



**Town Council  
Regular Council Meeting Minutes  
February 14, 2023**

The Town Council of Bedford, Virginia, held a regularly scheduled meeting on Tuesday, February 14, 2023, 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, Finance Director Anne Cantrell, Town Attorney Michael Lockaby, Police Chief Ronnie Lewis, Clerk of Council Debra B. Anderson

---

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

**APPROVAL OF MINUTES**

Mayor Black declared that the minutes of the adjourned Council meeting on January 21, 2023 and the regularly scheduled Council meeting on January 24, 2023, were approved as submitted.

**REPORT OF TOWN MANAGER**

Mr. Warner reported:

- He would be away from the office Wednesday through Friday, February 15, 16, and 17, 2023, to attend the Virginia Local Government Management Association Conference. Mr. D. W. Lawhorne would be handling any administrative issues in his absence.
- Town offices would be closed on Monday, February 20, 2023, in observance of a state recognized holiday.

## **APPEARANCES BEFORE COUNCIL**

### **Jane McKim, 112 Peakland Court, Bedford, Va**

Ms. McKim stated she was a former member of the Bedford Police Department under Chief Graham and she is fully aware of the police facility needing a change. She was surprised it had not come sooner but the concern of people she had spoken to was about the cost, which was included in the Press Release. She asked Council to do due diligence to keep the cost under control. She presented some information regarding another small town located in Mississippi called Dilbertville. They build a 14,000 square foot facility and completed it in 2022 for \$4.5 million. It has state-of-the-art technology and is a beautiful facility with classrooms, lockers, reception area, and evidence room. The Dilbertville population is about 14,000 which is approximately twice the size of Bedford. She requested Town Council please keep the costs down low because otherwise residents have to pay and it would be a huge debt on the them.

### **Tony Claytor, 4276 Big Island Highway, Bedford, Va (County)**

Mr. Claytor said although he resided in the County, he owned property in the Town. He thanked Council for getting the trash picked up down on Independence and it looks nice. The drainage issues were finally getting worked on, but there are many more infrastructure issues that the Town must take care of. He knows they are expecting a big influx of money with the annexation, which he is not for, and he has property that will be annexed into the Town, so he will have a 60% tax increase. As far as the Town police department, he knows they have been in the same place for 20 years and a few more years won't hurt them any. He understands that the Town will be out of debt hopefully by 2024. As far as he is concerned, they need to wait until this money starts to come in and whether they will get the money they think they will get and fix the problems they already have before they start with another problem. Take care of things that need to be done and have been passed over, just like the police department, and start saving money. He thought \$12 million for a new police building was outrageous and it doesn't need to be the Taj Mahal. It just needs four walls and a roof, a holding cell and a jail cell with a few other rooms and it doesn't need to be fancy. He would like to see the Town save half of the money before they proceed to build, and then borrow the rest of it. He wants to see how they do saving money first because Council hasn't been doing well saving. When Bedford was still a city there was talk of using land on Orange Street towards Independence which he thought is an ideal spot for the police department, the lifesaving crew and the new fire house would all be there in one spot with plenty of parking space and plenty of land to turn the trucks around to back them up into the fire house without blocking up the road. Once they paid for the police department, they could put the fire department there. He asked Council to choose the location wisely because the spot at the bottom of the hill is a waste of money because they won't get the square footage or parking space they need. The lot serves the courthouse now when they have big court days because there is no parking close by. He is for advancement and having new things but it seems to him that things get done just at a whim and puts the Town in debt. Paying somebody \$40,000 to \$50,000 just to draw up plans is a waste of money to him. He said providing all the extra services like curbing, guttering, sidewalks, and street lights for the annexed properties is a small

fortune and they have to keep in mind all the infrastructure that needs to be put in on these annexations. Taxpayers are asked to pay in extra money and Council needs to use that money for the services they are supposed to provide them to start with. Council needs to rearrange its priorities and plan more ahead than six months down the road. They already spent a fortune on sidewalks on Burks Hill Road and he thinks it was not necessary and a total waste of money, and he is waiting for the day when someone gets run over at the crosswalk there. The Town needs to concentrate on getting more industry, instead of the antique shops and non-profits that open up. He doubts they bring in much tax base at all. He thanked Council members for their time.

