

**ROCKY MOUNT TOWN COUNCIL
REGULAR COUNCIL MEETING
JULY 14, 2008**

The July 14, 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 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.

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, Planning & Zoning Administrator Paul Stockwell, Fire Chief Posey W. Dillon, Public Works Director Cecil R. Mason, and Town Clerk Patricia H. Keatts.

The Mayor led the *Pledge of Allegiance*.

APPROVAL OF AGENDA

Prior to the meeting, Council had received the agenda for review and consideration of approval. The Mayor requested to amend the agenda to add under "Old Business" a matter pertaining to taking a public vote for Vice Mayor position, with the Mayor stating that he will explain his reasons for doing this when that is discussed on the agenda. He also requested that "Old Business" be heard by Council right after "Consent Agenda".

- Motion was made by Vice Mayor Dillon to approve the amended agenda as requested, seconded by Council Member Lester and carried unanimously.

SPECIAL ITEMS

The Mayor came to the podium to present several special items:

- A) Resolution of the Rocky Mount Town Council for Appreciation and Recognition of Town Council Member Sadie W. Tuning, as read by the Mayor. Mrs. Tuning thanked the Mayor and Council members, stating that she has thoroughly enjoyed working as a

Council member and wishes Council the best of luck.

- B) Resolution of the Rocky Mount Town Council for Appreciation and Recognition of Town Council Member Stephen F. Agee, as read by the Mayor. Mr. Agee thanked the Mayor and Council, and also the support of everyone during his tenure. He further stated that he has worked 36 years with the Town, starting with the Police Department and continuing as a Town Council member, and intends to be active within the Town and serve as best as he can.
- C) Proclamation by the Rocky Mount Town Council Recognizing Law's Barber Shop 60th Anniversary, as read by the Mayor. Mr. Law thanked Council for the honor and very much appreciates enough interest in him to honor him for his past business. He also thanked each and everyone present.
- D) Proclamation by the Rocky Mount Town Council Honoring Chinah Marie Helmandollar, as read by the Mayor, with Ms. Helmandollar thanking everyone present, the community, supporters, and members of Council. She stated that she has enjoyed her year and representing the County as Miss Greater Franklin County 2008.

PUBLIC HEARING

Let the record show the Mayor recessed the meeting to hold the following public hearings:

- A) Request of M&L Holdings for a rezoning of approximately one (1) acre for Franklin County Tax Map and Parcel Number 2070022900 from Residential District R-2 to Central Business District (CBD). The property is located on Claiborne Avenue.

The Mayor stated that no one had signed up to speak. The Mayor opened the floor up to anyone wishing to come forward to speak at this time.

- The Planning & Zoning Administrator went over the request, stating the following:
 - Property is located between High Street and Claiborne Avenue.
 - Property has continued to be used as a medical office building, or other commercial use since the adoption of the zoning ordinance.
 - The current zoning of R2 means the use is a nonconforming use.
 - The applicant is requesting the change in zoning to make the current use in conformance with the Town's Zoning & Development Ordinance.
 - Other adjacent and adjoining properties in the area are also zoned Central Business District, which includes the Angle Dining, the Claiborne House, Red Clay Restaurant, and the Methodist Church. The rezoning would bring the property into the same zoning classification as its neighboring properties.
 - It would be useful for the current owners to submit a revised parking plan for the building, reflecting the Town's current parking regulations with defining access to the parking area. Property owners have indicated that they are willing to provide this information.

The Planning & Zoning Administrator relayed to Council that the Planning Commission unanimously recommended approval of the rezoning request.

Let the record show that no one from the public came forward to speak, and that there were no questions or comments from Council.

There being no further discussion, the Mayor reconvened the meeting back into regular session and entertained a motion.

- Motion was made by Council Member Lester to approve the request as stated, with motion on the floor being seconded by Council Member Seale. There being no discussion, let the record show that the motion on the floor passed unanimously.

The Mayor recessed the meeting to hold the second of five public hearings:

- B) Request of Christopher Hatman for a rezoning of approximately 4.31 acres for Franklin County Tax Map and Parcel Number 2080001300 from Residential, Agricultural District (R-A) to Business, General District (GB). The property is located off of East Court Street.

The Mayor stated that four people had signed to speak.

The Mayor opened the floor to anyone wishing to come before Council to speak regarding this matter:

- Ralph Hall of 750 East Court Street, Rocky Mount, Virginia came forward stating the following:
 - Very opposed to having a junk yard in the neighborhood, as by the nature of the request, this is what it would be.
 - This type of business would pollute the water stream, and is something that is not needed.
- Phillip Nester of Phillip W. Nester, Inc. of 190 South Main Street, Rocky Mount, Virginia, came forwarding stating that he was speaking on behalf of the Perdue family.
 - The amount of vehicles that the applicant is proposing to put on the site is about 5 to 15 vehicles, and if they are totaled, they would be taken to Shredded Products. Shredded Products does not accept any vehicles that have fluid in them. There has been no indication by the applicant on how fluids are to be handled, and all fluids are classified as hazardous by the Department of Environmental Quality for Virginia.
 - Proposal shows that there will be a gravel driveway, which is pervious and any fluid can seep into the group, and possibly without proper containment, infiltrate the ground water system. As it seems that all the vehicles will be out in the open and no containment in place for the vehicles, everything will seep into the ground.
 - Went over the Town's Zoning Ordinance regarding the portion dealing with

any storage over five vehicles makes it a graveyard; what a junk yard is; and also the article dealing with what a vehicle graveyard is. Pointed out that this is not allowed in the Town under General Business, and only allowed under a M2 zoning as a special exception.

