

**ROCKY MOUNT TOWN COUNCIL  
REGULAR COUNCIL MEETING  
FEBRUARY 11, 2008**

The February 11, 2008 regular Council meeting of the Rocky Mount Town Council was held in the Council Chambers of the Rocky Mount Municipal Building located at 345 Donald Avenue, Rocky Mount, Virginia at 7:00 p.m. with Vice Mayor Roger M. Seale presiding. The following members of Council were present:

Vice Mayor Roger M. Seale and Council Members Stephen F. Agee, Posey W. Dillon, Jerry W. Greer, Sr., John H. Lester, and Sadie W. Tuning

Let the record show that Mayor Steven C. Angle was absent.

The meeting was called to order by Vice Mayor Seale.

The Town Clerk read for the record the following being present: All members of Town Council as noted: Town Manager C. James Ervin, Assistant Town Manager/Community Development Director Matthew C. Hankins, Town Attorney John T. Boitnott, Chief of Police Erik Mollin, Finance Director Linda Woody, Planning & Zoning Administrator Paul Stockwell, Fire Chief Posey W. Dillon, Public Works Director Cecil R. Mason, and Town Clerk Patricia H. Keatts.

The Vice Mayor led the *Pledge of Allegiance*.

**APPROVAL OF AGENDA**

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

- Motion was made by Council Member Lester to approve the agenda as presented, seconded by Council Member Greer and carried unanimously by those present.

**SPECIAL ITEMS**

The Vice Mayor recognized students of Mrs. Shepherd's class from Franklin County High School that were in attendance.

## **PUBLIC HEARING**

Let the record show that there were no public hearings at this time.

## **APPROVAL OF MINUTES**

Prior to the meeting, Council had received for consideration of approval the following draft minutes:

- January 14, 2008 Regular Council Meeting Minutes
- Motion was made by Council Member Agee to approve the draft council meeting minutes as presented with motion on the floor being seconded by Council Member Lester. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

## **APPROVAL OF CONSENT AGENDA**

The approval of the *Consent Agenda* consists of approving any miscellaneous resolutions/proclamations, miscellaneous action, departmental monthly reports, and bill list that were submitted prior to the meeting for Council's review and consideration.

- Miscellaneous Resolutions/Proclamations
  - Review and Consideration of Approving Draft "Resolution Regarding Wilderness Road by Rocky Mount Town Council"
  - Review and Consideration of Approving Draft "Resolution by the Rocky Mount Town Council – Acceptance of Stoney Mill Road"
  - Review and Consideration of Approving Draft "Resolution by the Rocky Mount Town Council to Obtain Permits from the Virginia Department of Transportation to Install, Construct, Maintain and Operate Certain Public Works and Public Projects Along, Across, Over and Upon Highway Systems of the Commonwealth of Virginia"
- Miscellaneous Action
- Departmental Monthly Report
- Bill List
- Motion was made by Council Member Lester to approve the draft *Consent Agenda*, with motion on the floor being seconded by Council Member Tuning. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

## **HEARING OF CITIZENS**

Let the record show that no one came forward to speak before Town Council.

### **OLD BUSINESS**

Let the record show there was none.

### **NEW BUSINESS**

The Town Manager reported to Council that before them were three draft resolutions (Items A, B, and C) that Virginia Department of Transportation makes funds available to local governments for cost sharing for any street, road or sidewalk to help cost share that project. The following draft resolutions (Items A, B and C) were presented to Council, with the Town Manager informing Council that one had already been committed to, with the other two to be considered.

- A) Review and Consideration of Approving Draft “Resolution by the Rocky Mount Town Council for Allocation of Funds Through the Virginia Department of Transportation Revenue Sharing Program” for Old Fort Road

The Town Manager presented to Council for their review and consideration a draft “Resolution by the Rocky Mount Town Council for Allocation of Funds Through the Virginia Department of Transportation Revenue Sharing Program” for Old Fort Road.

It was confirmed to Council Member Dillon by the Town Manager that this is part of the road that the Town actually borrowed money to extend, but that the Town would be asking the Virginia Department of Transportation (VDOT) to share one-half of the cost.