### **COUNCIL COMMENTS**

Councilman Carson said that Saturday was a beautiful day with the parade, watching the soldiers come in and all the people that turned out to show them love. It was a huge success and everyone enjoyed it, including the soldiers. He was glad that they were able to honor them on Saturday.

Councilman Hailey agreed that Saturday was a great event. Mr. and Mrs. Parker put together a great event for the Town. They remembered all the Bedford fallen heroes from many years ago and it brought together people who had lost family members and friends. And the Mayor did a fine job speaking there.

Vice Mayor Stanley could not be there on Saturday but he heard good comments from citizens. This is what Bedford is all about, from D-Day Memorial to recognizing veterans and moving forward with it, paying tribute.

Councilman Johannessen concurred. The presentation to the 114<sup>th</sup> National Guard group was wonderful, with them coming back from the horn of Africa and having been away for a year. He appreciated all that they did.

Councilman Hartwick welcomed everyone that came out for the meeting. He missed the Saturday parade but when he sees a man or woman in military uniform, he thanks them for their service. He also thanked Josh from Public Works who helped him out with a situation with his vehicle.

Mayor Black noted that they had not met since the fire at Sister to Sister Café on South Bridge Street. He would be remiss if he didn't thank the fire department once again for responding in such a professional manner. That fire could have been devastating to the downtown area and the firemen and firewomen did an excellent job, as they always do. It was a team effort that day with other department staff assisting, from the police department, public works, and electric department, and citizens can be thankful for the job everyone did that day. Mayor Black also stated that the fire department had its ISO rating increased to a three which means they provide a really good fire protection for the community, which will help every homeowner and business in Town with their insurance rates. It was good news that should be passed on to the citizens. He also took the opportunity to visit the Fire Safety Training building when trainees were having their final exam in Firefighter 1 class where a live fire exercise was given. It was very impressive to watch the training and he would like Mr. Warner to get with Chief Stone and put together a

work session. All Council members should go down there and see the facility, possibly as a work session before a future Council meeting, to familiarize everyone with what is done there.

Mayor Black said that the Saturday event was a great one with a wonderful community turnout to welcome home Company A from their recent deployment to Africa. He wanted to give Mr. Warner a Certificate that was presented to the Town from the 29<sup>th</sup> Infantry Division. It read as follows:

“The 29<sup>th</sup> Infantry Division presents this Certificate of Appreciation to the Town of Bedford in Bedford County in recognition of its constant and unwavering support. The 29<sup>th</sup> Infantry Division is forever grateful for its efforts in friendship. The organization ensures that the sacrifice of its citizen soldiers remain enshrined in American history. Signed by Major General John Rhodes, Commanding General, 29<sup>th</sup> Infantry Division.”

Mr. Warner stated that the Certificate would be displayed prominently.

Mayor Black continued by saying there have been two new businesses opening in Town. The HomeGrown Company, Inc. had their grand opening down on the corner of Bridge and Main Streets. He visited the shop which is a little retail establishment and he encouraged everyone to check it out. He also said many people have visited the other new business, Benny’s Pizza down at The Six Twenty. They sold the most pizzas on the day of their grand opening. It is good to have these two businesses in Town and he welcomed them to Bedford.

Mayor Black gave a shout out of thanks to Mrs. Cantrell, Chief Lewis, and Mr. Warner. They had their first Mayor/Youth meeting a couple weeks ago and the staff members spoke to the 13 students from the middle and high school about their roles in Town government. The next meeting will be February 25, 2023. Ms. Zirkle will be there to speak about community development and economic development and they are going to take a walk downtown to visit the fire station. They will also do some brainstorming on how to improve the community. Everyone is welcome to stop by on the 25<sup>th</sup> from 10 a.m. to 12 noon.

## **REPORT OF COUNCIL COMMITTEES**

Councilman Hailey said the Streets Committee met earlier in the evening and they spoke with Bill Mosley about issues on South Street. They also discussed renaming a street in Town and a possible school project downtown in Centertown Park.

Vice Mayor Stanley stated the Electric Committee met as well and the main topic was storm cost recovery. As many know, between December 23 through 25<sup>th</sup>, there was a massive storm with ice, wind, and cold temperatures which created hazards and a lot of work for utility workers. They discussed the impact on the PJM market, the grid, and on Bedford. They incurred close to a \$1 million in storm costs and proposed some storm cost recovery methods which will be discussed in future Council meetings.