- Went over adjoining properties being zoned RA and PS.
 - The requested rezoning is not compatible with future land use according to the Town's Comprehensive Plan, or with the current Town's Planning & Zoning Ordinance.
 - This type of proposed used will have a detrimental affect on adjoining properties, with the Perdues respectfully request Council to deny this request.
 - He has limited his comments tonight to only two concerns, but there are many more.
- Ronald Deanhofer of 610 East Court Street came forward stating the following:
 - Opposed also with reasons that have already been covered.
 - Reiterated the stream on the property and possible contamination from fluids leaking from the towed vehicles.
 - Lighting and traffic will also be detrimental to adjoining property values.
 - Clyde Perdue of 205 Taliaferro came before Council stating the following:
 - Came on behalf of self, family, and his mother, who owns adjoining property.
 - Reference the legal brief letter that he had sent to Council earlier.
 - The application is so poorly prepared with the exact nature of the request not being able to be determined, and if you cannot determine that, you cannot control what the applicant does.
 - The Planning Department and Council need to control what is going on wit the land, and with this type of application, this cannot be done.
 - There should have been proffers, which there were none.
 - There is no lighting ordinance, which would allow the applicant to have lighting on the property 24/7.
 - Did not know that it would be an impound type lot.
 - It is not known where the screening, landscaping, fencing and gates will be, and there is no information on garage either.
 - Everyone speaking tonight are correct when they have said that this type of request does not fit for that property.
 - The request is in conflict with the Town's Planning & Zoning Ordinance.
 - Where the land is located is one of the ways that you will be going to the proposed County's water parks, and you don't want to encounter that type of business on the way to the park.
 - Even if this is done right, it still doesn't fit.

No other citizens came forward.

- The Planning & Zoning Administrator went over the request, stating the following:
 - The lot is proposed to be used as a towing and impound lot.
 - The proposed use may not be a permitted use in the General Business zoning

zoning district, or any other zoning district of the Town.

- The Future Land Use Map shows the area as Light Residential for single-family home use.
- All surrounding properties are currently used for agricultural purposes.
- A General Business zoning classification would not take into account the existing neighborhood character.
- There are currently no water or sewer utilities serving this lot.
- These factors should all be taken into consideration in whether or not the Town decides to rezone this piece of property to General Business zoning from its current Residential Agricultural classification

The Planning & Zoning Administrator relayed to Council that the Planning Commission unanimously recommended denial of the rezoning request.

- John Woods of 245 Byrd Lane came before Council requesting to discuss Byrd Lane. The Mayor requested that Mr. Woods wait until that matter came before Council later in the meeting. Mr. Woods so noted.

Let the record show that no one else from the public came forward to speak, and that there were no questions or comments from Council.

There being no further discussion, the Mayor reconvened the meeting back into regular session and entertained a motion.

- Motion was made by Council Member Greer to deny the rezoning request, with motion on the floor being seconded by Council Member Seale. There being no discussion, let the record show that the motion on the floor passed unanimously.

The Mayor recessed the meeting to hold the third of five public hearings:

- C) Request of James R. Girty, Jr. for a waiver from the Town of Rocky Mount Subdivision Ordinance Article 8-3(L) requiring CG-6 curb and gutter fronting Byrd Lane for Franklin County Tax Map and Parcel Numbers 2040052900 and 2040053100.

The Mayor opened the floor to anyone wishing to come before Council to speak regarding this matter:

- Deanna Stone of Rhodes, Ferguson & Stone came before Council on behalf of Mr. Girty and his family, asking the Mayor if she could present both of the requests at one time. The Mayor advised she needed to present each one individually. Thus being said, Mrs. Stone stated the following:
 - Went over where the parcels are located on Byrd Land, showing the parcel on the plat that Council had received prior to the meeting.
 - Went over where adjoining properties are located per handout.
 - Explained that Mr. Girty is not putting in a street and with this being said, that the requirements per the Town's Subdivision Ordinance should not apply.

This is not consistent with the neighborhood as there are no curb and guttering on street, and if required to be put in, it would be pieced-milled and not be aesthetically pleasing.

- Referenced street study in 1999 by Thompson + Litton Engineers, with the study identifying what streets needed to be upgraded. Byrd Lane was included (copy given out to Council), with recommendation that it not be done until the Town approves the Bland Street extension, which would be lining it up at Byrd Lane to cut a straight through to State Street, which has never been done.
 - Mr. Girty could not afford to do the improvements, as it would be a hardship.
 - Asked Council to follow the recommendations that Thompson + Litton Engineers, the engineering firm Council had hired to do this study.
- James Woods of 245 Byrd Lane came before Council stating the following:
 - Appreciates this meeting.
 - He is the oldest member on Byrd Lane. Referenced a culvert coming down from Byrd Lane to State Street that doesn't work.
 - Was promised 30 years ago that the wall down from his house would be bricked.
 - Quoted for Council the following: "Let your last days be your best days".
 - Asked Council to remove two trees near his house, as they are falling down and would become dangerous if they did fall.
 - Asked Council to look into condemning a house near him that is unlivable, with people still living in it.
 - The Planning & Zoning Administrator went over the request, stating the following:
 - This request would waive the requirement for curb and gutter along Byrd Lane.
 - Curb and gutter would channel the runoff from Byrd Lane through storm water pipes to adequate receiving channels.
 - If the curb and gutter were waived, storm water from the road will flow into a natural drainage ditch.
 - The curb and gutter would not connect to any existing curb and gutter along Byrd Lane.
 - If a waiver is approved, it would be worthwhile to require that a statement on the plat indicate that the property owner is responsible for a pro rata share for the costs of curb and gutter according to the property's street frontage whenever the Town decides to extend curb and gutter along Byrd Lane.

The Planning & Zoning Administrator relayed to Council that the Planning Commission unanimously recommended approval of the rezoning request.

After discussions between Council and Mrs. Stone, it was determined that if the Girty property changes hands, whatever the Town decides to do, conditions can be imposed on any future document, with the property owner having to pay a pro rata share if Town decides to put in curb and gutter in the future. Mrs. Stone stated that it would not be fair to impose on Mr. Girty if not imposed on any other property owner. Question also arose

on the availability of land on Byrd Lane if the Town did decide to put in curb and gutter. Mrs. Stone confirmed that Mr. Girty does not have a

continuous curb on his two pieces of property. Mrs. Stone stated that Mr. Girty would give the Town an easement for curb and gutter.

There was also discussion that there were some cemetery graves on Mr. Girty's property, and that this should be deeded separate of the graves that are located on the edge of the property. The Mayor instructed the Town Attorney to get with Mr. Girty about this matter, with the Town Attorney so noting. Mrs. Stone stated that Mr. Girty agreed to dedicate a portion of his property needed for dedication of the cemetery for the graves on his property in relation to the graves adjoining his property.

