



**Town Council
Called Council Meeting Minutes
September 28, 2021**

The Town Council of Bedford, Virginia, held a Called Council meeting on Tuesday, September 28, 2021, at 6:00 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 Steve Rush, Councilman Stacey Hailey, Councilman Bruce Hartwick, Councilman Bruce Johannessen, Councilman Darren Shoen, Councilman C. G. Stanley

Town Council members absent: None

Also present:

Brian Key, Executive Director of the Bedford Regional Water Authority (BRWA)

Town Staff present:

Town Manager Bart Warner, Assistant Town Manager Sonia Jammes, Town Attorney Michael Lockaby, Chief of Police Todd Foreman, Electric Department Director John Wagner, Director of Planning and Community Development Mary Zirkle, Director of Public Works D. W. Lawhorne, Clerk of Council Debra B. Anderson, and Recording Secretary Julia Peters

Work Session – American Rescue Plan Act (ARPA) Funding

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

Town Manager Bart Warner said that he had shared the priorities that Council had identified with Brian Key from the BRWA by email and they had back-and-forth discussions and there is clarifying information that needs to be worked through tonight. He invited Mr. Key to speak about the items that Council had identified on September 21, 2021, and how practical those projects might be.

Mr. Key addressed the Council and noted that the BRWA Chairman, Bob Flynn, was also present at the meeting. Mr. Flynn knows the details of the Capital Improvement Plan (CIP) as well as the ongoing discussions about the ARPA funding and he can answer any questions that Mr. Key cannot.

Mr. Key reported that the ARPA funds have some key requirements that go with them. One requirement was that any project using the funds had to be planned earlier, prior to March 2021. A project likely on the list would be the water line along Belltown Road. This project was not on the BRWA's capital list but the City of Bedford did some planning on it and therefore it would very likely fit into the ARPA funds, but the Town would need to account for it rather than the BRWA. Mr. Warner said the Town would bear the accounting risks in making sure it was compliant. BRWA would handle the work, but the Town would be reporting back to the federal government. Mr. Key said all the projects that were shared by Mr. Warner were great projects but he was not sure all would qualify for the ARPA money. The Nichols Road project would not fit the ARPA requirements, at least from the BRWA standpoint, because it has not been studied, evaluated, or a CIP identified for those pieces of pipe to be replaced. Vice Mayor Rush noted that it was listed on the information sheets given to the Council. Mr. Key acknowledged it was identified as a long-term project but explained that the booster station itself, replacing some pumps is included but the line work that goes up to Governor's Hill is not included. The piping is the major restriction which is not included. The pumps were included because they were a small enough project that it could likely be completed through the BRWA's annual capital process. Mayor Black noted that Council members were looking at the spreadsheet that was given to them and they were trying to choose items off the spreadsheet and did not go into the capital plan. Mr. Key said that particular spreadsheet was more of a wishlist showing the known problem areas in the Town that need to be addressed. Mr. Key confirmed that the projects listed on the spreadsheet entitled "ARPA" were projects that could be chosen and sewer lines had the greatest need over water lines.

Mayor Black wanted to concentrate the discussion on the sewer line replacement projects. Mr. Lockaby said the process works by being mapped onto the Virginia Resources Authority (VRA) water facilities and water supply revolving fund process. A grant is obtained from DEQ or VDH in order to do basic work. The idea must be out there in order to qualify for the grant, then there is the grant opportunity and then a bond can be issued through the VRA and/or get grants from VDH or DEQ from a federal program. If the project falls into the process where a grant was obtained to do the actual design work under the rules of VRA, DEQ, and VDH, then the project is good enough for the ARPA requirements. You have to have some type of planning document where a strategic or comprehensive plan shows the need in order to get you into the planning grant territory that DEQ or VDH would approve. Mr. Key agreed that if the project meets the VRA requirements to get bonds issued, then it will meet the ARPA requirements.

Mayor Black reiterated that consensus from Council previously was the Helm Street Tank project and Town and Country. The Booster Station project was talked about, but Council members felt that if the Town was going to use \$2 million of its ARPA funds for something that substantially affects large areas of the County, then the County should participate in funding the project. Mr. Key said it is still the hope that the County will have some money not allocated

towards broadband and would be able to participate as well but it won't be known until late October or maybe November.

