



**Town Council  
Regular Council Meeting Minutes  
July 28, 2020**

The Town Council of Bedford, Virginia, held a regularly scheduled meeting on Tuesday, July 28, 2020 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 Steve Rush, Vice Mayor Tim Black, Councilman Stacey Hailey, Councilman Bruce Johannessen, Councilman Bryan Schley, Councilman Darren Shoen, and Councilman C. G. Stanley

**Town Council members absent:**

None.

**Town Staff present:**

Town Manager Barrett Warner; Assistant Town Manager Sonia Jammes; Town Attorney William W. Berry, IV; Chief of Police Todd Foreman; Clerk of Council Debra B. Anderson; and Recording Secretary Julia Peters

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

### **APPROVAL OF MINUTES**

Mayor Rush declared that the minutes of the adjourned Council meeting held on June 16, 2020 and the regular scheduled Council meeting of June 23, 2020 were approved as presented.

### **REPORT OF TOWN MANAGER**

Town Manager Barrett Warner reported that the requirements for the planning grant received from the forestry service for the Bridge Street corridor have been completed. The final report will be sent next month. Since there was no consensus to do so, the Town will not be moving forward with the recommendations of the draft plan at this time. However, completing the

exercise should enable the Town to proceed with landscaping efforts in individual areas in the future if so decided.

Mr. McCormack has extended his welcome for members of Council to visit the active revitalization process at the Bedford Middle School (BMS) site tomorrow, July 29, 2020, at 3:00 p.m. In accordance with open meeting requirements, Mr. Warner requested Mayor Rush adjourn the night's meeting until 3:00 p.m. on July 29, 2020 at the BMS site. This would enable two or more Council members to be present at the site without having to call a special meeting.

Mr. Warner made note to the Council that he would be out of the office next week, but Sonia Jammes would be in charge during his absence.

#### **APPEARANCES BEFORE COUNCIL**

#### **Joshua Bond, Vice President and Part-Owner of Turman Forest Products, 1133 Baldwin Street, Bedford, VA**

Mr. Bond introduced himself to the Council members and passed out some information sheets. He said his company is based out of Floyd County and bought the Hilltop Lumber Company located in Bedford about two years ago. When they bought the sawmill, it had 12 employees and they are up to 24 employees now with over 700 employees in the Turman Group. The company is family-owned, although he is not one of the family, which can be both good and bad at times. He thinks it is a good company and he has been with the company for 16 years. He came tonight to approach the Council and Town Manager about the electric rates in Bedford.

He has been working with the Electric Committee and is trying to get an idea of what can be done regarding the electric rates. Overall, the electric rates in Bedford are about 25% to 30% higher than the company's other facilities in other counties. The sawmill is a little antiquated and some equipment needs replacing but it is no different than any other sawmill in the U.S. especially this side of the Mississippi. The rates are high in Bedford County and it will hinder their business here and hinder other businesses as well. Their other facilities deal directly with AEP and he has a lot of comparables and data. His company is happy here in Bedford and are here to stay and would like to find a happy medium that would complement each other. Bedford is a great resource of American hardwoods and has gained his company more market shares because of the timber. The workforce is growing and actually doubled even during this last year with the Chinese Trade War and COVID. He is here today to make introductions to those he knows and doesn't know and figure out what they can do to complement Bedford while getting the electric rates down. There are a couple options. He feels that working directly with AEP is possible but the sawmill is located within the Town limits and is rated as a large general service. They would like to be rated as a medium general service. As far as updating the equipment, they are working on replacements and would invite any of the Council members to come see their facility. They just recently purchased 17 acres from Lawhorn Land Holdings which encompasses property behind the sawmill and behind the Super 8 Motel and have future plans of expansion but before the expansion takes place, he would like to get a handle on the electric rates. They are trying to keep their energy usage down and work more efficiently but according to his data, it totals between \$50,000 to \$55,000 more per year to operate in Bedford than it does in other operations in other localities that are similar in size. He would like to see some type of tariff

change or creating within the ordinance, a tariff that fits his company because now they are in a tariff schedule that does not fit the company. He thinks together they can make a better partnership.