The Town Manager further explained to Council that the more money the Town can bring to the table, the more money VDOT can match. He also pointed out that the other two proposed draft resolutions (Items B and C) would piggyback onto the revenue sharing from VDOT.

It was confirmed to the Vice Mayor by the Town Manager that this proposed resolution was just for cost sharing from VDOT and that Council would not actually be approving the projects.

There being no further discussion, the Vice Mayor entertained a motion.

- Motion was made by Council Member Lester to approve the draft resolution as presented, with motion on the floor being seconded by Council Member Tuning. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

- B) Review and Consideration of Approving Draft “Resolution by the Rocky Mount Town

Council for Allocation of Funds Through the Virginia Department of Transportation Revenue Sharing Program” for Scuffling Hill Road

The Town Manager presented to Council for their review and consideration a draft “Resolution by the Rocky Mount Town Council for Allocation of Funds Through the Virginia Department of Transportation Revenue Sharing Program” for Scuffling Hill Road.

Council was informed by the Town Manager that the Public Works Director had submitted to him the cost for this project. Discussion ensued as to how far up Scuffling Hill Road from the Veterans’ Memorial Park the project would go.

It was mentioned by the Vice Mayor that if the first proposed resolution does not get funding from VDOT, none of the other two that were being presented would be funded.

There being no further discussion, the Vice Mayor entertained a motion.

- Motion was made by Council Member Agee to approve the draft resolution as presented, with motion on the floor being seconded by Council Member Lester. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

C) Review and Consideration of Approving Draft “Resolution by the Rocky Mount Town Council for Allocation of Funds Through the Virginia Department of Transportation Revenue Sharing Program” for Circle Drive

The Town Manager presented to Council for their review and consideration a draft “Resolution by the Rocky Mount Town Council for Allocation of Funds Through the Virginia Department of Transportation Revenue Sharing Program” for Circle Drive.

It was explained by the Town Manager to Council that this project had been discussed off and on in the past to install curb, guttering and sidewalks on North Main Street as a lot of people walk this route to laundromats, etc, and therefore, staff asks that it be placed on Circle Drive. He further explained that Town funds would be contingent upon Town funds in the Fiscal Year 2009 budget for this project. There was discussion on how long Circle Drive was.

There being no further discussion, the Vice Mayor entertained a motion.

- Motion was made by Council Member Agee to approve the draft resolution as presented, with motion on the floor being seconded by Council Member Lester. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

D) Review & Consideration of Approving Draft “Resolution of Support for Application for

Economic Development Project Grants from the Virginia Tobacco Indemnification and Community Revitalization Commission” for the Development of the Cox Property

Council was informed by the Town Manager that the Franklin County Board of Supervisors had adopted a resolution “Franklin County Pledges \$100,000 to Help Secure Funds to Build Access Road to the Cox Property”. The Town Manager stated that Town staff requests that Council consider approving the “Resolution of Support of Application for Economic Development Project Grants from the Virginia Tobacco Indemnification and Community Revitalization Commission” for the development of the Cox property. It was explained by the Town Manager that as Council is aware of, the Town is continuing efforts to take the road into the second phase to the Cox property, with the Town moving forward to do the engineering work through Thompson + Litton, and applying for VDOT funds. He further explained that the Town will be about \$600,000 short to build the road; therefore, applying for funds through the Virginia Tobacco Commission for \$400,000, with the Franklin County Board of Supervisors partnering with a resolution pledging \$100,000 and the Town pledging \$100,000.

Council Member Dillon stated that the road is very much needed, with the Vice Mayor stating that this is the first step towards getting the road, and for the Town economy as the Town needs a site ready if another industry looks to move to this area.

There being no further discussion, the Vice Mayor entertained a motion.

- Motion was made by Council Member Lester to approve the resolution as presented, with motion on the floor being seconded by Council Member Greer. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

Council Member Lester stated that this project will go hand-in-hand with the economic planning that the Town is trying to get ready for small businesses to come into the community, and that the project is for a large industry. He complimented staff for their endeavors for this to happen.

