

April 10, 2018

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., April 10, 2018.

Members present: Mayor Robert T Wandrei; Vice Mayor Tim Black; Councilman Robert D. Carson; Councilman Stacey L. Hailey (arrived at 7:32); 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.

The Mayor stated that Councilman Hailey would be late to the meeting.

Mayor Wandrei declared that the minutes of a regular Council meeting held on March 27, 2018, were approved as distributed.

Town Manager Warner reported that the John Wagner, Electric Director, was unable to attend the meeting.

Department Head reports:

D. W. Lawhorne, Director of Public Services, spoke about the following: the closure of the landfill is on schedule; on April 2 he received a response from DEQ confirming that the Town's request to modify the permit to use a modified cap had been received. Mr. Lawhorne stated if the permit is approved it will save the Town approximately \$200,000 on the closure – the review will take approximately thirty-five or forty-five days; the Keep Bedford Beautiful Commission (KBBC) spring cleanup will be held on April 14 at 10:00 a.m. Mr. Lawhorne said he is a member of the Virginia Council for Litter Prevention and Recycling and this group received a grant for Bedford consisting of supplies to do cleanups with.

Sonia Jammes, Assistant Town Manager, reported on the following: Council should have the FY 2019 budget books by the next meeting; she is in the process of creating a job description for the Clerk's position in collaboration with the current Clerk and hopes to complete the job description this week and advertise it in the newspaper, hopefully next week; the Town is finished with the Series 2017 A & B refinancing, the escrow account was closed, and \$16,066 was put back into the Electric Fund General Operating budget; staff is currently in the process of submitting a Request for Proposals (RFP) for auditing services; the pre-audit has not been scheduled as the contract on auditing services is up and the staff is in the process of negotiating a new contract.

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Todd Foreman, Chief of Police, spoke about the following: a foot race will be held around the loop for the Middle School on April 14 at 9:00 a.m. so the roads will be closed around the loop; on April 28 the Wounded Warrior softball team is coming to play softball; on May 12 the Community Day will be held from 10:00 a.m. until 2:00 p.m.: Cop Camp applications are still being received.

Mr. Ashby Perrow, 1210 Airshire Lane, Big Island, VA, and a customer of Bedford electric, spoke in favor of the Renewable Energy Subscription Program. Mr. Perrow said he considers himself an environmentally conscientious person and believes this program is a great idea because it is an option.

Mr. John Messier, 1456 Meadors Mill Road, Bedford, spoke as a business owner in the Town. Mr. Messier said he is in favor of the Renewable Energy Subscription Program and appreciates the opportunity to potentially take advantage of the purchase of renewable energy certificates. Mr. Messier noted that Southern Flavoring Company, a Bedford business for ninety years, ships its products nationwide. He explained the advantages of this program to his company. Mr. Messier recommended that this program be adopted by Council.

Mayor Wandrei asked Mr. Perrow his opinion of the proposed Renewable Energy Program.

Mr. Perrow stated he thought the program would be a great option for people who feel as strongly as he does about protecting the environment.

Mr. Messier said that: (1) The program is voluntary and (2) it is a lead-in program for this sort of initiative. He said that one of his competitors puts the certification on his bottle of extract.

Mayor Wandrei asked Mr. Perrow and Mr. Messier what they would think about the Town issuing a certificate saying that it produces renewable energy at approximately 15% rather than having an additional charge on electric bills.

Mr. Perrow and Mr. Messier expressed their thoughts on the Mayor's question.

The Mayor said he was in favor of renewable energy, but it is just a question of how the program is structured. Mayor Wandrei said he would not want people to be misled to think that they are going to get 100% renewable electricity if they sign up for 100%.

Councilman Rush, Chairman of the Economic Development Committee, said the committee met on April 6 and discussed the incentives that have been in process for the last year/year and a half and refined them. Mr. Rush said that members of Council will be getting a copy of those incentives.