Mayor Rush deferred to the Electric Committee Chairman, Council member Schley, who said this was something they have met about previously, and have discussed internally with the head of the Electric Department, but more data is needed. He suggested reaching out to some other sawmills and the Town doing some data analysis on its own to look at the rates and see what can be done. Obviously, the Town wants to keep Turman Forest Products here and wants to see them continue to expand which makes them a better electric customer as well. He just doesn't have a definitive answer now and more needs to be evaluated.

Mayor Rush asked Mr. Bond about a meeting with Mr. Wagner a year or more ago where replacing some old motors was recommended, and if Mr. Bond noticed a reduction in energy usage after modernizing some of the equipment. Mr. Bond said usage was somewhat lower and they continue to replace these motors as they fail and have replaced lighting with higher efficiency LED bulbs also. While they have seen some reduction they have also ramped up production for these two years. When they bought the sawmill, it was running about three million board feet a year and now it is running nine million board feet per year. It was running one line with 12 employees and now it is running both lines with 24 employees.

Council member Shoen asked Mr. Bond if he was aware the electric rates would be 25% more than rates with AEP when his company came here. Mr. Bond acknowledged that they knew the rates were a little bit higher but did not realize they would be so much higher. Mr. Bond thinks the Electric Committee is working hard but the matter comes down to the tariff. He understood that Bedford may have purchased power at a higher rate than what AEP provides. He noted that the company looks at their whole portfolio, expenses and expenditures, to figure out how and where they can save money. That is what sets them aside from the big corporate companies like Northwest Hardwoods in Buena Vista.

Mayor Rush thanked Mr. Bond for his presentation and Mr. Bond thanked the Council members for their time.

## **COUNCIL COMMENTS**

Mr. Johannessen said the Council and attendees need to think about how they represent the Town and in particular, wearing masks and washing hands and staying socially distant. He noted that a lot of people look at Council and wonder what it is doing. Internationally, 650,000 people have died of COVID and 150,000 have died in the United States. People are still resistant to doing some minimum things, which is troublesome. Some people have compromised immune systems, including some folks in the room and they don't need to contract the virus. He encouraged everyone to support the minimum precautions and social distancing.

He also noted there will be an election soon and many people will be voting either by mail or early voting and he was not sure if a facility can be offered to help Registrar Barbara Gunter, to help her along making sure people have a safe and secure place to vote. The County has only one place at this point and the Town has space at the library which can only take in so many folks.

He thought maybe the Town could offer some facilities to help move the voting process along and it is just an idea he had.

Mayor Rush said that on October 17, 2020 at 9:00 a.m., Council will meet at Liberty Lake Park for an early retreat. From 9:00 a.m. to 9:30 a.m., Mr. Berry will instruct Council members on FOIA rules. Thereafter, Council will have its visionary meeting which was postponed back in March due to COVID. He told Mr. Warner and staff that hopefully this will help avoid budget conflicts the Town has had in previous years and Council will direct staff on what they want to see in the budget and how they want to proceed. This will take most of the day and department heads will attend the first part for questions and discussion.

#### **REPORT OF COUNCIL COMMITTEES**

Councilman Black said the Finance Committee met earlier this evening and went over the monthly financial reports and end of year reports. All three funds performed well. Some adjustments will need to be made with the audit next year based on information found about some very old bad debts from the 1990's.

Councilman Schley reported that the Electric Committee met and discussed the past-due bill policy which staff is managing well. Electric rates were also discussed, including lowering rates, and small, medium, and large business customers.

#### **REVISIONS TO AGENDA**

Mayor Rush said he would like to include a Closed Session regarding personnel, §2.2-3711(a)(1).

#### **PUBLIC HEARINGS**

None.

#### **CONSENT AGENDA**

##### **Appointment of Member– Local Board of Building Code Appeals**

There is a vacancy on the Local Board of Building Code Appeals, said term to expire April 30, 2022. Mr. James Rose has expressed an interest in the vacancy and is seeking appointment. Mr. Rose is an electrical contractor with a primary career as the Director of Maintenance for Bedford Memorial Hospital. His qualifications represent an extensive background in buildings, their related systems and code applications which satisfies state code requirements of the membership to represent different occupational fields, to the extent possible.

