

**ROCKY MOUNT TOWN COUNCIL
REGULAR MEETING MINUTES
APRIL 9, 2018**

The April 9, 2018 Regular Council Meeting of the Rocky Mount Town Council (hereafter referred to as "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:

- Mayor Steven C. Angle
- Vice Mayor Gregory B. Walker
- Bobby M. Cundiff
- Robert L. Moyer
- Mark H. Newbill
- Jon W. Snead
- Billie W. Stockton

The following staff members were also present:

- Dallas Bailey, Interim Water Plant Superintendent
- John Boitnott, Town Attorney
- Tim Burton, Waste Water Superintendent
- Ken Criner, Chief of Police
- Rebecca H. Dillon, Executive Administrative Assistant
- C. James Ervin, Town Manager
- Matthew Hankins, Assistant Town Manager
- Jeff Rakes, Fire Chief
- Brian Schofield, Public Works Superintendent
- Linda P. Woody, Finance Director

The meeting was called to order by Mayor Steven C. Angle.

PLEDGE OF ALLEGIANCE

Mayor Angle led in saying the Pledge of Allegiance.

APPROVAL OF AGENDA

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

Motion: To approve the agenda

Motion By: Council Member Snead

Second: Vice Mayor Walker

Motion Discussion: None

Ayes: Cundiff, Moyer, Newbill, Snead, Stockton, Walker

Nays: None

Action: Approved the agenda by a unanimous vote

SPECIAL ITEMS

None at this time

PUBLIC HEARING

Verizon Cellular Tower Leases

Mr. Hankins stated that Verizon had requested to attach to the Town owned water tank on Scuffling Hill and the Town owned tower at the former tank hill water site. This was a secondary attachment in each location.

Mr. Hankins stated that town staff spent six months negotiating attachment agreements. The agreements presented to Council, allow for a monthly rent of \$2,800 per site and a term of five years, with four additional extensions of five years. The agreements were reviewed as to form by the Town Attorney.

Mr. Hankins stated that staff recommended accepting the agreements as submitted to Council and a public hearing on the leasing of public property was scheduled as required by law.

Mr. Ed Given, with GD Insights, at 5 Chimney Hill, Charleston, West Virginia, stated that he was in attendance if anyone had any questions or comments.

Motion: To approve the Verizon Cell Tower leases

Motion By: Council Member Moyer

Second: Council Member Stockton

Motion Discussion: The Town Attorney requested for the motion to be amended to include the Town Manager to be given the authorization to sign the lease documents. The motion was amended per the Mayor; agreed to by Council Member Moyer and again seconded by Council Member Stockton.

Ayes: Cundiff, Moyer, Newbill, Snead, Stockton, Walker

Nays: None

Action: Approved the amended motion by a unanimous vote.

APPROVAL OF MINUTES

Received by Council in their packet for this scheduled meeting were draft minutes for review and consideration of approval:

- March 12, 2018 – Regular Meeting Minutes

Discussion: None

Motion: To approve the draft minutes

Motion By: Vice Mayor Walker

Second: Council Member Snead

Motion Discussion: None

Ayes: Cundiff, Moyer, Newbill, Snead, Stockton, Walker

Nays: None

Action: Approved the motion by a unanimous vote

APPROVAL OF CONSENT AGENDA

This month's consent agenda consists of the following items:

- (1) **Miscellaneous Action** (none at this time)
- (2) **Miscellaneous Resolutions/Proclamations** (none at this time)
- (3) **Department Monthly Reports**
 - Community Development Department
 - Finance Department
 - Fire Department
 - Police Department
 - Public Works Department
 - Wastewater Department
 - Water Department

Discussion: None

Motion: To approve the consent agenda as presented

Motion By: Council Member Stockton

Second: Vice Mayor Walker

Motion Discussion: None

Ayes: Cundiff, Moyer, Newbill, Snead, Stockton, Walker

Nays: None

Action: Approved the consent agenda as presented by a unanimous vote

HEARING OF CITIZENS

Mayor Angle opened the floor to any citizens wishing to speak.

For the record, no one came forward.

OLD BUSINESS:

1. Harvester Performance Center Financial Report

Mr. Hankins stated that at the request of Council Member Cundiff, Mr. Andy Turner was in attendance to respond to questions and concerns regarding the Harvester 2017 summary to Council. The summary was given to Council at their regular meeting on March 12, 2018.

Mr. Turner began by asking if anyone of the Council members had any questions.

Council Member Cundiff asked how could someone indicate they are making a profit when the person is being subsidized in the amount of \$354,682 and the expenses far outweigh the income?

Mr. Turner responded that he wasn't sure he understood the question. Mr. Turner stated that the accountant starts with ticket sales and reports the expenses as they relate to the show.

Mr. Turner then asked if Council Member Cundiff could be more specific in the question he was asking. Mr. Turner asked in what regard was Council Member Cundiff speaking regarding the subsidy?

Council Member Cundiff stated that a subsidy of \$354,682 of tax payer money was being added to the Harvester and by the Council in the budget. Then a profit was shown. Council Member Cundiff asked Mr. Turner to explain.

Mr. Turner then asked if the question was how to show a profit based on payroll numbers and utilities; then Mr. Turner stated that he would have to reverse the question to Council Member Cundiff as to why the Harvester expenses are being shown as being underwritten by the Town, if it is not?

