



**Town Council
Regular Council Meeting Minutes
September 13, 2022**

The Town Council of Bedford, Virginia, held a regularly scheduled meeting on Tuesday, September 13, 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, Vice Mayor C. G. Stanley, Councilman Bob Carson, Councilman Stacey Hailey, Councilman Bruce Hartwick, Councilman Bruce Johannessen, Councilman Darren Shoen

Town Staff present:

Town Manager Bart Warner, Town Attorney Michael Lockaby, Finance Director Anne Cantrell, Electric Department Director John Wagner, Police Chief Ronnie Lewis, Public Works Director D. W. Lawhorne, Director of Planning and Community Development Mary Zirkle, 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.

Mayor Black announced that Councilman Johannessen would like to join the meeting by electronic means and asked for a motion to approve his attendance via video. Mr. Johannessen had reached out to Mayor Black asking for this form of participation due to having contracted Covid-19 and since he remained positive for the virus at the convening of the meeting.

Mr. Carson moved, seconded by Mr. Hailey to allow Mr. Johannessen to participate in the night's Council Meeting by electronic means.

Voted upon and carried by the following roll call vote.

Councilman Carson	aye
Councilman Hailey	aye
Councilman Hartwick	aye
Councilman Shoen	aye

Vice Mayor Stanley aye
Mayor Black aye

The motion carried with six members voting aye.

APPROVAL OF MINUTES

Mayor Black declared that the minutes of the regularly scheduled Council meeting on August 23, 2022 were approved as submitted.

REPORT OF TOWN MANAGER

Mr. Warner reported:

- Centerfest is scheduled to take place on Saturday, September 24, 2022. Staff have been working with the Central Virginia Business Coalition to plan this outstanding event that everyone looks forward to.
- Congratulations to Police Officer Travis Thomas on his recognition as Citizen of the Year by the Bedford Chamber of Commerce. In addition to Officer Thomas's excellent professional work, his love for Bedford and his personal involvement in the community is an inspiration to all.
- Congratulations to Electric Department Director John Wagner, who has been elected to represent all electric utilities within the Commonwealth of Virginia on the American Municipal Power (AMP) Board of Trustees. An additional Agenda Item is requested for the night's meeting to adopt a resolution certifying Mr. Wagner's appointment to that position.
- Thanks to the work of Mr. Lawhorne, the Town has new Christmas banners which will be installed in the Centertown area. The banners were selected based on input from the appointed Christmas Decoration Committee. The new banners were on display during the meeting and when installed, will be mixed-in with some new lighted wreaths, which will bring a more colorful and updated look to the Town for the holiday season.

APPEARANCES BEFORE COUNCIL

None.

COUNCIL COMMENTS

Councilman Hailey congratulated Travis Thomas for becoming Citizen of the Year. He said he is a fine officer for the Police Department and the Town.

Councilman Hartwick also congratulated Officer Thomas. The citizens coming into the Town through reversion in Phase II will have Officer Thomas looking out for them. When he had to jump start his car once, Officer Thomas helped him out, so he knows he does a great job. He also congratulated John Wagner on his new position.

Councilman Johannessen said Officer Thomas's award was well-deserved and Director Wagner was commended for consistently keeping the lights on throughout Town.

Mayor Black echoed the comments on Travis Thomas being named Citizen of the Year. He knows that Officer Thomas is an active participant in the lives of the young people of the community and he appreciates his commitment to the Bedford community. He also noted that the Bridge Street Café won the Rising Star Award. It is an up-and-coming business in the Town and he is glad for it. Another Bedford business, Sam Moore Furniture, was named the Large Business of the Year and he is proud of them. He also gave a shout out to Max and the Little Otter Flower Farm who are an active participant at the Bedford Farmers' Market every week and are proud to be doing business in the Town.

REPORT OF COUNCIL COMMITTEES

Councilman Hailey reported that the Streets Committee met and discussed the Purple Heart sign to be posted on the bridge near the D-Day Memorial. They also discussed changing part of Jackson Street and Lee Street to one-way traffic.

Councilman Hailey also reported that the Public Safety Committee talked about a grant for School Resource Officers (SRO's), a Lieutenant position, animal control, and parking details in downtown Bedford.

REVISIONS TO AGENDA

Mayor Black said there were a couple revisions to the agenda, including a resolution to appoint the AMP Board of Trustee member. An additional Closed Session would include discussion pursuant to Section 2.2-3711 (a) (5) of the Code of Virginia of 1950, as amended, regarding a prospective business or industry where no previous announcement has been made.

