

**ROCKY MOUNT TOWN COUNCIL
REGULAR COUNCIL MEETING
NOVEMBER 14, 2011**

The November 14, 2011 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 Gregory B. Walker and Council Members
Bobby M. Cundiff, Jerry W. Greer, Sr., P. Ann Love, Robert L.
Moyer, and Robert W. Strickler

The meeting was called to order by Mayor Angle.

For the record, the following were present: All members of Town Council as noted, Town Manager C. James Ervin, Assistant Town Manager/Community Development Director Matthew C. Hankins (and Planning & Zoning Administrator), Town Attorney John T. Boitnott, Assistant Chief of Police Roger Smith, Finance Director Linda Woody, Public Works Director Cecil R. Mason, Town Planner Patrick Rust, Superintendent of Water Department Robert Deitrich, Superintendent of Wastewater Department Timothy Burton, Fire Chief Charles Robertson, 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.

- Motion was made by Vice Mayor Walker to approve the agenda as presented, seconded by Council Member Moyer and carried unanimously by those present.

SPECIAL ITEMS

Let the record show there were no special items at this time.

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:

- October 10, 2011 Regular Rocky Mount Town Council Meeting
- October 18, 2011 Rocky Mount Town Council and Planning Commission Joint Work Session
- November 1, 2011 Rocky Mount Town Council Special Meeting and Work Session

The Mayor asked if there were any corrections, and there being none, the Mayor entertained a motion.

- Motion was made by Council Member Love to approve the draft Council meeting minutes as presented with motion on the floor being seconded by Council Member Strickler. 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
 - Request of West Piedmont Planning District for the Town of Rocky Mount Council's review and consideration of approval of draft "Town of Rocky Mount Resolution Adopting a Multi-Jurisdictional Hazard Mitigation Plan for West Piedmont Planning District Commission".
- Miscellaneous Action
- Departmental Monthly Report
- Bill List

There being no discussion, the Mayor entertained a motion.

- Motion was made by Council Member Moyer to approve the draft *Consent Agenda*, with motion on the floor being seconded by Vice Mayor Walker. 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 had contacted the Town Clerk's Office requesting to come before Council to speak.

At this time, the Mayor opened the floor to anyone wishing to come before Council. Let the record show that no one came forward.

OLD BUSINESS

A. Electronic Agendas

The Town Manager reported to Council that staff has tested the electronic agendas for three months, with him and the Town Attorney using the electronic version of the meeting agenda and packet exclusively during the past three Council meetings. The process has been developed from a staff work flow standpoint and is ready to roll out to members of Council that wish to be part of the early process. He further reported that staff proposes moving forward with electronic devices for those members of Council who are comfortable going to an electronic format. He also explained to Council that Virginia Western Community College has been contacted regarding a training event for the iPad and the agenda management process.

The Mayor stated that he, for one, has pushed for an electronic Council agenda, with this saving money from copying. He proposed that Council move forward with using the electronic agendas.

Council Member Strickler agreed also for Council to move forward with the electronic agendas.

The Town Manager stated that unless Council objects, he will get the rest of the equipment and set up the training.

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

- Motion was made by Council Member Strickler to go forward with the electronic agendas, with motion on the floor being seconded by Council Member Greer. Voting in favor of the motion on the floor were Vice Mayor Walker and Council Members Cundiff, Greer, Love and Strickler. Voting in opposition to the motion on the floor was Council Member Moyer. Let the record show that the motion on the floor passed five to one.

B. Update on "Mountain Spirit Festival" by Franklin County Parks & Recreation

Debra Weir, Tourism & Project Manager for Franklin County Parks & Recreation, came before Council with a summarization on their recent "Mountain Spirit Festival" that was held October 1st of this year. She stated that basically the event was successful and that they had great participation from the community. The only downside was the wind. She mentioned that next year's event is scheduled for September 29th, but that they may consider moving this date as it conflicts with the

wine festival. She also stated that she will come back before Council when the final date is decided so then can get Council's approval of the closure of streets needed to hold the festival. Also pointed out that next year, the event may be combined with an antique car show, and may incorporate a theme that honors the late Miss Joyce Tukloff, long-time employee with the Franklin County Library that recently passed away.

On another side note, Ms. Weir stated that in coordination with the Franklin County Historical Society, there will be a showing of "Gone with the Wind" at 10:30 a.m. at the Eagle Cinema this coming Saturday, along with re-enactors from that time period.