Vice Mayor Rush asked how would the Booster Station project help the Town if they already have 2.5 million gallons up on the hill. Mr. Key said it would allow water to be brought into Town from Lynchburg/Forest in case there is not a connection to the line going south on Route 122 which happened when the slope failed and that water line was out of service for six months. No water could get into Town except by pumping it, so temporary pumps were put on the ground with a generator. This was how they were able to continue to feed the Town without running the Turkey Mountain plant around the clock, which is very expensive and cost prohibitive. It is a lot less money to bring water from the Lynchburg area through Forest and into the Town. It is primarily redundancy, but offers BRWA some flexibility operationally and in a drought condition if water was not available in the reservoir, then it can be fed to the Town through Forest. It also can take water from the Town treatment center to the Lake area or from the Forest area to the Lake area which benefits the County. It would also increase the flow rate of water from the Lake to Forest. Three localities would benefit with one being the Town and two being in the County. Because it has a lot of benefits for the entire community and is a high priority for BRWA, the BRWA does have funds that it is willing to partner with the Town and hopefully the County on the project.

Councilman Hartwick asked Mr. Key whether the Town has lead pipes and what precautions are being taken to keep the Town from becoming another Flint, Michigan. Mr. Key answered that some instances in Flint are not applicable to Bedford. The Virginia Department of Health oversees the operation of the water treatment plants and they have very stringent requirements and a thorough review process. Secondly, the type of water in Virginia is not as corrosive as Flint's which caused the lead to come out of the pipes and contaminate the water.

Councilman Hailey asked Mr. Key that when the line was run from the Lake were there any upgrades to a booster station. When the Lake project was built, the pipes were brought up knowing the booster station would be built eventually and the land was acquired during the design/build process for the Lake but the funds were not available to actually build the station. When the mudslide took out the critical pipe on the edge of Rt. 122 and would take six months to replace, it brought the booster station project into the forefront because it would give BRWA the flexibility it was accustomed to.

Councilman Shoen asked what projects can be covered by ARPA funds and Mr. Key noted the Town and Country project and the Helm Street tank project. Mr. Warner noted the Belltown project probably will comply. Mayor Black said these three projects will cost approximately \$4.5 million to complete, leaving \$2.3 million from the Town's expected ARPA funds. He suggested putting \$500,000 towards the Booster Station project and have the County cover the balance. Mr. Key said if the Town could give more money toward the Booster Station project, it would free up more of the BRWA's money for its capital improvement process which could then allocate more funds towards other wish list projects. All decisions would need to go through the BRWA Board but he thought it was a reasonable assumption to work with.

Mr. Warner said that projects can be identified and the progress report to the federal government can be issued noting the projects and total cost in anticipation of the next installment of ARPA funds expected in 2022. Consensus from Council was that present funds would be committed to the Helm Street, Town and Country, and Belltown Road projects and discussion can continue regarding the pumps and booster station for the next couple months. A vote would be added as an Agenda Item to the regularly scheduled Council meeting immediately following this Work Session.

Councilman Hartwick asked Mr. Key how much money did the BRWA have to help with the Town projects. He also noted the water bill shows customers a water base charge and a sewer volume charge and would there also be a County line fee. Mr. Key said the rates currently have three categories: In-Town rate, Adjacent Town rate, and County rate. When BRWA consolidated and formed the Authority, the rates were fairly different and they are going through a process to equalize the rates. In a couple more years, everyone will be at the same rate. The County does not pay a portion of the Town rate and the Town does not pay a portion of the County rate. Mr. Hartwick also asked if any of the new projects would increase the water pressure for customers. Mr. Key said unfortunately, no. If pressure was raised on some of the older pipes, there would be potential problems with pipes breaking from the increased pressure.

Mr. Warner reminded Council that in the previous work session regarding ARPA funds, approximately \$100,000 was discussed for work to expand the broadband into the gaps with Shentel and talks have begun with Shentel for these expansion plans.

ADJOURNMENT

6:45 p.m.

Tim Black, Mayor

Debra Anderson, Clerk of the Council