PUBLIC HEARINGS

None.

CONSENT AGENDA

None.

OLD BUSINESS

None.

NEW BUSINESS

Presentation – Liberty High School – Homecoming Parade

Mr. Warner introduced Liberty High School’s Student Council President Jayden Hurt, who addressed the Council members. She requested approval for the 2022 Homecoming Parade to be held in downtown Bedford. The parade would feature class floats, the marching band, and clubs. It would be held on October 7, 2022 with lineup beginning at 4:45 p.m. and the actual parade starting at 5:30 p.m. The route would be the same as previous parades, beginning at College Street, then Peaks Street, up to Bridge Street, onto Main Street, and ending at the Courthouse. Flyers will be distributed notifying people who will be affected by the parade and giving the date and time. Liberty has found that both the school and community love showing off all the hard work that is put into the floats. She thanked Council for their support and dedication to the community and she looked forward to receiving approval for these plans.

A motion was made by Mr. Hailey, seconded by Mr. Stanley to approve the Liberty High School Homecoming Parade and its planned route to be held on October 7, 2022.

Voted upon and carried by the following roll call vote.

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

The motion carried with seven members voting aye.

Presentation – Enterprise Lease Program

Mr. Matt Williamson, Account Executive for Enterprise Fleet Management, Inc. addressed the Council. He would speak about Enterprise’s lease program and welcomed any questions or comments from the Council members. A slide show was presented regarding the lease program. Mr. Williamson noted that Enterprise was the largest fleet holder in the world with over two million vehicles. The company works with local government municipalities and local businesses to help their fleets run more efficiently. In Virginia, they have 30 government clients and 1,500 vehicles under management, with almost 2,000 clients nationwide and 140,000 government vehicles under management. The client retention rate is 95% and Enterprise can help a locality

with all of its major cost buckets when it comes to operating their fleet. They have over 150,000 dealer partners nationwide with approximately 1,080 maintenance shop networks and can provide clients with effective life cycle analyses of their vehicles. They can determine the ideal point to replace vehicles before maintenance and fuel costs increase and while the vehicle has some value. Each vehicle is monitored on a case-by-case basis. A client strategy/account manager and an account fleet coordinator are assigned to new clients and they help manage the day-to-day operations of the fleet and make recommendations. Their key objectives are to lower the average age of the fleets, reduce operating costs, and maintain manageable vehicle budgets. Enterprise makes money through an interest component when vehicles are leased and a management fee charged on the accounts. Mr. Williamson answered various questions from the Council members.

Certificate of Satisfaction – Housing Rehabilitation Lien – Jake Carter – Tax Map 195-5-2-4T

On March 28, 1991, the Town of Bedford entered into a “Deed of Trust securing a grant for rehabilitation of real property” through a Virginia Department of Housing and Community Development grant for Tax Map 195-5-2-4T at 1008 Madison Street. The Deed of Trust was with owner Jake Carter and was recorded in deed book 793 pages 80 through 87. The deed allows for grant forgiveness five years after the date of compliance, which required Mr. Carter to live in the house for five years as his principal residence (Paragraph 2(f), pages 83-84).

The attorney for the Carter family did not find a recorded release for certification of compliance. However, Mr. Carter’s attorney believes he lived in the subject house until his passing in 2008 and the property is still in the name of Jake E. Carter. This habitation and ownership would meet the five-year term of compliance provision for forgiveness. The Town as the original Beneficiary could release the property from the lien of the Deed of Trust. This would require action by Council to sign the Certificate of Satisfaction presented by the attorney for the Carter family.

ACTION REQUESTED:

In consultation with the Town Attorney, the Town Council is requested to authorize the Mayor to sign the Certificate of Satisfaction to release the lien of the deed of trust at 1008 Madison Street.

Attachment 1 - Deed of Trust

Attachment 2 - Certificate of Satisfaction

Mr. Hartwick moved, seconded by Mr. Hailey to authorize Mayor Black to sign the Certificate of Satisfaction to release the lien of the deed of trust at 1008 Madison Street in Bedford, VA.

Voted upon and carried by the following roll call vote.

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

The motion carried with seven members voting aye.