##### **ACTION REQUESTED:**

Council is requested to appoint Mr. James Rose to serve on the Local Board of Building Code Appeals, said term to expire April 30, 2022.

Councilman Hailey moved, seconded by Councilman Johannessen, to approve the appointment of Mr. James Rose to the Local Board of Building Code Appeals, with said term to expire April 30, 2022.

Voted upon and carried by a roll call vote. Roll call as follows:

Vice Mayor Black	aye
Councilman Hailey	aye
Councilman Johannessen	aye
Councilman Schley	aye
Councilman Shoen	aye
Councilman Stanley	aye
Mayor Rush	aye

The motion carried with seven members voting aye.

## **OLD BUSINESS**

None.

## **NEW BUSINESS**

### **Resolution – Amendment to Emergency Communications Cooperative Agreement**

Campbell County has petitioned to join the Town (along with Bedford County, Amherst County, and the City of Lynchburg) as a member of the Central Virginia Radio Communications Board – which is managed through a cooperative agreement with the Central Virginia Planning District Commission. Campbell County’s membership is subject to approval of a resolution approving their addition to the group.

Gary Christie, Executive Director of the Central Virginia Planning District Commission, is present to provide further background information and answer any questions regarding the matter.

### **ACTION REQUESTED:**

Town Council is requested to adopt the resolution approving Campbell County’s addition as a partner to the cooperative agreement between the Central Virginia Radio Communications Board and the Central Virginia Planning District Commission.

Mr. Christie addressed the Council. He said that as the Planning District Commission for the region, this community has participated in that board for over 50 years now. Local government folks get together to talk and try to find ways of doing things more effectively and efficiently. Radio communication is one of those things, and about 1996, four jurisdictions got together and put up 11 towers to serve public communications and sometimes public works. Currently, 2,800 devices are using 16 towers and they are all inter-operable so that in an emergency, those

jurisdictions can talk to one another, simply, easily, and smartly. In Campbell County's case, in 1996, they decided to set up their own system. Our system was replaced after 20 years and now it is time for Campbell County to replace their system. Instead of setting up a standalone system, Campbell County has asked to come into our system. They will pay \$1.6 million as a buy-in fee, they will pay for all the equipment needed for the towers, putting up four towers of their own and equipment for two of our towers. They will pay a per-unit charge every year just like other members. The Planning District Commission thinks it is a fair deal for the Radio Board and Campbell County feels it is a fair deal for them because it will be less expensive than a standalone system. Most importantly, from the public safety side, Campbell County can talk to the other members in the agreement and communicate with ease.

Each jurisdiction that is a current member is being asked to allow Campbell County to join. It will add about 500 devices to our system. It is especially important, that when it is time to replace the current system, Campbell County will pay 15% to 20% of the cost for the replacement system, lowering the cost for other member jurisdictions as well.

Mr. Christie said that the current system does not need a lot of upgrading to accommodate the extra 500 units, so the Radio Board will have additional money to work with for improvements or new towers or services. He also said the \$1.6 million will go to the Radio Board which will decide what to do with it. There will be some costs to bring Campbell County on-board but most of the money will go into the Radio Board's coffers and can be used for needs approved by the Board's members.

Vice Mayor Black moved, seconded by Mr. Hailey, to adopt the resolution approving Campbell County's addition as a partner to the cooperative agreement between the Central Virginia Radio Communications Board and the Central Virginia Planning District Commission.

Voted upon and carried by a roll call vote. Roll call as follows:

Councilman Hailey	aye
Councilman Johannessen	aye
Councilman Schley	aye
Councilman Shoen	aye
Councilman Stanley	aye
Vice Mayor Black	aye
Mayor Rush	aye

The motion carried with seven members voting aye.