Clerk of Council Hatcher read aloud the following Notice of Public Hearing:

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**PUBLIC HEARING NOTICE**  
**(Continuation of 5 ½% Meals Tax)**

The Town Council of the Town of Bedford, Virginia, on Tuesday April 10, 2018 at 7:00 PM in the Town Council Chambers, Municipal Building, 215 East Main Street, Bedford, Virginia 24523, will hold a public hearing to adopt an ordinance amending and reenacting Town of Bedford Code Section 54-225, to provide that the existing 5 ½% rate of meals tax (consisting of 5%, plus an additional ½% designated for economic development from July 1, 2016 until June 30, 2018), shall continue in effect after June 30, 2018 at the rate of 5 ½% with the excess of collections over 5% to continue to be spent solely for economic development.

Information concerning the continuation of the Town Meals tax at the rate of 5 1/2 % without a termination date is on file at the Town Manager's Office.

Individuals interested in the continuation of the Town Meals at the rate of 5 1/2 % without a termination date tax may appear at such time and place and present their views.

Teresa Hatcher  
Clerk of the Council  
Town of Bedford, Virginia

Mayor Wandrei opened the public hearing at 7:18 p.m.

The Mayor explained that the meals tax is not a new tax and has been in existence since July 1, 2016. Mayor Wandrei said that tax had a sunset provision as of June 30, 2018, and the question is whether Council is going to extend it indefinitely.

Mr. Bruce Hartwick, 418 West Franklin Street, said it would be a good idea to let the one-half percent expire because maybe more people would come into the Town of Bedford eating at the restaurants, which could bring more money in for economic development.

As there were no further comments, the Mayor closed the public hearing at 7:19 p.m.

The Clerk of Council read aloud the Notice of Public Hearing:

**PUBLIC HEARING NOTICE**  
**(Sale of Town Real Estate)**

The Town Council of the Town of Bedford on Tuesday, April 10, 2018 at 7:00 P.M. in the Town Council Chambers, Municipal Building, 215 East Main Street, Bedford, Virginia 24523 will hold a public hearing pursuant to Virginia Code Section 15.2-1800 concerning the sale of real estate by the Town to AGVAF Enterprises, LLC for a price of \$3,000.00. The real estate to be sold and conveyed is a parcel of land containing 0.091 acres, bounded on the west by North Bridge Street, on the south by the

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building at 210 North Bridge Street already owned by AGVAF Enterprises and on the north and east by the remaining real estate of the Town, being a part of Bedford County Tax Parcel No. 194-A-787.

Information concerning the sale including a plat of the land to be sold and conveyed is on file at the Town Manager's Office.

Individuals interested in the proposed sale and conveyance may appear at such time and place and present their views.

Teresa Hatcher  
Clerk of the Council  
Town of Bedford, Virginia

Mayor Wandrei opened the public hearing at 7:21 p.m. As there were no comments, the Mayor closed the public hearing at 7:21 p.m.

Town Manager Warner stated that the proposed Fiscal Year 2018-2019 Budget is a result of much work on behalf of staff and Council including work sessions conducted on February 20<sup>th</sup>, February 27<sup>th</sup>, and March 13<sup>th</sup>. Additionally a public hearing on the budget was conducted March 27, 2018. Mr. Warner said that as the budget has been thoroughly discussed and vetted, staff requests that Council adopt the proposed budget for Fiscal Year 2018-2019.

On motion by Vice Mayor Black, seconded by Councilman Carson, voted upon and carried by a roll call vote, Council adopted the proposed budget for Fiscal Year 2018-2019 as previously presented to Council. Roll call vote follows:

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

The Clerk of Council read aloud the following ordinance:

ORDINANCE NO. 18-1

**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, 2018**

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**BE IT ORDAINED** by the Town Council of the Town of Bedford, Virginia, that there be, and is hereby levied for the Fiscal Year 2018-2019, a tax rate of \$0.32 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.

