



**Town Council  
Regular Council Meeting Minutes  
April 11, 2023**

The Town Council of Bedford, Virginia, held a regularly scheduled meeting on Tuesday, April 11, 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, and Councilman Bruce Johannessen

**Town Council member absent:** Councilman Darren Shoen

**Town Staff present:**

Town Manager Bart Warner, Town Attorney Michael Lockaby, Electric Department Director John Wagner, Director of Planning and Community Development Mary Zirkle, Clerk of Council Debra B. Anderson, and Recording Secretary Julia Peters

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

Mayor Black noted that Councilman Shoen had a previously scheduled vacation with his daughter in Canada that week, which was why he was not in attendance at the meeting.

**APPROVAL OF MINUTES**

Mayor Black declared that the minutes of the regular Council meeting on March 28, 2023 were approved as submitted.

## **REPORT OF TOWN MANAGER**

Mr. Warner reported:

- Buck Krantz will be hosting a dedication of the Purple Heart Bridge sign on Burks Hill Road on Friday, April 21, 2023 at 2:00 p.m. Anyone interested in attending was encouraged to meet at the Welcome Center prior to the event.
- Spring Cleanup was scheduled to take place next week, April 17 through April 21. Citizens and motorists were asked to be mindful of crews working to pick up curbside items during that time.

## **APPEARANCES BEFORE COUNCIL**

None.

## **COUNCIL COMMENTS**

Councilman Carson thanked everyone for coming out for the Public Hearing that evening and voicing their opinions. He also thanked Council members for their support on the passing of his brother the past weekend.

Councilman Hailey said he appreciated everyone attending the meeting and speaking their opinions.

Vice Mayor Stanley thanked everyone for coming and voicing their opinions. Council members certainly wanted to hear them and hoped they would continue to let them know what they were thinking. Mr. Stanley also extended his condolences to Councilman Carson on the passing of his brother. He was a great man and active in the community. He left a great legacy and will be remembered and missed.

Councilman Johannessen appreciated all the citizens that turned out that night. Council would listen carefully to what they had to say.

Councilman Hartwick welcomed everyone to the meeting to voice their opinions. Their opinions have more of an impact than they think and he hoped they would come out more often. He also extended his condolences to Mr. Carson on the passing of his brother and asked for a moment of silence in honor of him.

Mayor Black echoed Mr. Hartwick's comments and welcomed those in attendance again. He knew the Public Hearing was an important topic for Council and those potentially affected by the boundary adjustment as part of the reversion and voluntary settlement agreement. Council was there to listen to everyone that night. He also passed on condolences to Mr. Carson, saying his

brother was a pillar in the community for youth and athletics, coaching Rec football and baseball. He had known him for a long time and he will be greatly missed. Thoughts and prayers are with Mr. Carson.

### **REPORT OF COUNCIL COMMITTEES**

None.

### **REVISIONS TO AGENDA**

None.

### **PUBLIC HEARINGS**

Mr. Warner read the following public hearing notice.

#### **PUBLIC HEARING NOTICE**

The Town Council of Bedford, Virginia, on Tuesday, April 11, 2023, at 7:00 P.M. in the Town Council Chambers, Municipal Building, 215 East Main Street, Bedford, Virginia 24523 will hold a public hearing regarding the Phase II Boundary Adjustment as described by Section 9.7 of the Voluntary Settlement Agreement between the City of Bedford and Bedford County which was executed in 2013.

By the Authority of The Town Council of the Town of Bedford

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March 29, 2023

Mayor Black opened the public hearing at 7:06 p.m. He directed those speaking to come up to the podium and give his/her name and address for the record. About 22 people would be speaking, so he asked everyone to be respectful of one another and the time for each speaker would be limited to about three minutes. He didn't want to cut anyone off, but if they didn't finish within the time period, they could leave written remarks with the Clerk, who would ensure that copies of their prepared remarks would be delivered to Council members. All Council members also have email addresses, where emails could be sent to them individually, or as a group to [council@bedfordva.gov](mailto:council@bedfordva.gov).