Let the record show that no one else from the public came forward to speak.

There being no further discussion, the Mayor reconvened the meeting back into regular session and entertained a motion.

- Motion was made by Council Member Seale to approve the first waiver request of Mr. Girty, 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.

The Mayor requested that the Public Works Director get with Mr. Woods regarding his request. The Public Works Director so noted.

The Mayor recessed the meeting to hold the fourth of five public hearings:

- D) Request of James R. Girty, Jr. for a waiver from the Town of Rocky Mount Subdivision Ordinance Article 8-4(B) requiring sidewalks fronting Byrd Lane for Franklin County Tax Map and Parcel Numbers 2040052900 and 2040053100.

The Mayor opened the floor to anyone wishing to come before Council to speak regarding this matter:

- Deanna Stone of Rhodes, Ferguson & Stone came before Council on behalf of Mr. Girty and his family and pointed out the sidewalks, referencing the 1999 study done by Thompson + Litton Engineers, which required sidewalks on the other side of the street and not on the side that Mr. Girty's property is located. She further mentioned that the Town now requires 5' instead of 4' sidewalks, and opposed to the 1999 study stating that only 4' was needed.
- The Planning & Zoning Administrator went over the request, stating the following:
 - This request would waive the requirement for a sidewalk along Byrd Lane.
 - The sidewalks would not connect to any existing sidewalk.
 - If a waiver is approved, it may be worthwhile to require that a statement on the plat indicates that the property owner is responsible for a pro rata share

for the costs of a sidewalk according to the property's street frontage whenever the Town decides to extend curb and gutter along Byrd Lane.

The Planning & Zoning Administrator relayed to Council that the Planning Commission unanimously recommended approval of the rezoning request.

Let the record show that no one else from the public came forward to speak, and that there were no questions or comments from Council.

There being no further discussion, the Mayor reconvened the meeting back into regular session and entertained a motion.

- Motion was made by Council Member Lester to approve the waiver request, 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.

The Mayor recessed the meeting to hold the final public hearing:

E) Amending Article 28 "Sign Regulations" revising the Central Business District sign regulations as follows:

1. Reducing the required lot frontage for a freestanding sign from 100 feet to 50 feet.
2. Reducing the minimum separation for freestanding signs on a lot or lots under single ownership from 150 feet to 100 feet.
3. Adding that freestanding signs on lots less than 100 feet in lot width shall have the maximum square footage for a freestanding sign reduced by one percent for each foot less than the 100 foot minimum lot width.
4. Prohibiting electronic message signs.

The Mayor opened the floor to anyone wishing to come before Council to speak regarding this matter:

- Janie Hopkins, Executive Director of the Franklin County Chamber of Commerce, stated that she supports the freestanding signs, which will help some businesses in some instances that are struggling for more visibility. Mrs. Hopkins urged Council to see that this is given some consideration so businesses could have more visibility.
- The Town Manager gave a brief background on how the proposed amendments came about.
- The Planning & Zoning Administrator went over the request, stating the following:
 - The changes come after careful deliberation of the character and unique needs of the Town's Central Business District.
 - The changes reduce the minimum lot width for a freestanding sign from 100 to 50 feet in the Central Business District.
 - The freestanding for lots with less than 100 feet will be reduced in proportion

- to their lot width.
- The regulations would prohibit electronic message signs in the Central Business District.
- Confirmed that there would be no adverse affects on adjoining property owners.
- Confirmed that proposed changes would not make any existing signs non-conforming.

The Planning & Zoning Administrator relayed to Council that the Planning Commission unanimously recommended approval of the rezoning request.

Let the record show that no one else from the public came forward to speak, and that there were no questions or comments from Council.

There being no further discussion, the Mayor reconvened the meeting back into regular session and entertained a motion.

- Motion was made by Council Member Lester to approve the proposed changes, 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.

APPROVAL OF MINUTES

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

- June 2, 2008 Special Council Meeting Minutes
- June 9, 2008 Regular Council Meeting Minutes
- June 16, 2008 Special Council Meeting Minutes
- June 30, 2008 Special Council Meeting Minutes
- July 3, 2008 Special Council Meeting Minutes

Vice Mayor Dillon noted one correction for page 4055, with the correction showing that the resolution of adoption should be a vote of five to two. The Town Clerk so noted.

- Motion was made by Council Member Greer to approve the draft council meeting minutes with correction as noted, 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.

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 approval of draft "Town of Rocky Mount Resolution of Support for Virginia Department of Health Drinking Water Financial and Construction Assistance Program Grant"
 - Miscellaneous Action
 - Review and consideration of approval of support of Virginia Tech Program in Local Government Management
 - Departmental Monthly Reports
 - 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 Greer. There being no discussion, let the record show that the motion on the floor passed unanimously.

OLD BUSINESS

The Mayor stated that Council needed to do a correction from the last Council meeting that took place on July 3, 2008, being a need to re-vote for the Vice Mayor position. He further stated that after that meeting had taken place, it was determined that a vote taken in secret was not allowable under the Virginia Freedom of Information Act, and a public vote would need to be taken. The Mayor confirmed to Council Member Lester that the original motion was still on the floor and no new vote needed to be taken. Thus being said, the Mayor called for a show of hands on the following:

- Voting in favor of Posey W. Dillon as Vice Mayor by a show of hands:
 - Vice Mayor Dillon, Council Members Greer, Strickler, and Walker
- Voting in favor of Roger M. Seale as Vice Mayor by a show of hands:
 - Mayor Angle, Council Members Seale and Lester

The Mayor confirmed that the original vote still stood four to three, with four being in favor of Posey W. Dillon, and three being in favor of Roger M. Seale.

HEARING OF CITIZENS

The Mayor noted that no one had signed up prior to the meeting to be heard under Hearing of Citizens, but he opened up the floor to anyone wishing to come before Council at this time.

