



**Town Council
Minutes for Adjourned Meeting
Work Session Regarding Solid Waste
July 11, 2023**

The Town Council of Bedford, Virginia, held an Adjourned Meeting for a Work Session on Solid Waste on Tuesday, July 11, 2023, at 5:30 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, Director of Public Works D. W. Lawhorne, Clerk of Council Debra B. Anderson, and Recording Secretary Julia Peters

Mayor Black called the meeting to order and welcomed those in attendance.

Mayor Black reminded attendees that the work session was being held to discuss solid waste operations and policies and what changes Council wanted to make. They would need to decide what strategy to follow to update the code section and brainstorm long-term solutions and options.

Mr. Warner began by noting staff needed near-term guidance on the pressing matter of opting out of the trash pick-up service. Public Works would appreciate if they could specify a time-frame where residents could opt-out. There currently was no time limit so they keep getting requests to opt-out and also receive calls about opting back in. Staff would like to have Council establish August 1, 2023 as the current deadline to opt-in or opt-out. His thought is to offer opportunity to participate based on a fiscal year with two six-month periods beginning July 1 and January 1 of each year for residents to notify the Town if they want to opt-out. If the resident makes no notification, staff will provide the service and bill the resident. A thirty-day notice would be required. Therefore, residents would need to notify the Town that they choose not to receive the service either by June 1 or December 1 of each year. Mr. Lockaby confirmed that Council could allow this procedure. Mrs. Cantrell stated that the actual opt-out date must be July

28th of this year in order for staff to correct everything on the computer system for August 1, 2023. Mr. Lawhorne concurred that this procedure would help because right now the process is very disruptive with people calling either Public Works or Mrs. Anderson every day to come pick up a delivered residential waste cart. Mr. Lockaby said it would take a few weeks to compose an ordinance that everyone would be comfortable with but Mr. Warner can set an administrative rule right now. Consensus of Council was agreeable to setting a current opt-out date of July 28 with billing beginning August 1, 2023. The choice of each resident would remain in effect on an ongoing, rolling basis until the resident notifies the Town by the next set deadline requesting to opt-in. Mr. Carson thought any residents that want to opt back in after opting out should be charged an additional fee. Some Council members agreed and Mr. Lockaby said that Council would need to take that action, Mr. Warner could not assess a fee without a Council vote and adoption into the ordinance. Discussion continued regarding fee assessment. Consensus of Council was agreeable to not accepting any further service changes by the residents after July 28, for the August 1 effective date, and residents would need to notify the Town no later than December 1, 2023, for an effective date of January 1, 2024. Any opt-out requests would opt the resident out of curbside pickup, bulk pickup, brush pickup, leaf collection, and use of the Town transfer station for the first 500 pounds that can be dumped for free by Town residents. Mr. Carson said that citizens should be notified of what specifically they are opting-out of. Mr. Lawhorne said 203 residents have currently opted-out. Mr. Warner said he would draft a rule for Council's review.

Mr. Lawhorne began the discussion regarding Saturday operating hours for the Town transfer station. He noted that the station is open from 8:00 a.m. to 12 noon on Saturday which requires two staff members working overtime. From January 2023 through June 2023, there were 216 customers at the transfer station, averaging 8.64 customers each Saturday. Most customers brought trash or brush and only 29 customers had to pay the tipping fee, totaling \$580.85. If the transfer station's operations were eliminated on Saturdays, Mrs. Cantrell said the Town would save \$5,875 in overtime per year. Mrs. Cantrell also gave Council other statistics regarding the Solid Waste budget and the impact of a Saturday closing of the transfer station. Consensus of Council members was agreeable to closing the transfer station on Saturdays and Mr. Warner had the authority to notify Town citizens.

Regarding the code revisions, some areas were outdated, but other areas were well written and could be kept. Mr. Lockaby would provide revisions to Council at their next meeting in August. Council did not discuss any solid waste rate changes or fee changes during the work session.