On motion by Councilman Rush, seconded by Vice Mayor Black, voted upon and carried by a roll call vote, Council adopted the ordinance establishing the real estate tax rate for Fiscal Year 2018-2019. Roll call vote follows:

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

Town Manager Warner stated the Code of Virginia requires that Council, on an annual basis, levy a tax on tangible personal property as identified in the State Code. He said the tax rate that is proposed is \$1.06 per one hundred dollars of assessed value on the applicable goods. He said that the staff requests Council adopt the personal property tax rate as proposed, which is the same rate as currently exists.

On motion by Councilman Carson, seconded by Councilman Schley, voted upon and carried by a roll call vote, Council adopted the ordinance establishing the personal property tax rate for calendar year 2018. Roll call vote follows:

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

The ordinance follows as adopted:

**ORDINANCE NO. 18-2**

**AN ORDINANCE LEVYING TAX UPON TANGIBLE  
PERSONAL PROPERTY AND ESTABLISHING THE  
TAX RATES THEREON FOR THE CALENDAR YEAR  
BEGINNING JANUARY 1, 2018**

April 10, 2018

**BE IT ORDAINED** by the Town Council of the Town of Bedford, Virginia, that there be, and is hereby levied, for the calendar year 2018, 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).

The Town Manager reported that in accordance with the Personal Property Tax Relief Act of 1998 the City and then subsequently the Town of Bedford is required to establish a tax rate for vehicles with an assessed value of \$1,000 or less that essentially involves no tax being levied. It also requires that subsequent value be applied to the first \$20,000 of value in such manner that a rate of relieve is calculated by the State equal to \$280,647 applied toward personal property in the Town of Bedford. Mr. Warner stated that the staff had prepared a resolution for consideration that accomplishes compliance with the Personal Property Tax Relief and establishes that relief being allocated toward the Town at the identified amount. Mr. Warner asked Council to adopt the resolution.

On motion by Councilman Johannessen, seconded by Vice Mayor Black, voted upon and carried by a roll call vote, Council adopted the resolution setting percentage tax relief. Roll call vote follows:

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

The resolution follows as adopted:

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**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

**WEHREAS**, 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, 2018, 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.

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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, 2018.

Town Manager Warner stated that having adopted the proposed budget for 2018-2019 Council now has to act separately to spend the money within that budget. Council was requested to adopt the ordinance appropriating funds as set out in the budget for Fiscal Year 2018-2019 and authorize the Town Manager to expend those funds in accordance with said budget.

On motion by Councilman Rush, seconded by Councilman Carson, voted upon and carried by a roll call vote, Council adopted the ordinance appropriating funds as set out in the budget for Fiscal Year 2018-2019 and authorized the Town Manager to expend those funds in accordance with said budget. Roll call vote follows:

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

The Ordinance follows as adopted:

**ORDINANCE NO. 18-3**

**AN ORDINANCE DIRECTING THE APPROPRIATION OF FUNDS  
FOR THE FISCAL YEAR BEGINNING JULY 1, 2018**

**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 2018-2019 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.

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Town Manager Warner said that in 2016 Council amended the Town's Meals Tax Ordinance to increase the rate from 5% to 5 ½ % from July 1, 2016, until June 30, 2018. He said the proposed ordinance would remove that sunset provision of June 30, 2018, and effectively permit the rate to continue as its present rate of 5 ½ % until such time it might be amended by Council. Mr. Warner recommended that Council approve the proposed ordinance.