Mayor Black also noted for the record that at the last meeting, he received a petition with 24 signatures and an additional petition tonight with 110 signatures. A third petition was also

received with 276 signatures. All the petitions opposed the annexation and all of them would be part of the public record (Attachment 1).

**John Ketwig, 1717 Wycliffe St., Bedford, VA**

The previous Town Council made a deal ten years ago and the current Council inherited it, which was a shame. It is not very popular and the annexation was delayed for the ten years, and he doesn't believe there is any reason why it cannot be delayed for another 10, 20, or 30 years. The boundary area to be annexed has changed and he would like to see it change again to not include the North Hills and Town and Country subdivisions and not impact the homeowners. The residents affected have not had a vote on the subject. The petitions are an indication of what would happen when the Council members come up for re-election.

**Fred Heptinstall, 103 North Branch Road, Bedford, VA**

He moved to Bedford in 2017 and chose Bedford over anywhere else he could live, with the view of the mountains, in a rural setting, with lots of friends and relatives in the area where he has family roots back to the mid-1700's. He and his wife bought a house with over six acres that back up to Little Otter River and have invested a lot in their house which is their forever home. He was shocked when they opened the letter in early February, that they would be annexed into the Town of Bedford. Not long before that, he received notice from the County that his property value was going up 37%. Based on the \$0.50 in the County, his taxes will be up 37%. Most people have no idea what their current tax rates would be and when figuring it out for the County, they would be paying another \$0.31 for the Town assessment or a 122% increase, which will more than double their property tax. He will go from paying approximately \$5,100 total personal property and real estate tax to close to \$11,000 if annexation goes through. Some neighbors are impacted financially even more substantially than he will be. As they organized the petitions to stop the annexation and reached out to all the affected neighborhoods, he would say that about 99% of the residents are enthusiastically signing the opposition. They estimate there will be about 500 households coming in and about 99% of those to be annexed are opposed. They have galvanized into a community and they will be asking for more time as they seek counsel and, as what another gentleman said, put it off for another ten years. Some of the concerns are: receiving Town services, feeding a failing bureaucracy, taking freedoms and more of their pensions, and negative impact on property values. Those annexed will be competing with higher Town taxes and restrictions, compared to those seeking homes in the County. There are a lot of people retired and on fixed incomes and they will not be able to afford the increase in taxes and will have to move. Some complain they move away from other places to get away from this kind of taxation and the process has been very deceptive and cannot be legal. Citizens want the Council to stop the aggression and the annexation, stop taking money out of their pockets, and messing with their livelihoods. They want to seek more time to get legal counsel to really review the technicalities and make sure it is in compliance with state laws. He does not want Council to expect to vote on annexation next month, they are just getting started.

**Betty Schuette, 1492 Hopes Way, Bedford, VA**

Mrs. Schuette and her husband own 100 acres down a private road off of Route 221. They have lived there for 32 years. There are all kinds of game; turkey, deer, coyotes, and now they are told that no one can hunt them. She has family members that hunt the land to keep the animals down to a minimum. If they were annexed, they would get no benefit from the Town. They have their own water supply, they do their own roadwork and whatever needs doing, they do it, so they would be paying for something they would never need or use. She feels this is taxation without representation. They are self-sufficient and are not asking for anything. She asked Council to turn this around, she does not need to be annexed. They own seven rental properties in the Town of Bedford, and she pays city tax on three of them. The city tax she pays is way out of line with what she pays in the County, they don't even compare. If the annexation goes through, she will have three more to pay city tax on, and since they are rental properties, she will not recoup her money. Her renters live payday to payday, and she cannot swallow city tax on every rental property.

**Dick Kibbey, 1801 Oakwood Street, Bedford, VA**

Mr. Kibbey said he has lived in his house for six years and had no idea that he would be annexed into Town. He knew that Bedford City had become the Town of Bedford, but did not know that annexation was part of the deal. He spent years as a real estate consultant and has read that this annexation will promote growth. It won't because the population does not change. The way development goes is to draw concentric circles, determine what the population is, determine what the average income is, and make a decision based on that. Whatever development is going to happen, will happen, and is not predicated on how many homes are annexed. What is predicated on the homes is the increase in tax revenue, \$450,000 out of 1,000 people, which is aggravating. Council was in need of money and people ten years ago determined this was a way to get it and now the present Council is doing the same thing because it is easy. The Town is not providing any services and are doing nothing for them, other than what the County is already providing them. He asked Council members to think about it.