1. Mr. Richard Shoemaker of 25 Old Furnace Road, Rocky Mount, Virginia, came before Council stating the following:

- After reviewing the complete agenda, he is speaking in advance on items listed under *New Business*, which he is in support of, being: Review and Consideration of Formation of Main Street Committee; and Funding for the Community & Hospitality Center. He state he would like to also mention the position of the budgeted item for the Executive Director that was budgeted initially under the Main Street Program state-wide.
 - Stated that he considers these three items very important.
 - Has been involved with the Main Street Program for a very long time since its inception.
 - The Main Street Program has been strong in the community, and includes Community Partnership for Revitalization (CPR) in this, and he supports the Executive Director position for CPR.
 - Went over how CPR started and where it was now, with them being in the Community & Hospitality Center, a beautiful landmark for the Town.
 - With CPR at the Community & Hospitality Center, they greet people; they book events, such as the Footlights of the Blue Ridge.
 - When the Town gets involved with the Main Street Program and CPR, things such as special events take place.
2. Mr. A. B. Woody of 341 College Street, Rocky Mount, Virginia, came before Council stating the following:
- Agreed with Mr. Shoemaker on most things, in that CPR has done a lot of things; however, they have spent a lot of money also.
 - He mentioned that Council needs to take into consideration the old people living in Town and not give CPR a blank check.

NEW BUSINESS

A) Overview of Regional Water Supply

Mr. Shane Sawyer, Regional Planner for the Roanoke Valley Alleghany Regional Commission (RVARC), presented to Council an overview of the Regional Water Supply Plan. Prior to the meeting, handouts were given to Council, outlining his presentation:

- Local and Regional Water Supply Planning Regulations
- Greater Roanoke Regional Water Supply Plan
- Project Funding
- Project Timeline

Let the record show there were no questions or comments from Council at this time.

B) Review & Consideration of Draft Appropriation Resolutions

The Chief of Police came before Council relaying the following:

- Received notice of a grant for two School Resource Officers (SRO). One of the SRO is to be positioned at the Franklin County High School, and the second one is to be tasked with the responsibility of the Benjamin Franklin Middle School and the Gereau Center for Applied Technologies.
- The grant period is for four years, with a yearly continuation application required.
- The grant award consists of monies for salaries, FICA, retirement, and health/dental costs, which totals \$49,477 per position.
- The position would be filled by utilizing current Rocky Mount Police Department officers, and will not require the hiring of additional personnel.
- Requested Council's authorization to accept the grants on behalf of the Town, appropriate the funds as requested per resolutions presented to Council, and to place School Resource Officers at the Middle School and High School, using existing Town of Rocky Mount Police Department personnel.

There were comments from Council regarding this request, which consisted of the following:

- Mayor questioned what the total grant takes care of, with the Chief of Police stating that it takes care of salary for everyone as he had outlined earlier, with the \$19,222 being matched for a total award of \$49,477, with this including not requiring additional staff or vehicles. Chief confirmed that spare vehicles would be used.
- Council Member Lester stated that he thought this was a good program. The Chief of Police confirmed that the County provides their own officer at the high school and middle school.
- The Mayor stated that he believes this is a good program, because with his job at the high school, he is in contact with SRO all the time and cannot see where this would go wrong.
- Chief of Police confirmed to Council Member Greer that this is currently in program, and with match, should be coming out ahead, and also there would be no one hired or replacing an officer.
- Chief of Police confirmed to Council Member Seale that the primary duties of an officer is on the road, and once this grant comes into play, the officers for the SRO positions will primarily be used at the schools.
- Chief of Police confirmed to Council Member Greer that the grants will allow dedicating an officer to each school.
- Chief of Police confirmed to Vice Mayor Dillon that for about two years, the Rocky

Mount Police Department has furnished an officer without a grant in the past, and have been paying for one about a year, which comes to approximately \$49,000. Also confirmed that they will be using one of the spare vehicles.

- Vice Mayor Dillon stated that he does not see a problem with this but at the same time, still sees same smoking mirrors with the money, and asked where the money was coming from in the budget now, and what that money was designated for. Chief of Police stated it was for Officer David Finney that is currently lent out to the school, which is budgeted for his full package. Vice Mayor Dillon stated that if Council remembers, back in May of this year they were presented a breakdown of the positions that were going to be authorized for the Police Department for the reorganization that was going to take place, with that reorganization having a Resource Officer in it. There was discussion between Vice Mayor Dillon and Chief of Police regarding when the Resource Officer grant had been applied for during the budget time, as Vice Mayor Dillon was wanting confirmation on when the grant was applied for with the intent of having a Resource Officer. The Chief of Police stated that they had applied for several grants, but had not received notification until July 1. Also confirmed to Vice Mayor Dillon that until last year, the Police Department did not have the position since Officer Maddy had left.
- Confirmed to Council Member Greer that this will put the officer hired in a theoretical position to work in the school to be able to work in the school full time.
- The Town Manager informed Council that in essence, the Town will be leveraging salaries the Town already has to get about \$60,000 worth of funding from the State so that the Town can keep officers in both school, and that the Town does have a local match, but the Town will make this out of current budgeted salaries in the Public Safety budget, with the State giving Town approximately \$60,000. He further stated that the Town will be able to use existing officers so the Town will not have to advertise and bring on any new staff.
- The Chief of Police confirmed to Vice Mayor Dillon that the officer on military leave came back in June, working as a road officer. He further stated that this officer may not be the one to go to the schools as he wants the best person to work with the children at the schools. Also confirmed that there will not be any new hires if he is moved to the School Resource Officer position. Confirmed that the Police Department has, what he believes, is 20 officers.
- Chief of Police confirmed to the Mayor that there would be two officers in the school, with 18 on the road.
- Chief of Police confirmed to Vice Mayor Dillon that during the time period that the officers would not be working in the school during summer months, they would be allowed to be more involved in the community, making a difference.

- Chief of Police confirmed to Vice Mayor Dillon that there was no intent to apply for more Resource School Officer positions than these two and would be highly unlikely, but if so, it would be perhaps for a different type of grant for an elementary school.
- Chief of Police confirmed to Council Member Walker that after four years, it would be up to Council to either carry on the positions if it is beneficial to the community.