On motion by Councilman Rush, seconded by Councilman Schley, voted upon and carried by a roll call vote, Council adopted the ordinance regarding the Meals Tax. Roll call vote follows:

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

The ordinance follows as adopted:

**ORDINANCE NO. 18-4**

**ORDINANCE PROVIDING FOR THE  
CONTINUATION OF 5 ½% MEALS TAX**

**WHEREAS**, the Town Council on April 26, 2016 enacted an Ordinance increasing the rate of tax on prepared foods and beverages from 5% to 5 ½%, effective from July 1, 2016 and providing that such increase would be designated and spent solely on economic development;

**WHEREAS**, the 2011 Ordinance further included a Sunset Provision that the rate of tax would be returned to 5% effective July 1, 2018, unless the Council shall provide otherwise; and

**WHEREAS**, the Council has determined that it is in the best interest of the community to provide that the rate of tax shall continue at the rate of 5 ½% without reduction and without a Sunset Provision; and

**WHEREAS**, the Town Council has held a public hearing after having published a "Notice of Hearing – Continuation of 5 ½ % Meals Tax"), which appeared in the Bedford Bulletin, a newspaper of general circulation, on March 28, 2018, at least seven days prior to the hearing;

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**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF BEDFORD, AS FOLLOWS:**

**Section 1.** Section 54-225, Article VIII (Meals Tax on Prepared Foods and Beverages), Chapter 54 (Taxation) of the Town Code is amended and reenacted to read as follows:

(a) There is hereby imposed and levied by the Town on each person a tax rate of five and one-half percent (5 ½%) on the amount paid for meals purchased from any food establishment, whether prepared in such food establishment or not, and whether consumed on the premises or not. The excess of collections over five percent (5%) shall be designated and spent solely for economic development, and the Treasurer shall deposit such funds in a separate Economic Development Fund to be spent on economic development projects as approved by the Council.

(b) The tax imposed by this article applies to all sales of meals by a food establishment or caterer whose place of business is located within the Town, without regard to the locality of delivery or possible use by the purchaser. The term “sale of meals” means a final sale to the ultimate consumer.

(c) All tax collections shall be deemed to be held in trust for Town.

**Section 2.** This Ordinance shall be effective upon passage.

The Town Manager explained that Council had before them a proposed ordinance authorizing the sale of approximately a 0.091 acre lot on North Bridge Street that has been used previously for public parking purposes. Mr. Warner said that the staff recommends the approval of this agreement as being in the best interest of the Town and not having any adverse effect on the public interest.

Councilman Rush said he would abstain from the vote on this matter as he sold Mr. Beck the building and guided him to the Town Manager for purchase of this parcel.

On motion by Councilman Johannessen, seconded by Vice Mayor Black, voted upon and carried by a roll call vote, Council approved the ordinance authorizing the sale and conveyance of the property on North Bridge Street. Roll call vote follows:

Councilman Hailey	absent
Councilman Johannessen	aye
Councilman Rush	abstained
Councilman Schley	aye
Vice Mayor Black	aye

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Councilman Carson	aye
Mayor Wandrei	aye

The ordinance follows as adopted:

**ORDINANCE NO. 18-5**

**AN ORDINANCE AUTHORIZING THE SALE AND CONVEYANCE BY THE TOWN OF BEDFORD TO AGVAF ENTERPRISES, LLC OF A SMALL PARCEL CONTAINING 0.091 ACRES FRONTING ON THE EAST SIDE OF NORTH BRIDGE STREET, BEING A PART OF BEDFORD COUNTY TAX MAP NO. 194-A-96-T**

**WHEREAS**, the Town of Bedford owns a tract of land located on the east side of North Bridge Street bounded on the North by the Norfolk Southern Railroad tracks;

**WHEREAS**, AGVAF Enterprises, LLC owns a parcel of land and building at 210 North South Bridge Street that adjoins the Town property, and the Town of Bedford has entered into an agreement to sell a portion of its land consisting of a small parking area adjacent to the purchaser's building for a price of \$3,000.00, subject to approval by the Town Council; and

**WHEREAS**, the Town Council, pursuant to the statutes made and provided for the approval of sales of real estate, has held a public hearing on April 10, 2018, after public notice of such hearing was advertised in the Bedford Bulletin in the edition of March 28, 2018, which was at least seven (7) days prior to the date set for the Public Hearing;

**NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF BEDFORD, VIRGINIA** as follows:

Section 1. The Town Council approves the sale of the following described real estate to AGVAF Enterprises, LLC, for a price of \$3,000.00:

All that certain lot or parcel of land in the Town of Bedford, in Bedford County, Virginia containing 0.091 acres as more particularly shown on a plat of survey entitled "Plat Showing Part & Parcel of The Town of Bedford Property & The AGVAF Enterprise Property" prepared by Kevin A. Merkey, Land Surveyor, date March 2, 2018.