**David Henderson, 1060 Havenhill Lane, Bedford, VA**

Mr. Henderson stated that the previous speakers had summed up the feelings of the residents. He knows Council members are good people and he hopes they look at the situation with compassion. There are beautiful signs that have gone up at the Town limits that say, Life, Liberty, and Happiness. He thinks the annexation proposal just sucks the life out of these communities and is totally opposed to liberty, and more like what Putin has done. There is no happiness except a bloated bureaucracy that seeks to further itself. What has been done already has created a ghost town of Bedford. It was a great place, but it has been taxed into oblivion. He drives past Forest to go to the hospital and it is not a big city but a census-designated area and it has a massive new fire department that was built and it is not a Town. He does not see why Bedford needs to be a Town. Bedford County does a great job with a great police force in the Sheriff's Department and the Town cannot offer anything more to them. Forest has development with lots of new businesses, new homes, and the Town is just sucking life, liberty, and happiness right out of their lives.

**Garland Miller, 3337 Forest Road, Bedford, VA**

Mr. Miller said he actually lives in Daleville, VA but owns property on Forest Road and has interest in his parents' home. His dad bought the home in 1955 when he came out of the Korean Conflict and borrowed the money under the GI Bill. They never moved, they are both deceased, but it is the only home that he, his brother and his sister ever knew. Both his brother and sister still live on the property that their dad purchased and it was a great place to live while growing up. He was born at the Bedford hospital and raised in Bedford County. If he chooses to bring his grandchildren down to the Bedford property, they won't be able to enjoy things that he was able to enjoy, like plucking cans with a rifle. His dad started a burn pile many years ago and there were great times around that burn pile with good conversations and quality time with family. This, too, is in jeopardy. The services offered by the Town are not necessary. Bedford County has one of the finest sheriffs' offices in the Commonwealth, and VDOT maintains their roads. They can choose to hire a private company for refuse collection or they can use the convenience center at the landfill without additional charge. They have done well without sidewalks and street lights since 1955. The timing is very bad with the way the economy is, and to pass a 62% increase in real estate tax onto the affected citizens is not good. He has prayed that this annexation can be tabled at this time and revisit it sometime in the future, or it doesn't happen at all. A question posed by another individual that was brought to his attention is: why can't the Town Council and the County Board of Supervisors come together and split the current taxes either by 50/50, 60/40, or 70/30. It was clear to him that "we, the people" do not want to be annexed.

**Mike Miller, 3461 Forest Road, Bedford, VA**

Mr. Miller gave Mr. Warner 36 more signatures on a petition opposing annexation. He thanked Council for allowing everyone to speak and he was speaking on behalf of the family and other residents that could not attend the night's hearing. He said his brother summarized their property and they are now in their fourth generation of being able to live in a place that their parents gave them to come back to. He hopes Council has gone out and spoke to citizens to hear some history. He asked that Council not annex his family's property and his neighbors. Some people could not be there tonight due to age or other issues, and they were speaking for them while providing their signatures declaring opposition to the annexation. He has spoken to citizens and he has not found anyone who wants this annexation to happen. They already have the best sheriff's office, the best police department, and the best state police that work together to make sure the County and Town are as safe as possible. They also have the best fire department, the best rescue squad, the best electric department and VDOT, with the best residential streets. The question he asked was what would be provided to these citizens that was better than what he already stated. Trash pickup would cost \$25 per month but recycling must be brought to the County dump site. There are two trash companies in the community and Bays Brothers does his. The price is \$20.25 per month so even trash pickup would go up, and this annexation would impact two local businesses. There are nine other businesses located on Route 221 where he lives and will they be moving