The resolution follows:

## **RESOLUTION**

### **Amendment to Emergency Communications Cooperative Agreement**

**WHEREAS**, Amherst County, Bedford County, the Town of Bedford, and the City of Lynchburg, collectively the “Member Jurisdictions”, have been operating a regional emergency communication system under the auspices of the Central Virginia Radio Communications Board (“CVRCB”); and

**WHEREAS**, in 2011, the Member Jurisdictions entered into an Agreement with Virginia’s Region 2000 Local Government Council, now known as the Central Virginia Planning District Commission (“CVPDC”), to allow for system upgrades or replacements in order to maintain or improve the levels of emergency services currently provided by the Member Jurisdictions (“Agreement”); and

**WHEREAS**, the County of Campbell, Virginia wishes to become a party to the Agreement and join and participate in the use, management, and operation of the regional communication system; and

**WHEREAS**, the Town of Bedford has determined that it would be beneficial to accomplishing the goals of maintaining or improving the levels of emergency services provided to allow for the County of Campbell to become a party to the Agreement; and

**NOW THEREFORE IT BE RESOLVED**, by the Town Council of the Town of Bedford, the Council hereby approves the addition of the County of Campbell as a party to the Agreement.

### **Town of Bedford Equal Opportunity Employer Statement**

The Town’s written position on Equal Opportunity needs to be updated on a regular basis. When approved by Town Council, the signed written statement is posted on the Town’s Legal Posting Board in the Municipal Building.

Legal counsel has reviewed and approved the updated Equal Opportunity Statement.

### **ACTION REQUESTED:**

Town Council is requested to approve the written statement as the Town’s position on Equal Opportunity.

Mr. Hailey moved, seconded by Mr. Stanley, to approve the written statement as the Town’s position on equal opportunity.

Voted upon and carried by a roll call vote. Roll call as follows:

Councilman Johannessen	aye
Councilman Schley	aye
Councilman Shoen	aye
Councilman Stanley	aye
Vice Mayor Black	aye
Councilman Hailey	aye
Mayor Rush	aye

The motion carried with seven members voting aye.

The EOE written statement follows:

### **Town of Bedford Equal Opportunity Employer Statement**

The Town of Bedford is an Equal Opportunity Employer, and hereby affirms that it is the policy of the Town to maintain and promote equal opportunity and diversity for all employees, applicants for employment and contractors in accordance with the relevant federal and State Laws.

The Town will not discriminate on the basis of race, religion, color, national origin, sex, age, disability, marital status, veteran status, sexual orientation, ancestry, or citizenship status.

In support of a diverse workforce, decisions as to hiring, promotion and other aspects of the employment relationship will be based solely upon job related qualifications.

The Town will not tolerate any kind of harassment of employees or retaliation against an employee who brings a complaint forward. Allegations of harassment will be taken seriously, promptly investigated, and appropriate action taken depending on the severity of the situation.

Mr. Hailey moved, seconded by Mr. Black to enter into **Closed Session** pursuant to §2.2-3711(a)(1) Personnel.

Voted upon and carried by a roll call vote. Roll call as follows:

Councilman Schley	aye
Councilman Shoen	aye
Councilman Stanley	aye
Vice Mayor Black	aye
Councilman Hailey	aye
Councilman Johannessen	aye
Mayor Rush	aye

The motion carried with seven members voting aye.



Council adjourned into **Closed Session** at 7:30 p.m.

Non-Council members present: None

Council reconvened into **Open Session** at 8:00 p.m.

The Recording Secretary 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 a motion by Mr. Hailey, seconded by Mr. Black, voted upon and carried by a roll call vote, Council adopted the resolution. Roll call vote follows:

Councilman Shoen	aye
Councilman Stanley	aye
Vice Mayor Black	aye
Councilman Hailey	aye
Councilman Johannessen	aye
Councilman Schley	aye
Mayor Rush	aye

The motion carried with seven members voting aye.

## **ADJOURNMENT**

Mayor Rush stated that Council is adjourned until Wednesday, July 29, 2020 at 3:00 p.m. for the site visit to Bedford Middle School.

8:02 p.m

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Steve Rush, Mayor

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Debra Anderson, Clerk of the Council