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

- Motion was made by Council Member Seale to accept the grants, with motion being seconded by Council Member Lester. There being no discussion, let the record show that the motion passed five to one, with Vice Mayor Dillon voting no to the motion on the floor.

C) Progress Report on Cox Property

The Assistant Town Manager presented to Council an update on the Cox property and Industrial Park Phase II access road, stating the following:

- In 2004, the Town of Rocky Mount took advantage of an opportunity to expand its economic base. While towns typically do not undertake the purchase of large tracts of land for industrial development, Rocky Mount determined to undertake and lead the development of the Cox Farm site, purchasing the parcel alongside the Norfolk Southern tracks parallel to Tanyard Road at its intersection with U.S. 220.
- Over the four years since, the Town has pursued using the property first as a railroad transload center, and now as an industrial site. The Town, now, is another step closer to making the property available to industrial development.
- In 2006, the Town received a Tobacco Commission grant to conduct engineering and business analysis of the site and to construct a railroad switch to serve the site. The site proved not to have adequate business capacity for a transload site, but is marketed by the railroad as one of the most developable rail-served sites in the Roanoke Valley.
- In order to best market the site and bring new jobs and investment to the community, the Town must proceed with three projects.
 1. Construction of the access road.
 2. Railroad switch and track installation.
 3. Pad grading.
- The Town's engineers at Thompson+Litton have estimated the construction cost of \$1,071,000 for a road from Weaver Mirror to pass all three potential industrial sites on the Cox property.
- Over the past nine months since joining the service of the Town, have worked with the Town Manager to develop funding sources to help the Town develop the access road, with as little cost to the Town as possible.

- In order to approach the Virginia Tobacco Indemnification Commission for funds, the Town and County needed to form a joint development effort, which score higher on grant applications. Additionally, it makes sense to develop this tract as the second phase of the Franklin County-Rocky Mount Industrial Park. Each locality, with the approval from the Rocky Mount Town Council and Franklin County Board of Supervisors, agreed to spend \$100,000 to develop the road.
- The Tobacco Commission grant application was finished and submitted, with the Commission agreeing to fund \$421,000 in new money, in addition to the previous grant of \$331,000, most of which has been spent for engineering, or pledged for rail construction.
- In total, the Town has a little over \$500,000 from the Tobacco Commission.
- In mid-June, the Commonwealth Transportation Board approved \$300,000 in Economic Development Access project funding to support construction of this access road, with \$34,000 additional local match.

- In summary, the approximate funds the Town has for the project are:

- Town of Rocky Mount		\$134,000
- Franklin County		\$100,000
- Virginia Tobacco Commission		\$510,000
- Commonwealth Transportation Board (VDOT)		<u>\$300,000</u>
	Cash	\$1,044,000
- In-kind (Town forces for sewer and water)		<u>27,000</u>
	<u>Cash/Equivalent</u>	<u>Share</u>
- Town Share	\$161,000	15 percent
- External Funding	<u>\$910,000</u>	<u>85 percent</u>
	\$1,071,000	100 percent

- To add perspective, raising the \$910,000 in external funding at the Town’s current rate would equal 21 cents on the real estate tax rate, or would pay the Assistant Town Manager’s salary for roughly 15 years.
- Once the rail switch is installed and the road construction is underway, the Town should tackle locating sources of funding to make the site fully ready for industry by grading out the pad.

Let the record show that no motion was needed.

D) Review and Consideration of Norfolk Southern Railroad Agreement

The Town Manager came before Council, stating the following:

- In the Town’s ongoing efforts to move forward with the development of the second phase of the Industrial Park, the Town and Norfolk Southern have developed an agreement to construct and install the needed rail siding to serve the site.

- The agreement calls for the Town to pay \$144,900 (which is entirely covered by the Tobacco Commission grant) to Norfolk Southern for the construction of a rail switch and associated track to clear point inside the Cox property. Further, the Town is required to construct its portion of the rail and do the grading for the switch and rail to clear point within 12 months. In addition to these requirements, the Town is to assume all liability for the use and operation of the switch, operate it in accordance with standard rail procedures, and obtain Norfolk Southern's permission prior to assigning this agreement to an eventual tenant of the Industrial Park.
- Requested Council's approval to enter into said agreement and to pay the funds requested, which is to be reimbursed from grant funds. Confirmed to Council that this is a grant with no payback at all and no matching funds, and is essentially free money.

There being no discussion, the Mayor entertained a motion.

- Motion was made by Council Member Lester for the Town Manager to proceed as requested, with motion on the floor being seconded by Council Member Seale. There being no discussion, let the record show that the motion on the floor passed unanimously.

E) Review and Consideration of Commonwealth Transportation Board – Economic Development Access Funds

The Town Manager came before Council, stating the following:

- The Commonwealth Transportation Board, via resolution on June 19, 2008, granted the Town \$334,000 in Economic Development Access Funds.
- These funds are granted in order to allow the Town to develop industrial property and attract economic development.
- This is the same program that was once called by the title "Industrial Access Funds".
- Council had previously directed staff to seek these funds to help fund the construction of a road to serve the Cox property.
- Confirmed to the Mayor that if the Town is unable to find a tenant within the seven years, the payback will be just a straight payback, but the Town and County are confident that a tenant will be found before that time.

There being no discussion, the Mayor entertained a motion.

- Motion was made by Council Member Seale for the Town to proceed and accept the grant and for the Town Manager and Town Attorney to draft the agreement, 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.

F) Proposed Consideration of Current Call-Out Stipend for Volunteer Firemen by Council Member Lester

The Town Manager came before Council stating the following:

- Council Member Lester had requested that consideration of the current call-out stipend for volunteer firemen be increased from \$10.00 per call to a rate of \$15.00 per call to help offset the rising cost of fuel.
- Currently, the cost to the Town is \$35,000 a year, and with the proposed increase, the cost to the Town would be approximately \$17,000 more a year.

