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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 13, 2018.

Members present: Mayor Robert T Wandrei; Vice Mayor Tim Black; Councilman Robert D. Carson; Councilman Stacey L. Hailey; Councilman Bruce M. Johannessen; Councilman Steve C. Rush; and Councilman Bryan Schley

Members absent: None

Staff present: Town Manager Barrett Warner; 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 a called Council meeting held on February 20, 2018, were approved as distributed; the minutes of the regular Council meeting held on February 13, 2018, were approved as amended; the minutes of the February 14, 2018, adjourned meeting were approved as distributed; and the minutes of the February 15, 2018, called meeting were approved as distributed. The amendment to the February 13 meeting is as follows on page 4: "Mr. Wandrei was opposed to ranking Louis Berger first because their bid was based upon proceeding with the application under 18 CFR #4.61 which relates to minor water projects of 5 megawatts or less. The Snowden dam has a total capacity of 5.8 and the licensing for a dam of this capacity falls under 18 CFR 4.5 which has more extensive requirements. Either Louis Berger was not aware of the different requirements or was negligent in not making inquiry as to the generation capacity at Snowden dam. This was subsequently confirmed by the consultant GDS Associates. He was also skeptical of their offer to do the work under the correct regulation for the same cost."

Town Manager Warner recognized and thanked the Electric Department, Public Works, and Police Department for their excellent work and response to the recent weather event.

D. W. Lawhorne, Director of Public Services, reported on the following: thanked Councilman Hailey and his wife for providing lunch to Public Works – it was greatly appreciated and a welcome surprise; the high school art banners are up; Liberty High School baseball has begun at Liberty Lake Park; and the recent wind storm was a big event and the Public Works Department will probably be dealing with it for at least another month.

Assistant Town Manager Sonia Jammes spoke about the following: the synopsis of the proposed budget is supposed to be in the newspaper tomorrow; the rates from the Virginia Retirement System were received and put into the proposed budget, which decreased the budget as VRS is dropping its rates from 20.95% to 18.33%.

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Chief of Police Todd Foreman reported on the following: a company is filming a movie in Bedford called "Commander"; on May 12 there will be a basketball tournament that the Crime Prevention Coalition is putting on; working on planning Cop Camp.

Mary Zirkle, Economic Development Coordinator, said the word is getting out that there is an Office of Economic Development in the Town. Ms. Zirkle is working with the Bedford County Tourism and GIS department to develop a map that can be used in getting people around town.

Jennifer Thompson, President of the General William R. Terry Chapter of the United Daughters of the Confederacy gave a presentation. The General Terry Chapter wants to honor the 115th anniversary of being a chapter by honoring Brigadier General Terry who was born at Oakwood Plantation here in Town. Ms. Thompson said the Chapter ordered and has received an historic highway marker for Oakwood Plantation and General Terry. Council received an invitation to attend the event on April 15 at 2:00 p.m.

Councilman Schley reported that he, Ms. Jammes, and Mr. Lawhorne met last week to kick off the project that is going at the intersection of Crenshaw Street and West Main Street.

Councilman Hailey thanked the Electric Department, the Public Works Department, and the Police Department for the good job they did during the recent storms.

Councilman Johannessen also expressed his thanks to those departments.

Mayor Wandrei asked members of Council to review the option to lease from Mr. McCormick in order to take whatever action is appropriate.

Vice Mayor Black, Chairman of the Finance Committee, reported the Finance Committee has had two meetings and started going over all of the Capital Improvement Projects; Mr. Lawhorne reported that during February 34.68 tons of brush was picked up; Ms. Jammes spoke about getting funds from FEMA because the Governor declared a State of Emergency; and reviewed the financial reports.

The Town Manager reported that Mr. Allen Cheek owns property on Roberts Lane within the Town of Bedford. Mr. Warner said that for approximately forty years beginning in 1976, Mr. Cheek was under the impression that the area of the property was 39.755 acres. Mr. Warner stated that as a result of a recent survey Mr. Cheek discovered that the property is actually 27.821 acres. Mr. Warner said that Mr. Cheek's assertion is that for the better part of 40 years he has been paying a real estate tax in excess of what he should have been and he is requesting some form of remuneration in recognition of that fact.

Town Attorney Berry explained what can be done according to the State Code regarding Mr. Cheek's request: there is an administrative correction that involves the Commissioner of the Revenue; Council can do an administrative correction by passing a local ordinance;

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and there is a procedure in court. Mr. Berry said that all three have provisions that you cannot go back more than three years to correct errors in assessments, although the court can if they find that the statute, for some reason, was constitutional. He said that every one of them require that the Commissioner of the Revenue take action and find that there was an erroneous assessment. Mr. Cheek applied to the Commissioner of the Revenue for the County and the Town, as far as taxes go, and she determined this was not the type of correction that the statute contemplated. The Town Attorney explained that there are lots of pieces of property that may have been on the tax roll for many years without a survey.

On motion by Councilman Black, seconded by Councilman Rush, voted upon and carried by a roll call vote, Council denied the request of Mr. Allen Cheek for remuneration. Roll call vote follows:

Vice Mayor Black	aye
Councilman Carson	aye
Councilman Hailey	aye
Councilman Johannessen	aye
Councilman Rush	aye
Councilman Schley	aye
Mayor Wandrei	aye

Councilman Schley moved that Council adjourn into closed session pursuant to Section 2.2-3711(a)(29) of the Code of Virginia of 1950, as amended, for discussion of the award of a public contract and the terms or scope of the contract where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body. Councilman Hailey seconded the motion which then was voted upon and carried by the following roll call vote:

Councilman Carson	aye
Councilman Hailey	aye
Councilman Johannessen	aye
Councilman Rush	aye
Councilman Schley	aye
Vice Mayor Black	aye
Mayor Wandrei	aye

Council adjourned into closed session at 7:22 p.m. The following non-council members attended: Town Manager Warner; Town Attorney Berry, IV; Finance Director Jammes; Public Works Director Lawhorne; Police Chief Foreman; Clerk of Council Hatcher

Council reconvened into open session at 7:40 p.m.

The Clerk of Council read aloud the following resolution:

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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 Rush, seconded by Councilman Carson, voted upon and carried by a roll call vote, Council adopted the resolution. Roll call vote follows:

Councilman Hailey	aye
Councilman Johannessen	aye
Councilman Rush	aye
Councilman Schley	aye
Vice Mayor Black	aye
Councilman Carson	aye
Mayor Wandrei	aye

Mayor Wandrei adjourned the meeting at 7:44 p.m.