C. Virginia Rural Water Revolving Loan Funding for Wastewater Treatment Plant

At the request of Council during their July 11, 2011 regular Council meeting, Town staff was authorized to investigate funding from the Virginia Rural Water Revolving Loan Fund to replace a portion of the Town's ultraviolet treatment equipment at the Wastewater Treatment Plan.

The Town Manager reported that the fund has offered the Town a loan of \$278,600.00 (to include equipment and engineering costs) at an interest rate of 2.35%, and that the Department of Environmental Quality (DEQ) seeks confirmation that the Town wishes to pursue this financing opportunity in advance of committing the funds. He further reported that DEQ proposes to issue a General Obligation Bond through Virginia Resource Authority in a term suitable to the Town.

There was discussion between the Town Manager, Superintendent of the Wastewater Department, and Council regarding the proposed loan and length of the loan, and what the new parts for the ultraviolet treatment equipment would do.

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

- Motion was made by Council Member Cundiff that if the Town can get the loan for five years with a right of anticipation at 2.35 percent, the Town should go with it, with motion on the floor being seconded by Council Member Love. Discussion ensued. The right of anticipation was explained further to Council Member Greer. There being no further discussion, let the record show that the motion on the floor passed unanimously by those present.

D. Old Furnace Creek Bank Repair Proposal

The Town Manager reported to Council that the Town received proposals from three engineering firms relative to the repair of the Old Furnace Creek bank, with the firm that most clearly expressing a grasp on the project and the challenges of the project being Anderson and Associates. He further reported the following:

- Anderson and Associates have proposed using ArmoFlex in place of rock baskets (a fact sheet was presented to Council prior to the meeting regarding the ArmoFlex product).
- All firms interviewed reported that a retaining wall would be nearly a half million dollar project.
- The ArmoFlex project is estimated to be cheaper than the rock basket solution and result in a safer slope.

The Town Manager stated that based on the pending road realignment by Virginia Department of Transportation (VDOT), the Town will focus on its repair efforts on the side of the bank adjoining the Veterans' Memorial Park.

The Town Manager asked Council's approval to authorize him to enter into a contract for the work proposed and to proceed to bid with the project.

It was also brought to Council's attention by the Town Manager that if it is Council's pleasure to enter into the agreement, it is his intent to hold off of the work until VDOT can roll this into their pending road realignment. He further stated that he has discussed this matter with Virginia State Delegate Charles Poindexter. He also pointed out that on the Town side of this issue, the Town will have to do something, but he only recommends at this time to repair the Veterans' Memorial Park side of it. He also stated he will be proposing to VDOT their consideration of extending the culvert all the way down so there will be no Furnace Creek at Veterans' Memorial Park. The Mayor agreed that the bank does need to be stabilized.

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

- Motion was made by Council Member Strickler to proceed with the bank repair at Furnace Creek, with motion on the floor being seconded by Vice Mayor Walker. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

NEW BUSINESS

A. Franklin County Request for Matching Funds from 2011 Virginia Tourism Corporation's Marketing Leverage Program

Mr. Michael Burnett, Director of Franklin County Commerce & Leisure Services, came before Council requesting the Town to consider matching funds in order for Franklin County to apply for a \$8,500.00 grant from the 2011 Virginia Tourism Corporation's Marketing Leverage Program, and with the Town's approval, the Town will become a partner with Franklin County and the Blue Ridge Institute, with the three entities being eligible to submit an application for funds to market the areas as the eastern gateway to the Crooked Road, and to take advantage of the current Civil War 150th anniversary promotions. He further stated that the County is

planning on doing an application to the Virginia Tourism Corporation in the amount of \$8,500.00 to be matched on a two to one basis, with \$1,500.00 from the Blue Ridge Institute and \$10,000.00 from Franklin County, with this leaving a shortfall of \$5,500.00 needed to meet the grant requirements. He also stated that due to the proposal's direct benefit to the Town through marketing of the Crooked Road that begins in Rocky Mount, it is hoped that Council will be willing to cover the final \$5,500.00 needed for the project, and if approved, this partnership will have \$25,500.00 to invest in improving visitation to the area.

There was discussion between Mr. Burnette, the Town Manager and Council on what the Town has done in the past when sharing costs with the County, with it usually being 75% for the County and 25% for the Town. The Mayor reminded Council that the Town did ask the County to include them in the Crooked Road efforts, with the County doing this now, and that the Town needs to take that into consideration as well. Council Member Strickler commented that he believes promoting tourism is important.