- After the reduction of the tax rate to \$0.12, there is only \$6,000 in the General Fund Contingency. If the stipend is increased, funds would need to be appropriated from fund balance, or transferred from some other project.
- Given that the Town adopted the budget with a \$10.00 stipend less than 30 days ago and that the Town adjusted the revenues to react to the weakened economy, it would be difficult to implement a change without tapping the Town's fund balance or other appropriate funds.
- Performed a survey of other local governments and found no example of other localities looking to increase call-out stipends due to fuel costs.

Council Member Lester stated the following:

- Had hoped that there would have been more money in the funds.
- These volunteers are a big contributing factor that makes the Town what it is.
- Would like consideration for Council's assistance with this, if at all possible.

Vice Mayor Dillon stated the following:

- Appreciates Council Member Lester's recommendation, but at this time, it may be better to discuss this during next fiscal year's budget.
- Hasn't heard anything from the volunteer firemen regarding wanting an increase.

The Town Manager confirmed to Council that he will direct the Finance Department to add this for discussion during the next fiscal year budget.

G) Review and Consideration of Formation of Main Street Committee

The Town Manager came before Council stating the following:

- In the Town's current budget, hiring a Main Street Director was contemplated for the Town's Main Street Program.
- Have heard from other groups in the community that have expressed an interest in operating the Community & Hospitality Center.
- In order to move forward on these issues, need to know the consensus of Council, with option that has been used in the past is to create a committee of Council members to look at special issues in detail.

The Mayor stated that he thought the suggestion to create a committee to look at this was a good idea; thus, appointed Vice Mayor Dillon and Council Members Lester and Seale to serve on said committee. The Mayor commented that he will attend the meetings as well.

H) Health Fair Update

Amy Dooley, Accounting Technician I for the Town, came before Council stating the following:

- On Wednesday, June 25, the Town held their annual health fair.
- She and Stacey Sink, Deputy Clerk for the Town, worked on this event.
- One of the main goals of the health fair was to promote the Town's Wellness Program.
- Staff greatly appreciates Council giving the staff the opportunity to lay the groundwork for implementing and beginning a Wellness Program.
- Staff is very excited and enthused about making a difference in the Town's employees' and families' health.
- Had 47 participants in the Health Fair that was held on June 25, and as of today, 24 employees have signed up for fitness memberships.
- In Fiscal Year 2008-2009, the Town will spend approximately \$470,000 for health insurance premiums. This does not include the employees' portion of approximately \$100,000.
- With the Town's Wellness Program budget being a little over 2% of what the Town is spending in health insurance premiums, it seems to be a very little investment on a potential savings in premiums down the road.
- One thing you cannot put a price on is the Town's employees' overall well-being.

- Some quotes from employees on the Wellness Program:
 1. "It is the best one I have been to in several years that I have been working for the Town."
 2. "It was very well planned, very organized, and very informative; a lot of information available to us."
 3. "It was very well-organized. It was the best health fair I have seen. Carilion was very professional and thorough."

- Some quotes from employees participating in the Fitness Membership/Wellness Program:
 1. "The fitness membership is a wonderful benefit."
 2. "I am excited about the program and already losing some weight."
 3. "I love it. If the Town did not pay for it, I could not afford it."
 4. "The fitness membership is a great thing! Just because we do physical labor does not mean we are physically fit. It will definitely help us with our job."

Council Member Lester stated that he has had occasion to observe three employees at the YMCA playing basketball, with one of them telling him that this helped him relieve stress, even though they do physical labor.

Ms. Dooley stated that some Council members participated in the health fair.

The Town Manager stated that Ms. Dooley and Mrs. Sink had put a lot of effort into this program and they deserve all the credit for the great work they did.

I) Request of Arlene Jones

Mrs. Arlene Jones, of Image Transfer & Design located on Franklin Street, came before Council stating the following:

- Referenced letter that she had sent to Council prior to the meeting regarding holding a special event called "Franklin Street Festival on the Crooked Road" on Saturday, September 27, 2008, beginning at 9:00 a.m.
- Only source of funding will be from vendors.
- Asking for \$2,000 from Council to be used strictly for advertising since this is their first year for this event and plans are still incomplete and, hopefully, will come up with other ideas next year for advertising. If the \$2,000 is too low, will have to see what they can do.
- Merchants involved are located between Edible Vibes and the Depot.
- Confirmed to Vice Mayor Dillon that they are not sure at this time how many merchants outside of that area will be participating, but there are 26 merchants on Franklin Street.
- Confirmed to Council Member Seale that they will not be bringing in any outside food vendors such as hotdog vendors because people want to patronize local restaurants. Also confirmed to Council Member Seale that they will use only local and regional bands.

Council Member Greer commented that the Town has just finished the budget about two weeks ago and that the Town only has \$6,000 in contingency funds. Mrs. Jones stated that they want this to be an annual event, but need help to start somewhere.

Council Member Lester commented that although he would encourage Council to do something, he also has to agree with Council Member Greer regarding only having a certain amount in the contingency fund. He further stated that Council may be able to look at this request during the August Council meeting and maybe Mrs. Jones will have a better idea of what it would take to advertise and how much it would cost.

The Mayor suggested to Mrs. Jones that she stay in touch with the Town Manager, and possibly put her request back on the August Council agenda.

Mrs. Jones stated that she would like to remind Council that the merchants do pay business licenses to the Town.

Let the record show that no motion was made.

F) Request of Franklin County Historical Society.

Mrs. Linda Stanley, Special Projects Coordinator & Museum Director for the Franklin County Historical Society, came before Council stating the following:

- Referenced their help in moving the graves off of the Cox property when the Town purchased the property.
- Referenced helping with requests regarding The Crooked Road.
- Firmly believes history has an economic advantage.

- Referenced the letter dated June 24, 2008 to the Mayor and Council regarding her funding request in certain areas of The Flora Morris House, which would be the Franklin County Historical Society new history museum and research library that is located on South Main Street.
- Respectfully requested funding in the amount of \$10,000 from the "tourism dollars" that the Town receives to help with the renovations/repairs to The Flora House.

Council Member Lester asked the Assistant Town Manager to see if there were any grants that could help with the elevator needing to be put in at The Flora House.

The Mayor advised Mrs. Stanley that the same situation applies to her request as it did to Mrs. Jones' request, in that the Town had just come out of doing the budget, and now she was asking for an additional \$10,000 separate from what was given to them when the budget was approved, which was \$4,000.