**REVISIONS TO AGENDA**

None.

**PUBLIC HEARINGS**

None.

**CONSENT AGENDA**

None.

**OLD BUSINESS**

None.

**NEW BUSINESS**

**Financial Advisor Services Contract**

On December 14, 2022, a Request for Proposals (RFP) was released to procure an on-call term contract for municipal financial advisor services. This proposal included financial advisor services for the proposed law enforcement building project and to be on-call for future advice and services, including for the Economic Development Authority (EDA) and Redevelopment and Housing Authority. The contract term in the RFP was for a one-year period with the option to renew for four successive one-year periods. By the RFP submittal deadline of January 13, 2023, three competitive proposals were received. The Council Finance Committee was utilized as the selection committee for this RFP, which was asked to evaluate the proposals on the following factors:

|   |      |
|---|------|
| Offeror’s General Approach to the Project             | 10%  |
| Innovation and Creativity                             | 5%   |
| Qualifications and Experience                         | 25%  |
| Capabilities, Skills and Resources                    | 25%  |
| Experience Involving Municipal Electric Utilities/AMP | 15%  |
| Accessibility of Firm and Key Personnel               | 10%  |
| **Cost  | 10%  |
| Total   | 100% |

Based on the evaluation of proposals by the selection committee, the highest ranked proposal was Davenport & Company LLC. A notice of intent to award was released on February 3, 2023, and is available on the Town’s website.

**ACTION REQUESTED:**

Town Council is requested to grant approval for the Town Manager to enter into a contract with Davenport & Company LLC for Financial Advisor services based on the RFP.

Mr. Stanley moved, seconded by Mr. Carson, to grant approval to enter into a contract with Davenport & Company, LLC for financial advisor services based on the RFP.

Discussion followed. Mr. Warner explained that Davenport & Company would be providing services related to analyzing the design of the police department building as well as other services, such as capital planning and advice to the EDA and the Housing Redevelopment Authority on helping manage some of their accounts. Mayor Black said the company will give Council an overview on where the Town stands financially, look at the financials, and give them advice. If Council decides to move forward with the police department building, it will be a big piece of what Davenport & Company will do but there are other things they will look at, such as how to finance capital, how the capital plan is structured, and there are many needs. Council must balance its limited resources and prioritize and with Davenport’s help they will be doing their due diligence on projects. Attorney Lockaby noted that he is working with Mrs. Cantrell on term contracts for entities where a predefined price is listed for a specific timeframe and if the Town never uses the services, it won’t pay a penny, but if services are needed, Council doesn’t have to wait for an RFP but can pass a resolution directing staff to get the contractor to perform the necessary services. This way, there are fewer emergency procurements and fewer situations where something comes up and staff have to scramble, because you already have someone under contract to do what is needed. This is an action to get Davenport on one of these term contracts. If Council doesn’t need something from them, they won’t have to pay but if something is needed, they are already under contract and can be called to provide service. He reminded Council that during this year’s retreat, Council asked staff to develop a long-term capital improvement program. Mrs. Cantrell added that currently the Town is not rated and Davenport will be able to give such a financial rating, which will be beneficial to Council and staff to know where the Town stands. Councilman Johannessen noted this company will be able to break everything down and tell Council whether they can afford a project and what they will need to pay in long-term loans. Mayor Black said the Town has used the company before when the Town refinanced its debt. It is a big comfort factor to him that they have so much experience and so many contacts in the financial world. Councilman Shoen verified that Council will be informed in advance what Davenport will be billing them for services provided. Councilman Hartwick said he called references for three companies and he was most impressed with Davenport, who had a more reasonable rate, was the most trustworthy, and would be the easiest to work with.

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.

### **New Police Department Facility**

On December 8, 2020, Town Council approved a Request for Proposals (RFP) to pursue conceptual drawings and construction cost estimates related to the possibility of constructing a new Police Department, a parking garage, and making renovations to the Farmers Market.