because the extra taxes will hurt them. Nothing said so far helps a single resident. He asked Council not to hurt its own community by taxing them further. He asked they lead like the State Governor has by bringing taxes lower and helping bring money back to the communities. He knows the Town tax rate was lowered by \$0.03 to \$0.29, which is greatly appreciated, but it brings the affected residents' tax rate to \$0.70 if the County goes to \$0.41. Looking at comparable Towns locally, he saw a big difference. Vinton, with a little over 8,000 citizens, has a tax rate of \$0.07. Rocky Mount, with a little over 5,000 citizens, has a tax rate of \$0.13 per hundred. Both Towns appear to provide the same services that the Town of Bedford has. The Board of Supervisors reduced their rate by \$0.09 and are letting citizens see that everything is being done economically. Bedford County is tightening its belt and the County tax would only be \$0.12 more than the Town, which has 8,000 residents and eight square miles. The County has 80,000 residents and 795 square miles. If the Council votes to annex Phase II, it would be the opposite of what leaders are doing all over, protecting citizens. This is an unstable economic downturn and what does a retired citizen do when his/her tax rate goes up 70%. Should they skip meals or medications so they have enough money to pay the new taxes that come with annexation. He asked Council members to go out into the communities and hear the voices of the residents. Food banks now have the largest increase in people coming to them asking for food donations. People start lining up for food at 2:00 p.m. when it is not distributed until 4:30 p.m. because they are afraid there will not be enough food. He drove up to see for himself and the line had already started at 1:00 p.m. Inflation is still at an all-time high and the federal government just adjusted the interest rate again. Banks have closed and some are on shaky ground. Pet food is up 15% and eggs are up 55%. This situation could last another 12 to 18 months. The Board of Supervisors have tried their best to stay out of what a person can do with their property. Town ordinances will tell residents what they can do with their property, a citizen will have to have permission to hunt or shoot under Town ordinances. He hoped Council had not put the cart before the horse and made this a done deal. He thought now is not the time for annexation and he hoped the voices were not falling on deaf ears, and he thought he will know on May 9.

**Darryl Updike, 203 Peakland Court, Bedford, VA**

Mr. Updike said that Bedford is a conservative community in beliefs and lifestyle, and government overreach is a main theme in any conservative platform. His position is a little different than what has already been expressed. He hoped these affected citizens would be given ten more years to get adjusted to the new costs of living in the area. There will be changes in the lives of the affected people and Council needs to be cognizant of these changes if annexation goes forward.

**Jane McKeon, 112 Peakland Court, Bedford, VA**

She and her husband have lived in Bedford County for 40 years and her husband is a builder in the County. They have built four homes in the County and her children graduated from Staunton River High School in the County. The 460 East area highlighted on Phase I has already been annexed and the lands for sale have been annexed. When they bought their property on Peakland Court, no realtor told them that it would be annexed and they oppose it. As they aged, they had to give up their horse farm on a larger property and bought a smaller lot on Peakland Court and hope to stay in Bedford County. The Town has opened up apartments on Bedford Avenue for



more residents and when the construction at the school is completed, there will be a little bit of a tax base there with 60-some apartments. She hoped Council realized that the timing was very bad and she hoped she could stay in Bedford County.

**Joel Severs, 907 Woodhaven Drive, Bedford, VA**

Mr. Severs said that Council has seen the petitions and people have shown up telling them they do not want this annexation. If the Council goes through with it, the people have already said that there will be an election and there will be new Council members and a new Mayor. They don't want change or sidewalks. They already have a fair price for trash pickup and can set out anything they want to be picked up. He hoped Council would reconsider and not let Phase II go through.

**Ben Thurman, 1011 Windy Ridge Drive, Bedford, VA**

He said he was opposed to the annexation of the Town and Country Subdivision of which he is a resident. It will hit him in his pocketbook and according to his numbers with updated real estate taxes, he will have an increase of 134.5%. He and his wife are both teachers and it is getting tough to make ends meet. He does not want to be dependent on anyone to provide for his family. It will hurt to pay that amount in taxes. Having sidewalks, street lights, trash pickup, and a police department are nice things but when he bought his house 11 years ago, he understood he would not have these things because he was not part of the Town and is part of the reason why he chose the house he purchased. He does not need the services the Town offers and will be stuck paying for them out of his pocket. The Town's rainy day fund is now around \$4 million and he doesn't think the Town needs his tax money and he doesn't attract any businesses. He encouraged Council members to think about their actions and he understood it was not their doing but they have the power now to do something about it.

