,000 shall also be deferred to FY23-24.

Mr. Hartwick moved, seconded by Mr. Shoen to adopt the Fiscal Year 2022-2023 Budget as amended.

Mr. Warner explained that the \$38,000 expenditure for **Aerial Photography** is something needed for GIS planning, planning and zoning work for streets, and to make sure that the state-funded aerial program remains current. The monies are taken from the prior year fund balance.

In response to a question regarding the budget request voiced by Officer Brooke at the budget public hearing on May 10, 2022; Mr. Warner said he discussed the request with Chief Lewis and the expenditure can be absorbed through a combination of community donations and budget savings, so no amendment is needed for that item. Mayor Black noted the budget also includes a 5% Cost of Living Adjustment (COLA) for Town employees across the board.

Voted upon and carried by the following roll call vote.

Councilman Carson	aye
Councilman Hailey	aye
Councilman Hartwick	aye
Councilman Johannessen	aye
Councilman Shoen	aye
Mayor Black	aye

The motion carried with six members voting aye.

Ordinance - Appropriating Funds - Fiscal Year 2022-2023

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. The attached ordinance directs that the funds as set out in the budget for Fiscal Year 2022-2023 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 §2-54 of the Town Code.

ACTION REQUESTED:

Town Council is requested to adopt the ordinance appropriating funds as set out in the budget for Fiscal Year 2022-2023 as amended and adopted, and authorize the Town Manager to expend the funds in accordance with said budget.

Mr. Carson moved, seconded by Mr. Hartwick to adopt the ordinance appropriating funds as set in the budget for FY 2022-2023.

Voted upon and carried by the following roll call vote.

Councilman Hailey	aye
Councilman Hartwick	aye
Councilman Johannessen	aye
Councilman Shoen	aye
Councilman Carson	aye
Mayor Black	aye

The motion carried with six members voting aye.

The ordinance follows.

ORDINANCE NO. 22-6

AN ORDINANCE DIRECTING THE APPROPRIATION OF FUNDS FOR THE FISCAL YEAR BEGINNING JULY 1, 2022

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 2022-2023 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.

Discussion regarding the real estate tax

Mayor Black explained that the real estate tax bills were delayed in being mailed out but the due date is June 5, 2022 and interest begins accrual on June 6 with a 10% late charge beginning as well, if not paid. He thought it would be appropriate to consider an extension before imposing the late penalty and interest. Attorney Lockaby concurred and noted while reviewing the code that a change needs to be made to the code to accurately reflect when the Town actually collects the taxes. He recommended Council clarify the due dates so the code can be amended and posted. Discussion followed.

Mr. Shoen moved, seconded by Mr. Hailey, to revise the Town ordinance to reflect real estate taxes are due on June 5 and December 5 of each calendar year.

Voted upon and carried by the following roll call vote.

Councilman Hartwick	aye
Councilman Johannessen	aye
Councilman Shoen	aye

Sec. 54-106. – Penalties for failure to pay when due.

- (a) Any person who shall fail to pay to the town treasurer, on or before June 5 and December 5 of each year the semiannual installments of real estate taxes due and payable on or before such dates, respectively, as provided by this article; and any person who shall fail to pay to the town treasurer on or before December 5 of each year the personal property, machinery and tools and merchants' capital tax due and payable on or before such date, shall pay a penalty of ten percent on the amount of such unpaid installments or tax, as the case may be. Interest at the rate of ten percent per annum shall be collected upon the principal and penalties of all such taxes and levies remaining unpaid from the date now fixed or hereafter fixed by general law.
- (b) If any taxes or local license fees due the town are not paid when due and remain delinquent in excess of 60 days and the town treasurer has turned such delinquent taxes over to an attorney or collection agent under general law, a reasonable attorney's or collection agency's fee actually contracted for not to exceed 20 percent of the delinquent taxes and other charges so collected shall be due in addition to interest and penalties.
 2. That for calendar year 2022, neither penalties nor interest shall accrue on the first installment of real estate taxes if paid at or before 5:00 pm on June 24, 2022.
 3. Pursuant to Section 19 of the Town Charter, the Town Clerk is hereby directed to cause this ordinance to be advertised in a newspaper having general circulation in the Town, or posted in three or more public places in the town for one week.
 4. That clause 1 of this ordinance shall be in force and effect upon publication of this ordinance as provided in Section 19 of the Town Charter; and clauses 2, 3, and 4 shall be in effect upon adoption.

ADJOURNMENT

7:45 p.m.

Tim Black, Mayor

Debra Anderson, Clerk of the Council