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

- Motion was made by Council Member Strickler to support the County with the requested \$5,500.00 contribution from the Town. Let the record show that the motion died on the floor due to a lack of a second.

Another motion was proposed:

- Motion was made by Council Member Greer for the Town to contribute 25% of the allocation, which would be \$3,875.00, with motion on the floor being seconded by Council Member Love. Discussion ensued. Mr. Burnette confirmed to Council Member Strickler that the County will try to make up the difference in the requested contribution, or reduce the project to fit the funding. There being no further discussion, let the record show that the motion on the floor passed unanimously by those present.

B. Community Partnership for Revitalization Request Regarding Street Closure for Two Upcoming Events

Prior to the Council meeting, Council had received a letter from Ms. Whitney Harmon, Executive Director of Community Partnership for Revitalization (CPR), asking Council's permission for street closures for two of their upcoming events: (1) "Come Home to a Franklin County Christmas"; and (2) lighting of the Christmas tree and uptown lights celebration event, with the letter detailing the streets needing to be closed for each event. Ms. Caroline Johnson, representing CPR, came before Council to answer any questions they might have.

There being no discussion, the Mayor entertained a motion.

- Motion was made by Council Member Greer to approve the request, with motion on the floor being seconded by Council Member Love. Let the record show that the motion on the floor passed unanimously by those present.

C. Request of Tiffany Hudson

The Mayor went over the request of Tiffany Hudson, who had submitted a letter to Council prior to the meeting requesting that she be allowed to have her bridal party ride on a hay wagon pulled by a tractor from Franklin Heights Baptist Church to the reception at the YMCA Essig Center on Saturday, November 19, 2011, at 3:00 p.m. Miss Hudson confirmed that she has spoken with the Chief of Police regarding this and that he has had relayed to her that the Police Department had no problem with this request. It was confirmed by the Town Manager and Assistant Chief of Police that a marked Police Department unit would be following the bridal party to the Essig Center.

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

- Motion was made by Council Member Greer to approve the request, with motion on the floor being seconded by Vice Mayor Walker. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

D. Request of Town of Rocky Mount's Wastewater Treatment Plant Superintendent

The Town Manager presented prior to the meeting a request of the Town's Wastewater Treatment Plant Superintendent, being:

- The Wastewater Treatment Plant was built in 1994 and has provided the Town with excellent service, but age is starting to catch up with it. The amount of maintenance is steadily increasing and the regulations are more stringent and time demanding. The number of lift stations that the staff maintains has also grown from three to six since 1994. The Wastewater Treatment Plant is still operating with four classified operators. Three of these operators are eligible for retirement within the next seven years. It takes a minimum of six years to obtain a Class I Operator's license without an environmental degree, and four years with a degree.
- The past history of the Wastewater Treatment Plant has been excellent and saved the Town money and man hours through reduced monitoring and operating hours. Preventive maintenance and staying abreast of changing regulations has become very time demanding.
- This would be a good time and opportunity for the Town to join forces with Virginia Western Community College and provide an intern position to a person or persons that is currently enrolled in the Water/Wastewater Career Studies Certificate. This would provide additional help on an as needed basis to the

Wastewater Treatment Plant with no long term commitment, and provide valuable training to people who are interested in this field of work and needing the hours of training. This would be a great source to find good people to hire and replace retiring staff.

- Mr. George Scott, Director of Human Resources for Western Virginia Water Authority, states that this program has been a very positive experience. They have provided several internships and have hired nine people in the past two years that have completed this program. He also stated that Western Virginia Water Authority is facing an aging workforce and that this program has started a great pipeline for creating trained operators.
- Mrs. Leah Coffman, with Virginia Western Community College, has provided an information sheet (handed out to Council prior to the meeting) that explains the purpose, occupational objectives, and admission requirements for this Career Studies Certificate. She also had stated that since 2009, the program has had 22 students. 16 students have graduated with Career Studies Certificate and 13 are now employed with the water/wastewater industry.
- The excellent history of the Town's Wastewater Plant and its operations success make it a perfect fit for this educational program.
- The Wastewater Treatment Plant would like for Council's approval to offer an intern position to a Virginia Western Community College student that is enrolled in the Water and Wastewater Technology Career Studies Certificate program. This position would pay \$10.00 an hour, no benefits except on the job training, and a flexible schedule that would be set by the Superintendent of the Wastewater Treatment Plant. This would be a maximum annual cost of \$10,000.00 to the Town.