**Jim Swanson, 135 Garretts Lane, Bedford, VA**

He and his wife have five acres in the City at this time and the rest of his 90 acres is in the County. He worked in forestry and he and his wife are getting up in age and he has asked before about different things with his farm and nothing has been taken care of. Council cannot tell him that he can hunt if they have rules that say he cannot. Council cannot tell him that he can burn if they have rules that say he cannot. Nothing has been done to clear this stuff up for someone that has a 100-acre farm. But when the law comes and he says Mayor Black said it was alright for him, he bets that Mayor Black's mind won't remember. Put it into law, but Council has not done that. They have sat back and said this is how it will be. His driveway is one-half mile long and he begs them to not make him buy a trash can because who is going to push it one-half mile up a hill to get it out. He will make sure that he puts some things out now on the five acres already in Town. Council has not thought about this type stuff and it is unreal what they will be putting older people through. If they put him in the city, he will do whatever he can to be put back into the County.



**R. T. Lyons, Jr., 1818 Vista Circle, Bedford, VA**

He and his family have lived in Bedford County uninterrupted for seven generations. He knows Council has a tough job and the pockets are short and everyone is trying to make ends meet. But people feel like their pockets are being picked. He had a business in Town before and he asked himself why this is happening and what is the money for and he thinks it is for Centertown. His business was in the Food Lion shopping center and it is all about Centertown. Chamber of Commerce is just code for Centertown. He loves Bedford but Centertown has been a hole in Bedford's pocket for a long time and it drains a lot of money out. He doesn't want Council to pick his pocket to put money into the hole in its own pocket.

**David Hardey, 126 Mockingbird Circle, Bedford, VA**

Mr. Hardey spoke on behalf of his father, John, who was 88, and his mother Audrey, who was 87, and in declining health and could not attend. He had a nice conversation with Mr. Warner today while on a tractor in a hayfield. His parents are retired school teachers and are on fixed incomes. They live off of Social Security and a small state pension. They paid \$1,497 last year to Bedford County in real estate tax. With the increase in their property value at the current Bedford County tax rate plus the current Town of Bedford real estate tax rate, they will go from the \$1,497 for their home to \$3,287.79. That is a 219.63% increase in one year just on real estate tax. He goes to their house everyday to dispense their medications and what if they do not pay all of this tax to both the County and the Town. If they continue to pay the County and not the Town, the Town will do an escheat tax sale and take their home after three years of not paying. That is tyranny and the increase in their real estate property tax is nothing more than usury.

**John Luhrs, 1004 Woodhaven Drive, Bedford, VA**

He moved in August 2022 and was unaware of annexation. The guy who he bought the house from and the real estate agent never told him about this and the previous owner is deceased now. He is on Social Security disability and he won't make it if his taxes double. He doesn't need any services. He takes care of himself and carts his own trash out. To get extra services that he doesn't need and to pay at this price, he will have to sell. And who is going to want to buy a house knowing the taxes are going up.

**Todd Ramsey, 3096 Forest Road, Bedford, VA**

He and his wife own Shiloh Land Management and he is one of the several businesses that will be affected by annexation. He is speaking for future generations and his daughter. The Town and County have failed to pay for a future that works and provides opportunity with sustainable growth. Walmart and Family Dollar are not sustainable businesses for the County and future generations and the Town needs to step away from that mindset. The Town continues to lose industry with an industrial park that is empty. Council claims that this annexation will help draw in businesses but the vocational school is underfunded and underrepresented. They are not paving a way for the future. He is one of the youngest people in the room and he is there because he owns his business. People cannot even take time off to attend because they are doing