Mr. Lockaby provided Council with information about several different models for solid waste management and discussion followed regarding the best options for the Town. Consensus by Council was agreeable to revisiting the issue in February along with next year's budget and deciding if a new approach is necessary.

Mayor Black noted that there are three paths the Town could take financially to keep solid waste pickup sustainable long-term. There are fixed costs such as the landfill closure cost and fees for hauling commercial trash. He would like to know how many pennies on the tax rate are being used to support solid waste. They can potentially support it with fees and taxes, support it with all fees and make it a true Enterprise Fund, or run it all under the General Fund. Mrs. Cantrell

said that the solid waste fund could be removed as an Enterprise Fund and moved into a complete Governmental Fund without changing accounting, but it will change the way the Town counts for it in its audit report and it is no longer treated as a fund that will cover itself with the trash pick-up fee. In the financial report, it will be shown separately because it is a major fund but it would still be supported by the fee structure, similar to Parks and Recreation. This year, approximately \$100,000 will need to be transferred from taxes to subsidize the fund. If the Solid Waste Fund is transferred into a Governmental Fund, then the interfund liability between the General Fund and the Solid Waste Fund would be consolidated.

Mayor Black said the short-term changes would be implemented by Mr. Warner and by the first part of August, have the rewrite of the existing Town Code, and adjust the budget accordingly. For the long-term, they will see how things go and make changes when needed. Mrs. Cantrell said the books must be closed by August 15, so she needs to know if she needs to transfer funds by that date from an Enterprise Fund to a Governmental Fund. The financial benefit to doing the transfer this year is that there will be a surplus of ARPA funds. It is a management decision, so Mrs. Cantrell would only need a consensus from Council to make the change. Council will give the matter more thought before agreeing to the transfer.

ADJOURNMENT

6:40 p.m.

Tim Black, Mayor

Debra Anderson, Clerk of the Council



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

The Town Council of Bedford, Virginia, held a regularly scheduled meeting on Tuesday, July 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, Councilman Bruce Johannessen, Councilman Darren Shoen

Town Staff present:

Town Manager Bart Warner, Finance Director Anne Cantrell, Town Attorney Michael Lockaby, Director of Public Works D. W. Lawhorne, Clerk of Council Debra B. Anderson, and Recording Secretary Julia Peters

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 regularly scheduled Council meeting on June 27, 2023, were approved as submitted.

REPORT OF TOWN MANAGER

Mr. Warner reported that police department personnel were currently engaged in the Cop Camp Program this week. He complimented them for going the extra mile and including the younger citizens in the event.

He also reported that staff participated in initial negotiations related to the award of a \$1.2 million Virginia Individual Development Account Grant offered through the CDGB program of the Department of Housing and Community Development. It is a collaborative regional approach

that includes localities from six counties and the Town would be the lead agency. Its focus is on micro-enterprise business development and promotion of home ownership for low to moderate income individuals.

