



At a regular meeting of the Board of Supervisors of the County of Bedford, Virginia held at the Bedford County Administration Building on the 10th day of February, 2014, beginning at 7:30 p.m.:

A RESOLUTION

TRANSFER OF 69 ACRES TO BEDFORD REGIONAL WATER AUTHORITY

WHEREAS, the Board of Supervisors of the County of Bedford, Virginia (“Bedford County”) entered into a Consolidation Agreement (“Agreement”) dated October 31, 2012 with the City Council of the City of Bedford, Virginia (“Bedford”) and the Board of Directors of the Bedford County Public Service Authority (“BCPSA”) whereby the Bedford Regional Water Authority (“Authority”) was established for the provision of Water and Wastewater Services for the County of Bedford and the Town of Bedford (“Town”); and

WHEREAS, the Agreement stipulated that by December 31, 2016 the Authority will have made every reasonable effort to ensure interconnectivity of the water systems previously owned by Bedford and the BCPSA; and

WHEREAS, the BCPSA and the Authority have performed multiple engineering studies which have shown that a water treatment plant at Smith Mountain Lake is the recommended option for a long term water supply for Bedford County and the Town, with the recommended location of water treatment plant being the property previously used by the Blue Ridge Regional Jail Authority for the operation of the prison known as Camp 24; and

WHEREAS, the Board of Supervisors adopted Resolution R1011-140(R) on October 11, 2011 which concurred that the Camp 24 site was a suitable location for a water treatment plant, and further expressed the Board of Supervisor’s intent to transfer a portion of the Camp 24 property for the water treatment plant that is to be developed by the Authority; and

WHEREAS, the Authority has requested by letter dated December 18, 2013 that the Board of Supervisors proceed with the transfer of approximately 69 acres of land containing the Camp 24 property as shown on the map titled “Camp 24 WTP Site” that was submitted with said letter such that the Authority can proceed with the development of the water treatment plant; and

WHEREAS, pursuant to Section 15.2-1800, the conveyance of the aforesaid real estate has been duly advertised.

NOW, THEREFORE, BE IT RESOLVED, the Bedford County Board of Supervisors does hereby approve of the transfer of the land requested by the Authority.

BE IT FURTHER RESOLVED, that upon the development of the water treatment plant, the Authority shall be responsible for reimbursing Bedford County for all of the expenditures incurred by the County related to the closure of the prison camp, including the demolition and environmental studies that were necessary to make the site suitable for said development. This reimbursement shall be made prior to the completion of the construction of the water treatment plant. All future expenses related to the transfer of this property from Bedford County to the Authority shall be borne by the Authority; and

BE IT FURTHER RESOLVED, that this agreement is contingent upon the Authority receiving approval for its pending Special Review Project Applications and approval of its Special Use Application and all other federal, state and local regulatory approvals; and

BE IT FURTHER RESOLVED, that should the Authority enter into an agreement with the Western Virginia Water Authority for the joint development and operation of a water facility on the subject property, the Bedford Regional Water Authority shall be granted a credit for the value of the land as part of its contribution towards the cost of the project. The actual value of the land, to ascertain its value for contribution purposes, shall be established by an appraisal conducted by an appraiser carrying the MAI designation through the Appraisal Institute, (the land is currently assessed for ad valorem taxes at approximately \$300,000.00); and

BE IT FURTHER RESOLVED, that the ownership of the property shall revert to Bedford County if the water treatment plant is not developed within five years of the date of this resolution. Furthermore, after this initial five year period, if the Authority or its assignees should cease using the property for the purpose of providing water service then the ownership of the property shall revert to Bedford County; and

BE IT FURTHER RESOLVED, that the Bedford County Board of Supervisors confirms that the Bedford Regional Water Authority has the authorization to undertake the Smith Mountain Lake Project consisting of the water treatment plant, raw water intake and related distribution lines, subject to the approval of the Special Review Project Applications and the approval of its Special Use Permit Application.