everything they can to put food on the table for their children. Council needs a vision that paves the way for future generations. They are making more money now off of taxes than most of the surrounding towns and counties yet they squander it. The services offered in Town are inadequate. The Town water cannot even supply enough water for the fire department to put the middle school fire out and the line failed when the train station caught on fire. They do nothing to invest in the infrastructure. The water authority is a joke and have more equipment than he has ever seen yet it all sits around and they do nothing with it and it takes forever to get anything done. Money needs to be put where the Town's mouth is and start showing it cares about the community with an ag center second-to-none in one of these industry parks with a 4H center that is second- to-none and they ought to be protecting the agricultural base of this County but they are not setting anyone up for success. We should be preparing for the generations to come. Would anyone here want their grandchildren to inherit this mess and a little extra money will not solve it. Better management would solve it with a proper vision. Without vision they lack purpose and many quality businesses have been driven out, locally owned businesses, and industry for generations that will never come back. Kroger and Rubatex are gone and they aren't coming back. Now there are apartments there and more mouths to feed with an untrained workforce that is not being properly equipped for the future. They should be focusing on vocational school and preparing children to accomplish more than everyone has accomplished and know that the legacy left behind set people up for success. Life is hard and he has fought hard to carve out a business without a college education. He will be able to afford to pay the taxes but there are other folks that cannot make it work. It is wrong and unfair to put the elderly at-risk. Council can do better by taking what they have and show that they can build something with what they already have so everyone will know their investment was worth it and their well-earned dollars are well-used. If they all knew that their dollar was being well-spent, then most of the community would be on-board with it and he would pay for it if he knew his children didn't have to leave the community to find work and there was proper infrastructure to support industries. The hospital is a joke and they don't have one paid fire truck on the road and are barely staffed with medic units in the County. It took decades to get a pay raise for the fire department and the police department and they are still one of the lowest paid in the entire state. They will not receive better services but will pay more taxes and get less for it. It is unfair to the community. Bring industry into the community and put the money where the mouth is. If they cannot do it, find people that can.

**Jeff Kingery, 1112 Roundtree Drive, Bedford, VA**

His County personal property tax gave a 33% refund this year due to some mistakes being made. The reassessment hit everyone with new values, raising real estate taxes. Everything people have to deal with that comes out of the pocket is going up, up, and away. Many have said there should be a stay, a delay or a table on this annexation and Council has a big responsibility to themselves and the community they serve. Now is not the time to raise their taxes. Whether it is five years, ten years, or whatever, he recommended that the annexation be delayed. He hoped Council was thinking about this. He felt that at the informational March meeting, he was made to feel like a foster child in the County. His community has been getting by on the Town's dollar and it is now time for them to pay up. It is like a delayed debt that he owed but did not know about it. The mistake was made ten years ago when this was put into play, making the community feel they owe something. He hoped they would consider voting this down on May 9.

There being no one else to come forward to speak, Mayor Black closed the public hearing at 8:20 p.m.

Council took a recess until 8:30 p.m.

### **CONSENT AGENDA**

None.

### **OLD BUSINESS**

None.

### **NEW BUSINESS**

Mayor Black read Closed Session paragraph, pursuant to Section 2.2-3711 (a) (5) of the Code of Virginia of 1950, as amended, for discussion concerning a prospective industry where no previous announcement has been made, related to a potential business or industry in the western part of the Town.

Mr. Hailey moved, seconded by Mr. Carson, to enter into closed session at 8:31 p.m.

Voted upon and carried by the following roll call vote.

|                        |     |
|------------------------|-----|
| Councilman Carson      | aye |
| Councilman Hailey      | aye |
| Councilman Hartwick    | aye |
| Councilman Johannessen | aye |
| Vice Mayor Stanley     | aye |
| Mayor Black            | aye |

The motion carried with six members voting aye.

Mr. Lockaby, Mrs. Zirkle, Mrs. Anderson, Mr. Buttram, EDA member, and prospective business owners were present for this closed session.

Council reconvened into open session at 9:13 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. Hartwick 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 |
| Vice Mayor Stanley     | aye |
| Councilman Carson      | aye |
| Mayor Black            | aye |

The motion carried with six members voting aye.

## **ADJOURNMENT**

Mayor Black adjourned the meeting at 9:15 p.m. until Tuesday, April 25, 2023, at 5:00 p.m. for a Budget Work Session in Council Hall.

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Tim Black, Mayor

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Debra Anderson, Clerk of the Council