E) Update by Planning & Zoning Administrator on the Heritage Trail Concept

The Planning & Zoning Administrator presented to Council a brief overview of an update on the Heritage Trail concept:

- Webpage created, highlighting Pigg River Heritage area on Town’s website.
- Advertised for written public comments regarding the trail concept.
- Sent letters and surveys to property owners for written comments on trail concept.
- In continued talks with property owners regarding easements.
- Trail included as part of the West Piedmont Planning District Commission’s 2008

Comprehensive Economic Development Strategy approved by Town Council.

- The Pigg River Heritage Trail has been included in the West Piedmont Planning District Commission's Regional-Rural Long Range Transportation Plan.
- The Pigg River Heritage Trail has been included as part of the 2007 Virginia Outdoor Plan published by the Department of Conservation and Recreation.
- Have requested updated cost estimates for Veterans' Memorial Connection Walk, including 10 foot timber composite board walk, and 10 foot concrete walk options.
- After obtaining cost estimates, will draft a Request for Proposal (RFP) for engineering services for design of the walk.
- Will apply for Virginia Recreational Trails Fund grant when next grant round opens, which will most likely March, to obtain up to \$100,000 in funds for construction of the walk.

F) Update on Status of Enterprise Zone Funding from the Commonwealth of Virginia

The Assistant Town Manager/Community Development Director updated Council as to the status of the Enterprise Zone funding from the Commonwealth of Virginia:

- He and the Town Manager have called around the State to ask for new funds to be added to the Enterprise Zone funding to increase funding to the State, because in the past, funds have been decreasing.
- Program in the past has never been fully funded by the State, and any piece of the pie has been prorated in the past and now will be even less.
- Have asked State delegates to increase the budget to \$2 million, with it paying dividends in the short and long term.

The Assistant Town Manager/Community Development Director confirmed to the Vice Mayor that the Town still has flexibility to alter the Enterprise Zone area as Council sees fit.

The Town Manager stated to Council that this has been a lot of work and that the Assistant Town Manager/Community Development Director has been invaluable to getting this funded by the State.

The Assistant Town Manager/Community Development Director informed Council that Vice Mayor Seale and Council Member Lester went with him and the Town Manager to the Virginia Municipal League Legislative Day in Richmond and they had met with Senator Hurt, impressing upon him how important the Enterprise Zone funding is, with Senator Hurt stating that he would try to get this bill pushed through.

Council thanked the Assistant Town Manager/Community Development Director for the hard work that he did on trying to get the Enterprise Zone funding increased.

G) Review and Consideration of Submitting to the Judge of Franklin County Circuit

Court the Name of Charles L. Hutto, Jr. for Re-appointment to the Town's Board of Zoning Appeals

The Planning & Zoning Administrator informed Council that Charles L. Hutto, Jr. had agreed to serve another term on the Board of Zoning Appeals. Mr. Hutto's current term expires May 1, 2008 and his re-appointment would be for another five years. It was the request of staff that Council consider submitting Mr. Hutto's name to Judge Alexander of the Franklin County Circuit Court for re-appointment to the Board of Zoning Appeals.

The Town Manager confirmed to the Vice Mayor that no one else has come forward to participate in the submittal of names for the Judge to consider, and that a document was before Council for the re-appointment of Mr. Hutto.

There being no further discussion, the Vice Mayor entertained a motion.

- Motion was made by Council Member Greer to submit Charles L. Hutto's name to Judge Alexander for re-appointment to the Board of Zoning Appeals, with motion on the floor being seconded by Council Member Lester. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

H) Presentation of Planning Commission Annual Report

Janet Stockton, Chair of the Planning Commission, presented to Council for their review and consideration of approval the "Planning Commission Annual Report – 2007", highlighting the following:

- General Responsibilities
- Membership
- Membership Training
- Accomplishments in Year 2007:
  - Rezoning requests: 6 recommendations for approval
  - Rezoning requests: 1 recommendation for denial
  - Special Exception/Use Requests: 2 recommendations for approval
  - Preliminary Subdivision Plats: 3 approvals
  - Subdivision Ordinance Waiver Requests: 2 approvals; 1 recommendation for approval; 2 recommendations for conditional approval
  - Zoning and Development Ordinance Text Amendments: 6 recommendations for approval
  - Subdivision Ordinance Text Amendment: 1 recommendation for approval
  - Update to Comprehensive Plan: recommendation for approval
- Other Accomplishments
  - Recommendation to Council adoption of a draft Subdivision Agreement for the Town of Rocky Mount at the February meeting, with Council approving the agreement February 12, 2007.