APPEARANCES BEFORE COUNCIL

Shang Stanley, 1108 Galax Street, Bedford, VA

Mr. Stanley wanted to raise attention to what paying County taxes does for the Town. He noted that Christiansburg is questioning Montgomery County for the same reason because Montgomery County is trying to charge Christiansburg for SRO officers and other services that they do not actually provide. He suggested that if Mr. Warner was a member of a municipal league that the other Town Managers get together and see if the General Assembly could change the laws so towns can stop giving counties their funds. The Town incurred a lot of heat because of annexation but it was never mentioned that Bedford County Schools got millions of dollars and the County got about \$110 million over the last few years because of the taxes and no one talked about services provided. He has had friends involved in animal rescue who are coming to him asking him what can be done because the County's sheriff's department is refusing to provide animal control assistance when they have situations. Bedford County is not honoring its mutual response agreements. He said there are lots of things going on at the county level and he is coming to Council regarding the solid waste situation where they will need to cooperate with the County. The landfill and solid waste issues are not new issues. There are not any new landfills and no one wants a new landfill and the existing landfills are filling up. And the Town is at the mercy of another Board of Supervisors in another county where the trash is going and it could be cut off tomorrow. The solution before Town does not have to be done all at once and it is a zero waste management facility. There are actual funds and grants available. Lithium recovery will become a big deal and Bedford is primed for it. An industry or business coming into the community will look at where the waste is going and how much it will cost. Georgia-Pacific's power plant uses liquid fuel made from organics and was paid for 100% by the Department of Energy. There are bonds, grants, and free money that the Town could apply for and be the first in the community to build a zero waste facility that would be profitable and create jobs. He hopes that the Town could get together with the County and take a look at this. He thought that those people who are already on the trash pick up service be exempted, but a \$100 deposit payable in \$10 per month installments could be imposed. When fall and spring cleanup come around, people will want to opt-in and then opt-out. There are no penalties now to be added for dumping trash into a neighbor's can. If there is a penalty, then those people that opt-out and then opt back in would have to pay the \$100 deposit. The code should also include something about the landlords cannot use citizens to do their accounting so they should pay both the electric bill and the trash. He would also like to see that properties should be listed as primary homes or as rental properties.

COUNCIL COMMENTS

Councilman Hartwick welcomed everyone to the meeting. He thought Mr. Stanley brought up some good points.

REPORT OF COUNCIL COMMITTEES

Councilman Stanley said the Electric Committee met last week. The main topic was that the developer at the old middle school had requested single metering for the entire complex instead of metering for each individual unit. There was much discussion about it and Mr. Wagner said it was against Town Code to do so, and the request was denied unanimously.

REVISIONS TO AGENDA

None.

PUBLIC HEARINGS

None.

CONSENT AGENDA

None.

OLD BUSINESS

None.

NEW BUSINESS

Town of Bedford Equal Opportunity Employer Statement

The Town's written position on Equal Opportunity needs to be updated on a regular basis. When approved by Town Council, the signed written statement is posted on the Town's Legal Posting Board in the Municipal Building.

Legal counsel has reviewed and approved the updated Equal Opportunity Statement.

ACTION REQUESTED:

Town Council is requested to approve the written statement as the Town’s position on equal opportunity.

Mr. Hailey moved, seconded by Mr. Carson to approve the presented statement as the Town’s position on equal opportunity.

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.

The statement follows.

Town of Bedford Equal Opportunity Employer Statement

The Town of Bedford is an Equal Opportunity Employer, and hereby affirms that it is the policy of the Town to maintain and promote equal opportunity and diversity for all employees, applicants for employment and contractors in accordance with the relevant federal and State Laws.

The Town will not discriminate on the basis of race, religion, color, national origin, sex, age, disability, marital status, veteran status, sexual orientation, ancestry, or citizenship status.

In support of a diverse workforce, decisions as to hiring, promotion and other aspects of the employment relationship will be based solely upon job related qualifications.

The Town will not tolerate any kind of harassment of employees or retaliation against an employee who brings a complaint forward. Allegations of harassment will be taken seriously, promptly investigated, and appropriate action taken depending on the severity of the situation.

Adopted this 11th day of July, 2023

Mayor

Clerk of Council

Mayor Black read the following Closed Session paragraph from the Code of Virginia.

Pursuant to Section 2.2-3711 (a) (1) of the Code of Virginia of 1950, as amended, to discuss personnel matters regarding an annual performance evaluation.

Mr. Hailey moved, seconded by Mr. Stanley to enter into closed session at 7:12 p.m.

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.

At 7:45 p.m., Council reconvened into open session.

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. Hailey moved, seconded by Mr. Hartwick, to adopt the resolution.

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

7:46 p.m.

Tim Black, Mayor

Debra Anderson, Clerk of the Council