Mrs. Stanley stated that they are in the process of trying to find grants to help them, but since they still do not have a historic designation, the grants are hard to find.

Mrs. Stanley confirmed to Council Member Lester that the Town does assist with in-kind help also. She further stated that she talks regularly with the Town Manager, and if the Town leaves that door open to come back and ask, they will.

On another matter, Mrs. Stanley ask the Town to consider putting in the brick crosswalk in the same way they are doing it in the uptown renovation project, even though The Flora Morris House is not located in that project. The Mayor commented that this request will need to be given to the Streets, Sidewalks & Sanitation Committee to review.

Let the record show that no motion was made.

K) Discussion of a Town of Rocky Mount Charter Change

The Mayor turned the discussion over to Council Member Strickler as Council Member Strickler had requested discussion pertaining to a Town of Rocky Mount Charter change.

Council Member Strickler stated the following:

- The only reason bringing this matter up was that he had gotten the feeling that the majority of Council members would like to have more input on an as needed basis with the Town Manager on important issues, and also would like to revisit the grievance procedures.
- Just opening this up for comments from other Council members, with the possibility of maybe establishing a committee that could review this and be able to get it out in the open.

Mayor Angle stated the following:

- Grievance procedure in place you may or may not be aware of.
- Charter does state that an employee can talk to the Council and Mayor anytime they want to, with nothing prohibiting this.
- Don't really understand what you want to look at in the charter, but can certainly set up a committee to review this.
- Confirmed that Council Member Strickler wanted to be on the committee.

Council Members Lester and Greer also stated they wanted to be on the committee. The Mayor so noted and stated that he will attend those meetings as well.

Vice Mayor Dillon stated the following:

- Thanked Council Member Strickler for bringing this matter up because with input that he and other Council members had received in their political process when running for office, they had ran into concerns.
- Very disheartening to find out that employees have been added to the Town by only hearing about it in the newspaper before they, as Council, finds out about it. It should be common courtesy to let Council know.
- May be an avenue through the charter to make it where Council should have input to make sure that any questions that Council may have on a particular position be addressed, and he is not talking about Council members having a big say in firing or hiring.

Council Member Lester stated the following:

- Need to remember that Council does have a budget process and all of Council is responsible for doing their homework, and this is something Council needs to continue to do.

There being no further discussion, the Mayor stated that the committee will be in place with the Town Manager coordinating those meetings. Also stated that any

Council member wishing to attend any committee meetings could do so.

L) Discussion Regarding Funding for the Community & Hospitality Center (Depot)

The Mayor turned the discussion over to Council Member Walker as Council Member Walker had requested discussion pertaining to funding for the Community & Hospitality Center.

Council Member Walker stated the following:

- Heard that that there had been false rumors spreading, and wanted to make clear that this proposal does not affect the uptown revitalization, the Main Street Program, or CPR as an organization.
- Interest in this item is to save money for the Town.
- It had come to his attention, most Council members, and management of the Town that there is another avenue opened up for management of the Depot at a substantial saving to the Town. Hopes all of Council has seen the letter that he received regarding this matter and are aware of this.

Council Member Walker stated he wanted to make a motion.

- Motion was made by Council Member Walker to cut the funding for management of the Community & Hospitality Center, making it effective October 1, 2008, giving CPR ample time. Not saying that CPR has to get out, but want to cut the funding for the management of the Depot because there has been another organization interested in managing the Depot.

A question arose from Council Member Seale on what other organization that was being mentioned to manage the Depot.

Due to several Council members attempting to discuss the matter prior to a second to the motion being made, the Mayor halted any further discussion, stating that before discussion could ensue, a second was needed to the motion on the floor by Council Member Walker. Let the record show that Council Member Greer seconded the motion on the floor. Discussion ensued.

Council Member Seale questioned Council Member Walker as to what letter he had referenced about another organization being interested in taking over the Depot. He further stated that the letter he had received stated that the organization might be willing to take over the Depot, but the letter did not state that it was a formal offer because there were no details worked out in the letter.

Council Member Walker requested that Mrs. Dorothy Cundiff, Managing Director of Franklin County Retail Merchants & Association (RMA), to answer the question that Council Member Seale had raised. As Mrs. Cundiff was attempting to answer from her seat, the Mayor requested that Mrs. Cundiff come to the podium so her comments could be on record.

Mrs. Cundiff came before Council and stated the following:

- As most of Council knows, a good long time ago, RMA was asked before CPR to go into the Depot.
- At that time, RMA owned their own building and could not go into the Depot.
- Have since sold their building, currently in another building and having to pay rent, and like all organizations, struggling to do so.
- Did mail all Council members and the Town Manager her letter, with the letter stating that RMA would be willing to go into the Depot; manage the hours Council wanted, which she believes to be 9:00 a.m. to 4:00 p.m.; knowledgeable enough to be able to answer questions from people that come to the Depot regarding history and where things were; and would do this rent free and utilities paid; and other than that, not ask anything more, with this being RMA's offer.

The Mayor commented that he understands the reason Council Member Walker would want to save the Town money for this, but thinks that Council Member Walker may be a little premature as by not having enough facts in place to what can happen, etc., like CPR and their management as compared to RMA. He further stated that at this point, he would recommend looking at this in a committee and get some very definitive answers instead of throwing a blanket over it and saying just let it pass over to RMA.

Council Member Walker commented that he wanted to cut the funding, and that he doesn't care if CPR stays in the Depot, and he confirmed to the Mayor that what Mrs. Cundiff said has absolutely no bearing on the motion that he made, but to cease the

funding from the Town for CPR to run the Depot, and if CPR does not continue to run the Depot for no charge other than utilities, he has someone who will.

The Mayor stated that this would have to be looked at on a different level. The Mayor then confirmed the motion on the floor and what his recommendation was to Council regarding the matter.

- A substitute motion was made by Council Member Lester to study what Council Member Walker was saying, and that he would like to have a plan to the motion that Council Member Walker had made, further stating that the lack of a plan is a plan for failure. The Mayor halted any further discussion ensuing and asked for a second to the substitute motion on the floor by Council Member Lester. Let the record show that Council Member Seale seconded the substitute motion on the floor by Council Member Lester.