- Adoption of revised Planning Commission By-Laws at the February meeting.
- Consideration and recommendation of proposed Five-Year Capital Improvement Plan, with public hearing being held May 1, 2007 and Council adopting the plan May 14, 2007.
- Consideration and recommendation of the *Historic Resources Interpretive Plan of the Pigg River Heritage Area in the Town of Rocky Mount, Virginia*: Prepared by Hill Studio, P.C., with public hearing being held December 4, 2007 and Council adopting the plan December 10, 2007.
- Consideration and recommendation of The Pigg River Heritage Trail Master Plan, with public hearing being held December 4, 2007 and Council adopting the plan December 10, 2007.
- Permits Issued in 2007
  - 70 zoning permits
  - 31 sign permits
  - 34 certificates of zoning compliance
  - 23 erosion and sediment control permits
  - 18 plats approved
  - 10 site plans approved
- Plans for Year 2007
  - Continue to review and revise the Zoning and Development Ordinance
  - Continue to review and revise the Subdivision Ordinance

Chair Stockton informed Council that the Planning Commission enjoys working with the Planning & Zoning Administrator.

There being no further discussion, the Vice Mayor entertained a motion.

- Motion was made by Council Member Greer to accept the Planning Commission's annual report, with motion on the floor being seconded by Council Member Lester. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

I) Presentation of Board of Zoning Appeals Annual Report

In the absence of the Board of Zoning Appeals Chair Charles L. Hutto, Jr., the Planning & Zoning Administrator presented to Council for their review and consideration of approval the "Board of Zoning Appeals Annual Report – 2007", highlighting the following:

- General Responsibilities
- Membership
- Membership Education
- Accomplishments in Year 2007:
  - Variances: 1 approved; 2 conditionally approved; 1 denied; 1 withdrawn
  - Other Requests: 1 approved; 1 conditionally approved
- Plans for Year 2007:

- The BZA will continue to consider appeals and variances to the Zoning and Development Ordinance as they are requested.

There being no further discussion, the Vice Mayor entertained a motion.

- Motion was made by Council Member Tuning to accept the Board of Zoning Appeals annual report, with motion on the floor being seconded by Council Member Lester. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

J) Presentation of the Town of Rocky Mount Drought Response Plan

The Assistant Town Manager/Community Development Director presented to Council for their review a drought response plan, with staff requesting that Council hold a work session to consider the adoption of such plan.

The Town Manager, along with the Assistant Town Manager/Community Development Director, pointed out to Council the following:

- During the summer of last year and due to the ongoing drought, the Governor of Virginia had asked localities to either update or draft a drought plan, and that the plan being presented to Council is a product of the Assistant Town Manager/Community Development Director's endeavors of complying with the State's request.
- The Town needs a comprehensive plan that will protect the health and safety of the residents of the Town, and help meet the needs as the Town grows.
- A plan needs to be in place by the year 2010.
- Town has been concerned over the amount of water lost over the past several years.
- Due to the projection of finished water produced monthly, the State will mandate that the Town find additional water sources.
- There are five stages to the action plan, which will be discussed in detail during the work session that Council will hold.
- The proposed drought plan is about six weeks to two months of work.

It was the consensus of Council that no action was needed at this time, but that the proposed drought plan will be discussed in more detail during a work session.