Section 2. The real estate shall be conveyed specifically subject to existing utility easements including easements for overhead lines and communication facilities in public utility easement areas designated on the plat, and no buildings or permanent structures shall be constructed within such public utility easement areas.

Section 3. The parcel conveyed shall be combined with the adjoining property owned by AGVAF Enterprises, LLC to form one lot.

Section 4. Upon payment of the agreed upon consideration, the Mayor and the Town Clerk are hereby authorized to execute a deed in form approved by the Town Attorney conveying the real estate with special warranty of title.

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Section 5. This Ordinance shall go into effect immediately upon adoption by the Town Council.

Town Manager Warner reported that at its meeting on March 27, 2018, the Electric Committee (by a vote of two members for and one member against) recommended the adoption of a Renewable Energy Subscription Program that would be made available to customers of the Town's electric utility. Mr. Warner said that Council had the details of the proposed program rider before them. Council was requested to consider the Renewable Energy Subscription Program and take appropriate action.

Councilman Hailey arrived at 7:32 p.m.

Upon a question by the Mayor, Town Attorney Berry said the Renewable Energy Subscription Program would not require a public hearing to be held as it would not be a fee or tax.

Vice Mayor Black moved that Council adopt the Renewable Energy Subscription Program. The motion was seconded by Councilman Schley.

Mayor Wandrei explained his concerns about the Renewable Energy Subscription Program: the power a customer gets, whether they subscribe to this program or not, is going to be the same as customers who do not subscribe; it is somewhat misleading to give people the impression that if they subscribe to the program a hundred percent or fifty percent of all their power is going to come from renewable energy sources. The Mayor said he thinks that a better method of addressing this would be to provide everyone who obtains power from the Town and wants to participate in the renewal energy program would be to give them, without charge, a certificate saying that the Town of Bedford believes in renewable energy and the Town produces 15% of power from renewal sources. Mayor Wandrei said he is not in support of this program as outlined in the Rider that is set forth.

Vice Mayor Black explained that the Town reserves the right to limit participation in this program subject to the availability of renewable energy. Mr. Black said the Town cannot sell more subscriptions than that 15% - credits would not be given to everyone in Town because the Town only generates 15%, which is the limiting factor. He stated the program is voluntary. The Vice Mayor said that if the Town uses the revenue that is generated from this program to support the Town's renewable energy projects and any future renewable energy projects, he feels people will understand what that money is going to be used for.

Councilman Carson spoke about the voluntary aspect of the program.

Councilman Schley said he was in favor of the program in order for the Town to have the ability to do more with renewable energy.

A brief discussion ensued.

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Vice Mayor Black's motion to adopt the Renewable Energy Subscription Program was then voted upon and carried by the following roll call vote:

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

Councilman Rush moved that Council adjourn into closed session pursuant to Section 2.2-3711(a)(1) of the Code of Virginia of 1950, as amended, to discuss personnel matters. Councilman Hailey seconded the motion. The motion was voted upon and carried by the following roll call vote:

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

Council adjourned into closed session at 7:44 p.m. The following non-council members attended: Town Manager Warner and Town Attorney W. W. Berry, IV

Council reconvened into open session at 7:52 p.m.

The Clerk of Council 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 motion by Councilman Rush, seconded by Councilman Hailey, voted upon and carried by a roll call vote, Council adopted the resolution. Roll call vote follows:

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

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Councilman Schley  
Mayor Wandrei

aye  
aye

Mayor Wandrei adjourned the meeting at 7:53 p.m.