Council Member Walker questioned what details Council Member Lester needed, with Council Member Lester asking where Council Member Walker was going to make the cuts and how was he going to restructure the organization by cutting the funding. Council Member Walker then questioned what organization Council Member Lester was asking about, and that he was not talking about restructuring but talking

but talking about the Depot. Council Member Lester then stated that you have to restructure if you cut out the budget process, which involves people, and questioned again what Council Member Walker was going to cut, with Council Member Walker confirming that it was funding for the Community & Hospitality Center. Council Member Lester then questioned what part of the funding would be cut out, with Council Member Walker stating that it would be the management fees. Council Member Lester then questioned how much of the management fees would be cut, with Council Member Walker stating that the Town would be saving approximately \$15,000 to \$20,000 per year. Council Member Lester then asked if the County of Franklin had been contacted regarding this matter as the County of Franklin is involved in the funding process also. The Town Manger stated that the confirmed fees being proposed by Council Member Walker to be cut are the management fees paid solely by the Town, with the County of Franklin portion paying the Director's position.

Vice Mayor Dillon stated that basically the funding for CPR was set up in 1995 with the greatest intention that he guessing anyone could have with great expectation, and at that time, it was to be funded for three years, and after that, CPR was suppose to be self-sufficient. He further stated that now the funding is in the 13th year, ten extra years, with CPR not being self-sufficient in that way. He further stated that the most aggravating thing about this, and that he has to say this in open session, because through some of the members of CPR, it has become a political organization that takes great pride in trying to continue their funding by having as much say possible of the Council that is right here, and he has no other way to say it but that he thinks it is a very ill-conceived reason for having the group there if that is going to be their main purpose. He further stated that after ten years of funding and above the three years, it is time to look at other avenues and he thanks Mr. Gregg Walker for bringing it up.

Council Member Lester stated that he serves as a Council advisory member to CPR and he does not see their main objective as being to have anything to do with the membership of Council, with that not being their main objective. He further stated that they may have opinions just like Vice Mayor Dillon, himself, and the rest of Council, but it is not their main objective.

Vice Mayor Dillon stated that you don't use your mission within an organization to try to throw an election in order to maintain funding for your group either.

Council Member Seale questioned Vice Mayor Dillon if CPR took out an ad. Vice Mayor Dillon stated that while Council Members Seale and Lester were both at the last CPR meeting, he had hoped to attend, but that he had been called away. He further stated that if he had not been called away, he would have attended the meeting because a lot of times you don't get talked about if you are there.

Council Member Seale stated that CPR's meetings are public and open, and he doesn't understand why Vice Mayor Dillon was getting upset, with Vice Mayor Dillon

stating that he was not upset. Council Member Seale stated he was at the CPR meeting as he represents the Lion's Club and they are working with CPR on a music event. He further stated that if Vice Mayor Dillon has a problem with that, he cannot help that. He again stated that the meetings are open and public, and that anyone can come to them. He stated that he does not know why Vice Mayor Dillon has a concern with that. He further stated that he had asked a reasonable question, and that he had not seen any ad in the newspaper where CPR, as a Board, made an advertisement for anyone during the last Council election. He stated that as a citizen, every citizen has the right to endorse whomever they want. Vice Mayor Dillon stated that he doubts that they do, but as he had said earlier, when you use your influence within an organization to do that, it is wrong, whether it is one, two, three or more there.

The Mayor stated that everyone is entitled to their opinion. He further stated the he doesn't think it would be right to cut those funds without studying it a little further, but that he is just one person amongst seven.

Let the record show that Council Member Greer called for the question.

The Mayor stated that there was a motion on the floor, and that Council will entertain the substitute motion on the floor by Council Member Lester to set up a committee to study and get definite facts and numbers before going further.

Let the record show that a roll call vote was taken. Voting in favor of the substitute motion on the floor were Council Members Lester and Seale. Voting in opposition to the substitute motion on the floor were Vice Mayor Dillon and Council Members Greer, Strickler and Walker. Let the record show that the substitute motion failed four to two.

The Mayor entertained the first motion on the floor by Council Member Walker to cut the funding for management of the Community & Hospitality Center, making it effective October 1, 2008. The Mayor stated that he thought this was the wrong thing to do without further study.

Mrs. Barbara Chauncey with CPR asked from the floor if it would be appropriate to speak, with the Mayor stating no because there had already been public discussion earlier. Council Member Lester stated that he almost wishes that there could be a public hearing on this matter. The Mayor stated that this does not require a public hearing on what is before Council, but that it could come up later if someone on the prevailing side decides to bring it up.

Let the record show that a roll call vote was taken. Voting in favor of the motion on the floor were Vice Mayor Dillon and Council Members Greer, Strickler and Walker. Voting in opposition to the motion on the floor was Council Members Lester and Seale, with Council Member Lester stating "emphatically no". Let the record show that the motion on the floor passed four to two.

COMMITTEE REPORTS

Let the record show there were none.

RISE 'N SHINE APPEARANCES

The Town Manager informed everyone that Council Members Strickler and Walker appeared on the Rise 'N Shine today. He further stated that the Assistant Town Manager/Community Development Director will be on the next Rise 'N Shine show.

COUNCIL CONCERNS

Let the record show there were none.

CLOSED MEETING

At 10:15 p.m., motion was made by Council Member Seale to go into *Closed Meeting*, and seconded by Council Member Greer and carried unanimously 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 (Water/Wastewater Treatment Departments).
- 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 (uptown park property).
- Section 2.2-3711(A).7 - Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel

At 10:40 p.m., motion was made by Council Member Seale 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 Lester 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 Seale 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 Lester. The Mayor swore to adopt the motion on the floor by Council Member Seale 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 Posey W. Dillon, 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 10: 43 p.m., motion was made by Council Member Greer to adjourn, seconded by Council Member Lester and carried unanimously.

Steven C. Angle, Mayor

ATTEST:

Patricia H. Keatts/Town Clerk

/phk

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