The Superintendent of the Wastewater Treatment Plant came before Council, stating the following:

- The Wastewater Treatment Plant staff is an aging workforce, with three of the four operators eligible for retirement within the next seven years.
- The Town's permits require a minimum of one Class I Operator to be on call and make all operational decisions at all times.
- It takes a minimum of two Class I Operators to operate safely within this regulation, and three Class I Operators are needed to be the most efficient.
- The time and experience that is required, combined with the difficulty of passing the exams, really makes obtaining a Class I license a very expensive and time consuming process.
- This Virginia Western Community College Program provides good early training to quality people that are interested in a career in water and waste water.
- The Town has an opportunity to become part of this program by offering an internship and training to possibly help grow some local talent that will help meet the Town's future operator needs.
- In return, the Town would receive some help in keeping up with its increasing daily workloads.
- Truly believes that this program would be beneficial to the Town now and in the future.

- Would like the Council's consent to offer an intern position to a Virginia Western Community College student that is enrolled in the Water and Wastewater Technology Career Studies Certificate Program.

The Town Manager stated that he has encouraged the Superintendent of the Wastewater Treatment Plant to look at his work force in the long term to determine his needs. He further stated that he believes what Virginia Western Community College is offering is a good fit for what is going on at the Town's Wastewater Treatment Plant. He also pointed out that ultimately, there is a price tag attached to it, and the Superintendent of the Wastewater Treatment Plant thinks a wage should be offered with the internship, with the Town being able to pick who the intern would be. It was also pointed out that the Town would not be picking up the educational portion of costs. The Superintendent of the Wastewater Treatment Plant pointed out that this class gives the students education to be able to sit for the Class IV operator's license.

The Mayor stated that he believes this is a good idea and a good training ground for those people needing the internship, and good for the Town if the Town needs to hire them.

Council Member Cundiff requested that this request be reviewed first by the Public Utilities Committee in order for them to have some discussion on the matter, and for the Town to handle this in December. He further mentioned that this request was kind of off the cuff, and he has some questions he would like to ask before he considers going along with the request.

Council Member Greer agreed with Council Member Cundiff.

The Mayor stated that the request seemed pretty forward to him, but it would be up to Council to decide on what they wanted to do.

Vice Mayor Walker asked what the difference of the certification between the Water Treatment Plant operator and a Wastewater Treatment Plant operator, with the Superintendent of the Wastewater Treatment Plant explaining the differences.

The Town Manager explained to Council Member Strickler that this may not be one single individual intern used but several that may move in and out of interning so the Superintendent of the Wastewater Treatment Plant can get to work with a variety of individuals.

The Superintendent of the Wastewater Treatment Plant stated that this program gives the Town the opportunity to work with several individuals and when the Town gets ready to hire, by having the interns, it gives the Town an idea who may be suited to work for the Town.

There was discussion on some small localities possibly not paying for the intern position, with the Superintendent of the Wastewater Treatment Plant stating that if the Town wants to be competitive, it is a good idea to pay since Western Virginia Water Authority gets quite a few of the interns because they do pay them. He further explained that by the Town paying for an intern position, it may give the Town an opportunity to draw an intern that lives near or in Franklin County, along with giving the Town a great opportunity to help someone that lives in Franklin County that possibly could become an operator for the Town. He also confirmed that Western Virginia Water Authority does pay the interns \$10.00 an hour. He also pointed out that the maximum \$10,000.00 that was derived at by him is because for the intern to sit for a Class IV, they have to first have 880 hours of training inside of a facility. He further explained that he based this on a year of them getting all of their training, which included them sitting in a classroom. He further pointed out that it costs the Town about \$1,500.00 a year to train a single operator to bring them up through the ranks, with this figure being bare minimum.

Vice Mayor Walker stated he likes the intern idea, but the Town cannot compete with Western Virginia Water Authority due to the Town's size. He further stated he would like to have some more information, such as what other communities or water systems along the Town's size do in these cases.

The Superintendent of the Wastewater Treatment Plant stated that Virginia Western Community College would like their interns in the facilities by January.

The Mayor asked the Town Manager to have the Public Utilities Committee look at this further and to make sure the Superintendent of the Wastewater Department was invited, with the Town Manager confirming he would be setting up a meeting with them as soon as possible.