K) Consideration of Appointment to West Piedmont Planning District Board of Commissions

The Vice Mayor informed Council that there are three representatives on the West Piedmont Planning District (WPPD) Board, with Mayor Steven C. Angle being one of them. Effective January 24, 2008, the Mayor had submitted his resignation in the form of a letter to Mr. Robert W. Dowd, Executive Director of WPPD Commission. Mr. Dowd has since requested that Council consider taking action to appoint another Council member to serve. Vice Mayor informed Council that the WPPDC Board meets once a month, with the Executive Committee meeting at 7:00 p.m., and regular meeting starting at 7:30 p.m. Council Member Greer stated he would be willing to fill the vacancy.

There being no further discussion, the Vice Mayor entertained a motion.

- Motion was made by Council Member Dillon to appoint Council Member Jerry W. Greer, Sr. to replace Mayor Steven C. Angle, with motion on the floor being seconded by Council Member Agee. There being no discussion, let the record show that the motion on the floor carried unanimously by those present.

L) Request of Consensus of Date for Special Called Town Council Work Session During the Week of February 18-22, 2008

The Town Manager requested that Council consider holding a work session during the week of February 18–22, 2008 in order to discuss the following items:

1. Review and consider the Memorandum of Understanding with the County of Franklin in conjunction with the use of Town land for the proposed white water park.
2. Review and consider the proposed Drought Response Plan.
3. To hold a *Closed Session* under “personnel” for the review performance of the Town Manager.

The Vice Mayor suggested the date of Tuesday, February 19, 2008, at 5:00 p.m. to be held in the Rocky Mount Municipal Building council chambers. There were no voiced comments from Council that they could not meet at the time suggested by the Vice Mayor. The Town Clerk so noted the meeting date and time.

M) Review and Consideration of Establishing a Hire Freeze as Requested by Council Member Jerry W. Greer, Sr.

The Vice Mayor informed Council that Council Member Greer has requested a hiring freeze so that when new Council members take office in July, they could have input into filling the current and expected vacant positions, which are:

- Accounting Technician (which has been advertised)
- GIS/ESS/Code Technician (which has been advertised)
- Water Treatment Plant Operator (anticipated advertising on February 15)

The Vice Mayor stated that none of these positions were new and all are in the Town's current authorized pay plan. He further mentioned that the Code Inspector left for another job.

Council Member Greer commented that he did not know until last Thursday that a Water Treatment Plant operator had been called for active military duty, and that he would not consider a hiring freeze for that position.

There was discussion regarding if the GIS portion of the GIS/ESS/Code Technician position was needed. It was determined that the GIS portion of the job is used for more than mapping purposes, such as being able to locate the Town's water and sewer lines. It was pointed out also that the erosion and sediment portion is mandated by the State and has to be done. Mentioned also was that when the Town was reviewed by the State, the Town passed but the County of Franklin did not (with staff mentioning that the County of Franklin did just recently end up hiring the Town's GIS/Code Technician), and that the County of Franklin has added quite a few more personnel to handle GIS and code enforcing work. Also discussed if the Town could outsource some of the GIS work with the County of Franklin, with the Town Manager informing Council that he has approached the County of Franklin about this, but has yet to receive a reply. The Vice Mayor questioned if the Town can provide services that are needed if a hiring freeze is put into place. After an explanation by staff of the financial gains available through GIS, Council Member Greer stated that he did not know all the other different things that GIS could do. He further mentioned that he would consider withdrawing his request for a hiring freeze.

Council Member Dillon stated that he understood Council Member Greer's concern, especially since manufacturers are downsizing and it seems that government doesn't. He also stated that the Town needed to make sure that there were defined job descriptions that actually stated what they do and the service they provide the citizens, and to make sure the job description is worthwhile and not duplicated by the County of Franklin. Council Member Dillon also wanted to make sure that duties were not overlapping. As far as the erosion and sediment inspections, he was not aware that this was mandated by the State. He further stated that the best time to review the positions are when they are vacant and to make sure the positions are necessary. He also commented that the Town has had a temporary person working in the Finance Department and this should give the Town some idea of what is needed, and that he has not had anyone approach him and ask where the HR person was, but he was getting complaints that someone wasn't doing their job and always having a conversation going on.