A Building Advisory Committee appointed by then Mayor Steve Rush reviewed the proposals submitted in response to the RFP and recommended discussion with Wiley/Wilson. On February 23, 2021, Randy Boggs of Wiley/Wilson and John Judd of Desmand Associates presented information before Council at its regular meeting. Council subsequently adopted a resolution formally designating the Building Advisory Committee as the Project Advisory Committee, with the authority to interview and negotiate with candidate firms for the advertised RFP for needs assessments, cost assessments and conceptual drawings, as well as administration of design-build construction of a proposed parking deck, police station, and/or farmers' market.

After conducting interviews with firms regarding submissions for the RFP the Project Advisory Committee selected Wiley/Wilson to proceed with the scope of work directed by the RFP. Council approved the selection of the Project Advisory Committee at its regular meeting on April 13, 2021.

In light of the estimated costs of constructing a new Police Department facility, staff also evaluated alternatives that were anticipated to possibly be more economical and cost efficient by comparison. To that end staff visited commercial properties that were currently being marketed located at 191 West Main Street and 1106 Monroe Street. The property at 191 West Main Street was not deemed to be an acceptable alternative. However the property at 1106 Monroe Street was identified as a possible alternative and Town Council approved an Option to Purchase Real Property at a price of \$950,000 which was valid for a period of 90 days at its regular meeting on January 25, 2022. Preliminary analysis of the property at 1106 Monroe Street indicated estimated costs ranging from \$7.9 million to \$10.2 million to renovate it in a manner suitable for use by the Police Department in addition to the cost of purchasing the property. As a result of this information, consideration of the age of the building, and the operational needs of the Police Department, Council chose to let the option expire and pursue design of a new building and notified the seller of this decision on April 12, 2022.

At its regular meeting on April 26, 2022, Council affirmed its consensus regarding the inadequacy of the current physical offices and the need for a replacement to better accommodate the current and future operations of the Town Police Department; and that after evaluating alternatives, it would be most economical, efficient, and effective to construct a new facility on Town-owned property to meet this objective. Council approved construction of a new Police Department facility through a process including the following administrative steps:

1. Design of a new police building. Wiley/Wilson is currently engaged under an existing contract to provide this service and have agreed to serve as the architectural and engineering firm of record for the project.
2. Obtain the services of a Municipal Financial Adviser. On February 3, 2023 staff published an intent to award this contract to Davenport and Company and Council just approved a retainer agreement with the firm.
3. Obtain the services of bond counsel to assist with matters of certifying the validity of any debt that may be forthcoming. Christopher G. Kulp, who has assisted the Town in matters related to several previous issues, was appointed to serve in this role for this project as well on April 26, 2022.
4. Obtain appropriate financing for the project. This will be considered in conjunction with recommendations by the Municipal Financial Advisor, Davenport & Company, referenced in point 2.
5. Prepare and advertise a bid package for construction of the new facility. This would presumably occur concurrently with a bond issue.

At its regular meeting on July 26, 2022, Council approved proceeding with the recommendations of the original RFP in a “design to build” manner. Wiley/Wilson presented a proposed contract including estimated costs for final design, schedule, and construction management. At that time Council requested changes to the proposed contract to include a review of the proposal at the 50% mark of design activities, which would also give Council an opportunity to evaluate whether or not to proceed.

At the regular meeting of Town Council on August 23, 2022, Wiley/Wilson submitted a revised contract proposal for design services, which included an estimated cost of \$10 million for the proposed new facility. Council approved the revised contract and appropriated up to \$348,000 of funding from revenue provided by the American Rescue Plan Act (ARPA) to cover expenditures related to the contracted activity.

On September 1, 2022, representatives of the Town and Wiley/Wilson executed the contract approved by Council at its regular meeting on August 23<sup>rd</sup>.

Wiley/Wilson has notified the Town that they have reached the 50% milestone referenced in the contract. Therefore, the matter is now being brought before Council for further consideration. To date Wiley/Wilson has submitted invoices totaling \$335,065 for services related to the contracted activity, which means that they are currently within the \$348,000 budget established for the purpose by Council.

**ACTION REQUESTED:**

Town Council is requested to either approve or disapprove proceeding with the design of a new Police Department facility and appropriation of related funds under the terms of the contract executed with Wiley/Wilson.



