

**ROCKY MOUNT TOWN COUNCIL
SPECIAL COUNCIL MEETING
PROPOSED FISCAL YEAR 2010-2011
BUDGET & CAPITAL ITEMS
PUBLIC HEARING
JUNE 7, 2010**

The Rocky Mount Town Council held a special Council meeting on the proposed Fiscal Year 2010-2011 Budget and Capital projects public hearing on June 7, 2011 at the Rocky Mount Municipal Building located at 345 Donald Avenue, Rocky Mount, Virginia at 7:00 p.m. with Mayor Steven C. Angle presiding. The following members of Council were present:

Vice Mayor Posey W. Dillon and Council Members Jerry W. Greer, Sr., John H. Lester, Roger M. Seale, Robert W. Strickler and Gregory B. Walker

The meeting was called to order by Mayor Angle.

For the record, the following were present: All members of Town Council as noted, Town Manager C. James Ervin, Assistant Town Manager/Community Development Director Matthew C. Hankins, Finance Director Linda Woody, Town Attorney John T. Boitnott, Chief of Police Erik Mollin, Superintendent of the Water Plant Robert Deitrich, Executive Director of Community Partnership for Revitalization (CPR) Katie McElroy, and Town Clerk Patricia H. Keatts.

APPROVAL OF AGENDA

Prior to the meeting, Council had received the agenda for review and consideration of approval.

The Mayor noted the following:

- Matter pertaining to the June 7, 2010 special Council meeting agenda that reflected the upcoming budget hearing, with correction needing to be made from the public hearing being held on July 14, 2010, needing to correctly reflect the public hearing as June 14, 2010. Town Clerk so noted.
- Proposed amendment to agenda to include the following under *Closed Meeting*, being:
 - Section 2.2-3711(A).1 - Discussion, consideration or interviews of prospective candidates for employment, assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees or employees of any public body (Town Manager's Office, Police Department personnel).

Motion was made by Council Member Seale to approve the amended agenda as recommended with correction on date for public hearing as specified by Mayor, seconded by Council Member Strickler. Let the record show that the motion on the floor passed five to one, with Council Member Lester voting no.

PUBLIC HEARING ON PROPOSED FISCAL YEAR 2011 BUDGET AND CAPITAL PROJECTS

The Mayor recessed the meeting to hold a public hearing on the following, stating the following:

1. Setting a tax levy of \$0.12/\$100 of assessed value on real estate, public service corporation property, and mobile homes, pursuant to the authority of 58.1-3200, 58.1-3201, 58.1-3202, 58.1-3203, 58.1-3204, 58.1-3205 of the Code of Virginia, as amended.
2. Setting a tax levy of \$0.51/\$100 of the assessed value of personal property, pursuant to the authority of 58.1-3500, 58.1-3501, 58.1-3502, 58.1-3503, 58.1-3506 of the Code of Virginia, as amended.
3. Setting a tax levy of \$0.17/\$100 of the assessed value on machinery and tools based on original cost and declining depreciation over a 7-year period. By the seventh year of depreciation, the effective rate is \$0.07/\$100 assessed value. This rate is levied pursuant to the authority of 58.1-3507(B) of the Code of Virginia, as amended.
4. Interest at an annual rate of ten percent (10%) per annum shall be charged on any unpaid taxes commencing the first day of the first month following the due date of the unpaid taxes.
5. Setting the Personal Property Tax Relief percentage at 71.60%.
6. Setting a 10 cents per pack tax on the sale of cigarettes

The Mayor referenced the public hearing signup sheet, giving everyone an opportunity that had not signed up to speak an opportunity to do so. There being one, the Mayor opened the floor to those who had signed up to speak.