FY23 Budget Amendment for Electric Department Copper Wire Surplus

During operations at the Snowden Hydro Plant, 1050' of original and unused copper cable was identified for surplus. The Department contacted four vendors to obtain the best possible price for the recycled wire. The end result was a surplus check from the vendor of \$5,610.10. The Electric Department would like to request for Council consideration of appropriating the funding received to the Hydro Infrastructure Improvement Capital Fund Account to assist with needed maintenance and repair.

ACTION REQUESTED:

Town Council is requested to approve the following budget amendment which will appropriate funding to the Electric Department for surplus funds received.

<i>Budget Entry:</i>		
Revenue Increase		
190057-419204	Recoveries & Rebates	\$5,610
590091-451101	Transfer In – Electric	\$5,610
Expenditure Increase		
19989600-592018	Trans to Electric Cap. Proj.	\$5,610
59981920-582419	Hydro Infrastructure Imp.	\$5,610

Mr. Hailey moved, seconded by Mr. Carson, to approve the budget amendment which will appropriate funding to the Electric Department for surplus funds (\$5,610) received.

Mr. Wagner stated the wire involved had failed and was removed and replaced with new wire. The old, failed wire dated to 1985. The Electric Department was able to sell the old wire for its copper content.

Voted upon and carried by the following roll call vote.

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

The motion carried with seven members voting aye.

FY23 Budget Amendment for General Fund Expenditures

During an analysis of Fiscal Year 2023 expenditures, staff has identified several items that will likely exceed the current adopted budget amount. In order to better plan for these expenditure items, staff is recommending to move funding from the locally allocated sidewalk budget to the line items for personnel benefits, police department overtime, and building maintenance. This proposed budget transfer is moving allocated expenditure budget from one account to certain other expenditure accounts, and is not appropriating additional revenue or prior year reserves.

ACTION REQUESTED:

Town Council is requested to approve the following budget amendment which will appropriate budget funding from the sidewalks account to line items for personnel benefits, overtime, and building maintenance.

<i>Budget Entry:</i>		
Expenditure Increase		
10011222-528400	Employee Recognition	\$10,000
10011222-528500	Hepatitis B Vaccinations	\$500
10011222-531100	Medical Examinations	\$1,000
10011222-531300	Insurance Consulting	\$1,000
10011222-531304	Credit Report/Criminal Rpt	\$3,000
10011222-531308	Wellness Program	\$37,500
10011222-531500	Legal Services	\$2,500
10011222-536000	Advertising	\$2,500
10033110-512000	Compensation-OT	\$42,000
10044340-533100	Building Maintenance	\$8,000

Expenditure Decrease		
10044115-560172	General Eng. Sidewalk	\$108,000

Mr. Hartwick moved, seconded by Mr. Stanley, to approve the budget amendment which will appropriate budget funding from the sidewalks account to line items for personnel benefits, overtime, and building maintenance.

Discussion followed.

Mr. Warner noted that funds are received from VDOT for sidewalk maintenance which will be used for the Bedford sidewalk projects. The sidewalk account will not be depleted by this transfer. The Wellness Program has been a valuable resource for employees and it helps to reduce healthcare costs for the Town. The police overtime was necessary due to the time officers spend on emergency custody orders and temporary detention orders.

Mayor Black said lobbying efforts are needed to push the General Assembly to include town police departments when funding is given to sheriff departments and city police departments. They seem to forget about the town police departments and it would be nice if they include them in budget discussions.

Voted upon and carried by the following roll call vote.

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

The motion carried with seven members voting aye.

Resolution Appointing American Municipal Power, Inc. (AMP) Board of Trustee Member

Mayor Black noted that Mr. Warner had previously explained the agenda item and Mr. Wagner was being appointed for a three-year term.

Mr. Hailey moved, seconded by Mr. Carson to adopt the resolution to appoint John Wagner as a member of the Board of Trustees of AMP, Inc.

Voted upon and carried by the following roll call vote.

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

The motion carried with seven members voting aye.

The resolution follows.

RESOLUTION

AUTHORIZING THE DIRECTOR OF BEDFORD ELECTRIC, JOHN WAGNER, TO REPRESENT THE TOWN OF BEDFORD, VIRGINIA AS A MEMBER OF THE BOARD OF TRUSTEES OF AMERICAN MUNICIPAL POWER, INC.