Mr. Randal S. Vaughan, AIA and Vice President, for Wiley/Wilson addressed Council. Senior Designer/Architect Brittan W. Springs, NC ARB, AIA was also present. Mr. Springs stated that a space needs study was performed last year on the existing building. There were discussions with Chief Lewis and his department members, reviewing current needs and projecting out several years for growth. Wiley/Wilson determined that a building of approximately 20,000 square feet would meet the needs. They worked with the police department to develop a two-story building design that would be space-efficient and fit on a tight site pad that the Town already owned. Then they worked on the study phase cost estimate. This estimate was based on the size of the building and a project that was of similar size and style that was just completed recently in Orange County. It was determined that costs would be \$350 to \$400 per square foot, estimating a total in the \$9.2 to \$10.6 million range. Council voted to move forward at this range. On the schematic design, another estimate was performed and projected \$9.9 million, site and building included. Now at the 50% point, Wiley/Wilson engaged a professional cost estimator in Virginia, that estimated costs to be \$11.1 million based on more detailed information as the design progressed. Their estimate is based on current market costs, not on historic costs, and is entuned with the current construction costs in and around Bedford and Virginia as a whole. Wiley/Wilson then reviewed the cost estimate themselves and found ways to get the numbers closer to the \$10 million original probable cost, which includes all site and building costs, and a design contingency but not a site contingency. They identified approximately  $\frac{3}{4}$  of \$1 million in reductions which includes \$350,000 in design changes primarily in more cost-effective materials such as changing out cinder block walls for metal stud walls. Another approximately \$270,000 worth of items could be stricken out that the estimator assumed were in the project, but were not originally in the project. Approximately \$170,000 of items could be moved out into other budgets such as site lighting, which may be provided by the electric company. If the Town moves forward with the project, another cost estimate would be provided by the same professional cost estimator at the final drawing phase that will verify and confirm the project stays at the budgeted amount.

Mr. Vaughan and Mr. Springs answered clarifying questions from Council members. Mr. Vaughan felt more confident in the number from the professional cost estimator who does work for local governments across the state and has its hand on the pulse of the construction market as best as anyone can. He felt the estimate should stabilize or come down a bit and they continue to work on ways to economize on the building, but it is hard to say. Mr. Springs noted that the estimate reached for the previously mentioned Orange County project was spot-on. The law enforcement facility is deemed an essential facility which must be operational during a natural disaster and is a factor driving costs higher versus a typical commercial building. It will have an electric generator and a back-up emergency communication center. By nature, it is a more robust construction with more stringent structure requirements, raising the general cost. Many things can affect costs including square footage of the building, the region of the country where the building is located, the timeframe when it is designed, and when construction occurs. If Council approves moving forward, the final drawings should be completed by late May or early June and then proceed to bidding for six weeks or so, then awarding the contract which may take another month or two. It would be advantageous to begin construction in the fall before the weather turns, so the site work can be done and the construction period will probably take 18 months to two years. If Council takes 60 days to consult with the financial advisors, Mr Vaughan

did not anticipate that a 60-day pause would cost all that much, but it remains to be seen what the construction market will do.

Mr. Hartwick moved, seconded by Mr. Hailey, to table a decision on this Action Item until Council can receive more information regarding financing from Davenport & Company.

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.

### **Helm Street Tank Replacement ARPA Project**

In December, 2021, the Town entered into a Grant Subrecipient Agreement with the Bedford Regional Water Authority (BRWA) to fund certain specified capital projects by use of revenues through the American Rescue Plan Act (ARPA). Part of that contract stipulates that the Town shall act to give final approval or disapproval to projects identified in the Agreement not later than two months after 60% designs and cost estimates are received from the Water Authority.

One of the projects included in the Agreement relates to improvements to a water storage tank on Helm Street. On December 22, 2022, the Town received an email from the Water Authority advising that the cost estimate and 60% design plans have been prepared for this project. That email was forwarded to all members of Council on January 13, 2023.

### **ACTION REQUESTED:**

Town Council is requested to either approve or disapprove proceeding with the Helm Street Tank Replacement project identified in the Grant Subrecipient Agreement between the Town and the Bedford Regional Water Authority.

Mr. Hailey moved, seconded by Mr. Hartwick to approve proceeding with the Helm Street Tank Replacement project identified in the Grant Subrecipient Agreement between the Town and the Bedford Regional Water Authority.

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.

---

**ADJOURNMENT**

8:12 p.m.

---

Tim Black, Mayor

---

Debra Anderson, Clerk of the Council