- Jodie Judge with Brain Injury Services of SW Virginia, with her main office being located at 302 2nd St. 3rd Floor, Roanoke, Virginia, and her local office being housed at The Franklin Center located at 50 Claiborne Street, Rocky Mount, Virginia, came forward stating the following:
 - They are a non-profit agency.
 - Offer free services to survivors of traumatic brain injury.
 - Have been fortunate to serve the Rocky Mount/Franklin County area for quite some time.
 - Requested a small modest contribution from the Town so they can continue to offer free services to the survivors of traumatic brain injury.

The Mayor thanked Ms. Judge for coming.

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- Johnny Singleton of 314 Angle Plantation Road, Rocky Mount, Virginia, and also stated that he owns a business located at the corner of South Main Street and Scuffling Hill Road, which is located within the Town corporate limits. Mr. Singleton stated that he opposed the cigarette tax increase. Several points Mr. Singleton pointed out were:
 - Opposed any tax increases, but realize that at times they have to be after all is considered, but this one was not fair across the board.
 - All tax increases should be equally shared.
 - From a business standpoint, can't understand why this is being considered in a recessive time.
 - Added Town expenses should come to an advantage to all businesses, and should not hurt businesses, especially as he has to pay a business license every year.
 - Ten cents on a pack of cigarettes does not sound much, but \$1.00 extra on a carton of cigarettes is. People will drive several miles to save a \$1.00 on a carton of cigarettes.
 - If he loses 20% of his customer, will cause him a net loss in revenue between \$500 to \$700 monthly.
 - Convenience stores have basically around 25% to 28% sales based on cigarettes.
 - This tax is not an equal rights or equal fair tax.

Town Clerk mentioned for the record that Mr. Singleton did submit a list of people opposed to a cigarette tax that lived inside and outside of Town, with about 500 signatures, according to Mr. Singleton.

The Mayor thanked Mr. Singleton for coming.

There being no further discussion regarding the public hearing matters, the Mayor reconvened the meeting back into regular session.

The Mayor informed everyone that no action would be taken at this time by Council, but would the matter would come before Council for consideration during the regularly scheduled Council meeting on June 14, 2010 at 7:00 p.m.

COSED MEETING

At 7:10 p.m., motion was made by Council Member Greer to go into Close Meeting, seconded by Council Member Lester and carried unanimously to go into Closed Meeting to discuss the following:

- Section 2.2-3711(A).1 - Discussion, consideration or interviews of prospective candidates for employment, assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees or employees of any public body (Town Manager's Office, Police Department personnel).

At 8:10 p.m., motion was made by Council Member Greer to come out of Closed Meeting and to reconvene the meeting back into open session, with motion on the floor being seconded by Council Member Strickler and carried unanimously.

CERTIFICATE OF CLOSED MEETING

Whereas, the Town of Rocky Mount Council has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

Whereas, Section 2.2-3712 of the Code of Virginia requires certification by this council that such Closed Meeting was conducted in conformity with Virginia Law;

Now, Therefore, Be It Resolved that the Rocky Mount Town Council hereby certifies that, to the best of each members' knowledge: (1) only public business matters lawfully exempted from open meeting requirements under this chapter and (2) only such public business matters as were identified in the motion by which the Closed Meeting was convened were heard, discussed, or considered in the meeting by the public body.

Steven C. Angle, Mayor

Motion was made by Council Member Walker certifying that nothing was discussed in Closed Meeting other than what was stated. Motion was seconded by Council Member Seale. The Mayor swore to adopt the motion on the floor by Council Member Walker that this was all that was discussed as defined in Section 2.2-3412 Code of Virginia. Voting yes were Vice Mayor Posey W. Dillon and Council Members Jerry W. Greer, Sr., John H. Lester, Roger M. Seale, Robert W. Strickler, and Gregory B. Walker.

The Mayor reported that no action was taken.

ADJOURNMENT

At 8:12 p.m., motion was made by Council Member Seale to adjourn, seconded by Council Member Lester and carried unanimously.

Steven C. Angle, Mayor

ATTEST:

Patricia H. Keatts/Town Clerk