E. Request of Department of Army Virginia National Guard

The Town Manager informed Council that the Department of Army Virginia National Guard is requesting approval to conduct a physical fitness test on November 18, 2011, with the event starting at the Veterans' Memorial Park and proceed to Old Fort Road, with them occupying the area from approximately 7:30 a.m. to 9:30 a.m. He further pointed out that the Department of Army Virginia National Guard has spoken with the Town's Police Department regarding the event and proposed route that they will take, with the Police Department having no problem with the request.

SFC Jody Martin with the Department of Army Virginia National Guard was present in the audience and confirmed to Council the route being proposed. He also mentioned the reason they chose this location is that they normally in years past have held the event at the Franklin County High School track, but due to another event planned by the school for that day, the National Guard chose the area at the Veterans' Memorial Park partly due to having their troops give respect to the veterans.

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

- Motion was made by Council Member Cundiff to approve the request of the Department of Army Virginia National Guard, with motion on the floor being seconded by Vice Mayor Walker. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

COMMITTEE REPORTS

A. Public Utilities Committee

The Town Manager informed Council that the Public Utilities Committee met on November 10, 2011 for a continuation of the their September 13, 2011 Committee meeting to consider changes to Section 58 of the Town Code that would institute a fire suppression system inspection program and a fee for a fire suppression connection to the Town's water system. He stated that it was the consensus of the Committee during the September 13th meeting to direct staff to survey other localities to determine what programs they had in place and what fees they charged to recover some of the costs that the Town incurs to make large connections available for fire suppression purposes. It was pointed out by the Town Manager that during the November 10th meeting, the Committee recommends that staff finalize the Code and bring back to Council during their regular December Council meeting.

Let the record show that no action was taken by Council at this time regarding this matter.

OTHER MATTERS, CONCERNS AND RISE 'N SHINE APPEARANCES

A. Proposed Billboard for U.S. 220

The Assistant Town Manager presented to Council a draft of what the proposed billboard for U.S. 220 that would welcome people to the Town would look like. He explained that the middle picture would be changed and in its place would be a picture of the glass blowing that takes place at The Granary. He also pointed out that a tag line would be added to "Make Your Memories in Rocky Mount!" about great shopping and dining so the Town can explicitly let people know what the Town has. Also the art work shows visually an "arrow" design pointed to the exit off of U.S. 220 into the Town, with this visual concept drawing people to the Town's businesses and restaurants. The Assistant Town Manager stated that absent any objections from Council, he will proceed with the proposed sign tomorrow, with it still having time to be prepared and put up in time when the contract starts. He confirmed that the funds have already been allocated and the art work was done locally.

It was the consensus of Council for the Assistant Town Manager to proceed with the proposed sign.

B. Remarks and Question from Council Member Cundiff

Council Member Cundiff (1) thanked Council for the floral arrangement that was sent due to the passing of his brother-in-law Ben Hunt, with the family thanking Council also; and (2) asked the Town Manager if the land swap between Mr. and Mrs. Hunt and the Town had been finalized. The Town Attorney stated that it should be completed by the end of November.

C. Referrals to Planning Commission from Town Council

Let the record show there were no referrals at this time.

D. Rise 'N Shine Appearances

The Town Manager confirmed that he was on the *Rise 'N Shine* show this morning.

COUNCIL CONCERNS

Let the record show there were no other Council concerns at this time other than what was previously stated by Council Member Cundiff.

CLOSED MEETING

At 7:55 p.m., motion was made by Council Member Moyer to go into *Closed Meeting*, and seconded by Council Member Greer 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 (for industrial use near Franklin County/Rocky Mount Industrial Park).
- 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. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable

basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter.

At 9:01 p.m., motion was made by Council Member Greer to come out of *Closed Meeting* and to reconvene the meeting back into open session, with motion on the floor being seconded by Council Member Love and carried unanimously by those present.

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 Strickler 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 considered in the meeting by the public body was discussed. Motion was seconded by Vice Mayor Walker. The Mayor swore to adopt the motion on the floor by Council Member Greer that this was all that was discussed as defined in Section 2.2-3712 Code of Virginia. Voting yes were Vice Mayor Gregory B. Walker and Council Members Bobby M. Cundiff, Jerry W. Greer, Sr., P. Ann Love, Robert L. Moyer, and Robert W. Strickler.

The Mayor reported that no action was taken.

ADJOURNMENT

At 9:05 p.m., motion was made by Council Member Love to adjourn, seconded by Council Member Moyer and carried unanimously by those present.



Steven C. Angle, Mayor

ATTEST:



Patricia H. Keatts, Town Clerk