Council Member Agee stated that these programs are necessary by the government and to the people of the Town; therefore, these jobs allow the Town Manager to conduct business. He further stated that he believes the positions are viable to conduct business.

Council Member Lester stated that the Accounting Technician is needed as the auditors had informed Council last year that the Town needed to hire someone to keep the necessary checks and balances needed in the Finance Department and the Town did not and because of this, the Town was written up after the last audit. He further stated that the checks and balances in the accounting system is necessary and protects the Town's assets. Regarding the GIS position, he stated that the Town did not get written up by the State because the person's performance of doing that in that position, and the County of Franklin, who was written up, hired that person away from the Town. He further stated that the code enforcement is needed to keep up with the Town's Comprehensive Plan that is in place to help Rocky Mount grow. It was also brought up by Council Member Lester that the Town has been very fortunate to employ very bright and self-motivated people to work together to get into place for the Town the necessary technology and solutions to problems.

Vice Mayor Seale commented that the decision had been made by Council some time ago that the Town would do their own code inspecting as this is mandated by the State. Regarding the accounting technician position, Vice Mayor Seale stated that when the Town re-did the job surveys, a Human Resource position had yet to be filled. He further stated that the GIS/ESS/Code Technician would still have to maintain the maintenance of the GIS system. He also pointed out that Council voted on a pay plan and approved these positions, and also that Council had hired a Town Manager as outlined in the Town's Charter, with the Town Manager trying to go about the business of the Town and to go by the Town Charter, which allows him to hire positions.

There being no further discussion, the Vice Mayor entertained a motion.

Let the record show that no motion was offered.

Vice Mayor stated that hearing no motion, Council will let the system work.

## **COMMITTEE REPORTS**

The Assistant Town Manager/Community Development Director presented to Council the following committee reports:

### A) Public Utilities Committee

The Town Manager reported that the Public Utilities Committee had met on January 29, 2008 to discuss several items, with the following recommendations:

#### 1. Proposed Subdivision off of Diamond Avenue Extension

The Town has been approached by a developer who asked the Town to seek

permission from the County of Franklin that the Town be allowed to extend utilities to his proposed subdivision located outside the Town corporate limits on Diamond Avenue Extension. The committee recommended that the Town seek permission from the County of Franklin to allow the Town to provide utilities to the proposed subdivision, but that it be communicated to the developer that he would be expected to bear all costs associated with the extension of the utilities, and that an agreement outlining a 100% connection rate for water and sewer would have to be developed.

The Town Manager informed Council the only request before them at this time is to allow staff to ask the County of Franklin to let the Town extend the utilities.

Vice Mayor Seale reiterated the committee's recommendation, but stated also that the first process in this step is to ask for the County of Franklin's permission, and the second step would be to approach the developer.

The Town Manager confirmed to Council Member Greer that staff has talked numbers with the developer already.

There being no further discussion, the Vice Mayor entertained a motion.

- Motion was made by Council Member Greer to authorize the staff to continue, with the motion on the floor being seconded by Council Member Agee. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

## 2. Cost Estimate for a 12" Water Line for Planned Pethood

As Council is aware, the Town has been asked to provide water to Planned Pethood. The Town and County of Franklin staff had mutually agreed that providing this service to the rear of the Planned Pethood property from the Town's Water Plant did not serve either localities' needs in the long run. The committee recommended to Council that 800' of a 12" water line be used to serve Planned Pethood, which will allow for future expansion up U.S. Highway 220 corridor. The committee also recommended that the Town obtain approval from the County of Franklin for this expansion to serve Planned Pethood.

There was discussion where the pipe would be coming from.

There being no further discussion, the Vice Mayor entertained a motion.

- Motion on was made by Council Member Agee for staff to formally contact the County of Franklin, then have the Public Works Department proceed, with motion on the floor being seconded by Council Member Dillon. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

3. Update on Easements for Alloy Group

The committee expressed concern over potential public health impact of the failing sewer system on Grayson Street and recommended to Council for the Town to proceed using all tools available to acquire easements for sewer service.