WHEREAS, the TOWN of BEDFORD, VIRGINIA (the “Member”) is a member of American Municipal Power, Inc. (“AMP”), a non-profit Ohio corporation whose members are, and must be, political subdivisions of a state, currently the states of Delaware, Indiana, Kentucky, Maryland, Michigan, Ohio, Pennsylvania, Virginia and West Virginia, that own and operate electric utilities or whose members own and operate electric utilities;

WHEREAS, AMP exists for a public purpose, namely to assist its Members in obtaining and providing safe, reliable and reasonably priced electric power, and to provide other assistance and technical services to the Members, for the benefit of their respective citizens, customers and/or members;

WHEREAS, AMP’s affairs are managed by a Board of Trustees (the “Board”) consisting, as of the date hereof, of twenty-one (21) voting Members elected or otherwise approved by the Members, who meet from time to time at AMP’s headquarters in Columbus, Ohio or at other locations as designated by the Board;

WHEREAS, the Member has been elected, or otherwise holds a position, as a Trustee of the Board (a “Trustee”); and

WHEREAS, the Member is required to formally designate a person to represent it on the Board and to exercise the duties of an AMP Trustee.

NOW THEREFORE BE IT RESOLVED, by the TOWN of BEDFORD, VIRGINIA:

SECTION 1: That the Director Bedford Electric, John Wagner, as an incident of his or her official capacity be, and is hereby designated for the period of his or her service, the representative of the Member on the Board to act on behalf of Member in the discharge of its duties as a Trustee and that the Director Bedford Electric, John Wagner, be and hereby is, delegated authority to designate in writing an alternate to such representative to serve in his or her stead during any period as he or she may be unable to represent the Member.

SECTION 2: That any representative of the Member so designated be, and hereby is, authorized and empowered, acting for, in the name of and on behalf of the Member, and as the Member's agent, to exercise all the functions, powers, rights and privileges, and to fulfill the obligations, that the Member may have as a Trustee of the Board, including without limitation to attend and take part in meetings of the Board and of committees of the Board, to vote on and otherwise act with respect to all matters that may properly come before the Board or any committee of the Board, and to do or cause to be done all acts, and to take all steps as may in each case be, in the opinion of such representative, necessary or desirable in order to represent the Member and exercise its functions, powers, rights and privileges, and to fulfill its obligations, as a Trustee of AMP and to carry out the full intent and purposes of this Resolution and purposes and powers of AMP.

SECTION 3: That said representative shall receive no compensation from AMP for service as a Trustee but shall be entitled to have AMP and its related entities provide meals, lodging or transportation related to service as a Trustee or, alternatively, to receive reimbursement from AMP for reasonable out-of-pocket expenses associated with his or her service as representative for the Member as Trustee, all in accordance with AMP's policies and procedures.

SECTION 4: That this resolution supersedes any previous resolutions relating to the designation of AMP Board representatives.

SECTION 5: That this Resolution will take effect at the earliest time permitted by law.

Work Session – Financial Statements

Finance Director Anne Cantrell gave a Power Point presentation regarding the Town's formatted financial statements, including balance sheets and budget reports for all funds. She explained each report and noted that the balance sheets should always net to zero. The budget reports will display the revenues and expenditures, which will rarely net to zero. She also noted that a thorough presentation is prepared for the Finance Committee that reviews a high-level summary of the monthly financial statements with a focus on actuals versus budget. She answered clarifying questions from the Council members. Mrs. Cantrell expects that the Town's audit will be conducted in November.

Mayor Black read Closed Session pursuant to Section 2.2-3711 (a) (3) of the Code of Virginia of 1950, as amended, for the acquisition or disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position. They would be discussing the Chamber of Commerce building and Edmund Street Park. He also read Section 2.2-3711 (a) (5) of the Code of Virginia of 1950, as amended, for discussion concerning a prospective business or industry, where no previous announcement has been made.

Mr. Hailey moved, seconded by Mr. Carson to enter into closed session at 8:30 p.m.

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
Vice Mayor Stanley	aye
Mayor Black	aye

The motion carried with seven members voting aye.

Mr. Warner, Mr. Lockaby, Ms. Zirkle, and Mrs. Cantrell remained present for the closed session. Mr. Warner recused himself from the second closed session discussion under Section 2.2-3711 (a) (5).

Council reconvened into open session at 9:27 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.

Mr. Hailey moved, seconded by Mr. Carson, to adopt the resolution.

Voted upon and carried by the following roll call vote.

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

The motion carried with seven members voting aye.

ADJOURNMENT

9:28 p.m.

Tim Black, Mayor

Debra Anderson, Clerk of the Council