The Vice Mayor stated that he knows the committee discussed that there is a concern of a failing sewer septic that can be perceived as a public health issue, with the Town having an option to proceed with the tools available to acquire the easements for sewer service. He further stated that this line will tie-in with and can be used at the Stoney Mill Subdivision for their second phase of their project, if and when it begins.

The Town Attorney confirmed to Council Member Greer which house it was that posed the failing sewer septic, stating that the house now was over burdening their septic system and the ground would not perk.

The Vice Mayor commented that this definitely constitutes a health issue, and confirmed that this sewer line was to serve the failing system and other houses on Grayson Street, and not the second phase of the Stone Mill development, but that this line could pick up more users over time.

There being no further discussion, the Vice Mayor entertained a motion.

- Motion was made by Council Member Lester for the Town to proceed, using all tools available to acquire easements for the sewer service, with motion on the floor being seconded by Council Member Agee. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

4. Cost for Providing Water and Sewer to Proposed Franklin County Pigg River White Water Park Project

The committee agreed in principal and theory to the Director of Pubic Works cost estimates to provide water and sewer to the proposed Franklin County Pigg River White Water Park project, but recommended that a special work session be called to consider the proposed Memorandum of Understanding in more detail.

The Vice Mayor stated that no further action was needed on this item as the special work session meeting date and time had been discussed earlier.

**RISE 'N SHINE APPEARANCES**

The Vice Mayor stated that Council needed to consider whether a Council member or other

staff member would be appearing with the Town Manager during the next Rise 'N Shine show in March. Council Member Greer stated he would go appear on the show with the Town Manager.

### **COUNCIL CONCERNS**

A) Council Member Greer

Stated that his main concern was how many jobs were lost due to the laying off of jobs at MW Manufacturers. The Town Manager informed Council that he has contacted MW Manufacturers regarding this very thing, but that MW Manufacturers would not give anything concrete as far as how many employees would be losing their job. Council Member Greer stated that once the Town Manager knows how many there are, to let him know as soon as possible. The Vice Mayor stated that the only information MW Manufacturers has released is that there would be layoffs, and at this time, the Town does not know the extent of how many employees will be losing their jobs.

B) Council Member Lester

Reiterated on things talked about that the Town needs to revive, redevelop, and rethink the theory of redevelopment in small towns.

C) Council Member Dillon

Thanked Council for the opportunity they afforded him when they appointed him to Council and concluded by stating that he will be seeking election to the Town Council, thanking everyone for their support.

D) Council Member Tuning

Mentioned that the traffic light turning left that is located at the intersection of Tanyard Road, Maple Avenue and Main Street was still not working correctly.

E) Council Member Agee

Stated that he was seeking re-election and thanked everyone for their support.

### **CLOSED MEETING**

At 8:45 p.m., motion was made by Council Member Agee to go into *Closed Meeting*, and seconded by Council Member Tuning and carried unanimously to discuss the following:

- Section 2.2-3711(A).3 - Discussion or consideration of the acquisition of

real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body (potential park property in Town corporate limits).

At 9:20 p.m., motion was made by Council Member Agee 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 Dillon 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.

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Roger M. Seale, Vice Mayor

- Motion was made by Council Member Greer certifying that: (1) only public business matters lawfully exempted from open meeting requirements under this chapter was discussed; and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or consider in the meeting by the public body was discussed. Motion was seconded by Council Member Tuning. The Vice Mayor swore to adopt the motion on the floor by Council Member Greer that this was all that was discussed as defined in Section 2.2-3412 Code of Virginia. Voting yes were Vice Mayor Roger M. Seale and Council Members Stephen F. Agee, Posey W. Dillon, Jerry W. Greer, Sr., John H. Lester, and Sadie W. Tuning.

The Vice Mayor reported that no action was taken.

### **ADJOURNMENT**

At 9:24 p.m., motion was made by Council Member Agee to adjourn, seconded by Council Member Lester and carried unanimously.

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Roger M. Seale, Vice Mayor

ATTEST:

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Patricia H. Keatts/Town Clerk

/phk