Mr. Turner stated that it was money in the budget that was allocated for certain items. The Mayor and Mr. Turner discussed that the Harvester is set up like any other building that the Town owns.

Council Member Moyer asked if he himself started a business, and someone supplemented him \$350,000 to pay the salaries of the employees, Council Member Moyer stated he could make a profit quickly as well.

Mr. Turner did not disagree with Council Member Moyer however, the report presentation of the Harvester Performance Center is the way Council had directed Mr. Turner to present the financials of the center. Mr. Turner further stated that the numbers were presented from the beginning the same way and the implication that the books were being cooked was not satisfactory.

Council Member Cundiff stated that he didn't believe he had said that.

Mr. Turner said it was the implication that was being given to the Town. Mr. Turner explained that he had spent the last month answering questions if the books were accurate or not accurate.

Council Member Cundiff stated that it was not implied from himself, that Mr. Turner was cooking the books.

Mr. Ervin stated that the Town had decided to operate the Harvester as an economic development tool and that the Town had agreed to on an annual basis, cover certain fixed expenses. The Harvester is financially accountable for its show by show revenue. Mr. Ervin stated that there were two Council members that preferred not to do the subsidy. However, Mr. Ervin also stated that it was still the policy of the Council as a whole, to govern our financial affairs with the Harvester building expenses covered by the Town.

Council Member Moyer stated that he was not trying to give Mr. Turner a difficult time. Council Member Moyer simply stated that he was bothered by the fact that the Town stated it is making money on the Harvester, when in fact, it is not. Council Member Moyer stated that the Town should be honest with the tax payers and citizens.

Vice Mayor Walker stated that the comments by Council Member Cundiff and Council Member Moyer were not meant to question Mr. Turner's integrity. Vice Mayor Walker further stated that he was sure that Mr. Turner's numbers were accurate.

Mr. Turner stated that he did not take offense from Council but that something was conveyed to the community in regard of the reputation that he had worked for 22 years as a professional and an accountant to gain. Mr. Turner stated that he was honest, accurate and of integrity.

Vice Mayor Walker asked when would the study by Virginia Tech be completed and made available. Mr. Ervin stated that it should be completed and available at the next regular Council meeting in May.

2. VDOT Funding Agreement

Mrs. Heckman stated that the resolution that was provided to Council in their packet would authorize the Town Manager to execute the agreements as needed for Town and VDOT joint projects. The resolution also commits the Town to fund its local share of preliminary engineering, right of way, and construction (as applicable) of the project(s) (the Angle Bridge repair project) in accordance with the project agreement(s) financial documents with VDOT. The Town's preliminary engineering suggests approximately \$750,000. Mrs. Heckman recommended for Council to approve the VDOT resolution for the Town Manager to execute agreement(s) with VDOT and to approve local funding commitment(s) as required in VDOT funding agreements.

The Mayor asked if the work was bid out, when would the work be started. Mrs. Heckman replied in the spring of 2019.

Discussion: None

Motion: To approve the VDOT resolution for the Town Manager to execute agreements with VDOT and to approve local funding commitments as required in VDOT funding agreements.

Motion By: Vice Mayor Walker

Second: Council Member Moyer

Motion Discussion: None

Ayes: Cundiff, Moyer, Newbill, Snead, Stockton, Walker

Nays: None

Action: Approved the motion by a unanimous vote

NEW BUSINESS

1. North Main Street Rock Facing

Mr. Ervin stated at the last regular Council meeting, staff was ask to prepare an estimated cost for installing a rock facing on the concrete wall on North Main Street next to Woodlawn Baptist Church. Mr. Ervin stated that staff estimated approximately \$14,000 to complete the facing. Mr. Ervin further stated that there were available funds in the general fund contingency account to cover the rock wall expense and recommended that Council approve the supplemental appropriation for \$14,000 that would be released from the general fund contingency.

Discussion: None

Motion: To approve the supplementation appropriation for \$14,000 coming from the general fund contingency.

Motion By: Vice Mayor Walker

Second: Council Member Snead

Motion Discussion: None

Ayes: Cundiff, Moyer, Newbill, Snead, Stockton, Walker

Nays: None

Action: Approved the motion by a unanimous vote

2. Christian Heritage Academy Heritage Classic 5K

Mr. Ervin stated that the Heritage Classic 5K was to be held on Saturday, May 5, 2018 with the course set the same as in previous years. The event will begin at 8:00 a.m. and will conclude around an hour later at Christian Heritage Academy. Mr. Eric Miller with Christian Heritage Academy has been in touch with the Rocky Mount Police Department and they have reviewed and approved the event.

Discussion: None

Motion: To approve the Heritage Classic 5K

Motion By: Council Member Newbill

Second: Council Member Moyer

Motion Discussion: None

Ayes: Cundiff, Moyer, Newbill, Snead, Stockton, Walker

Nays: None

Action: Approved the motion by a unanimous vote

3. Southwest Virginia Antique Farm Days Parade

Mr. Jonathan Custer of 516 Deyerle Knob Road in Rocky Mount, VA, spoke regarding the Southwest Virginia Antique Farm Days kick-off parade to be held in town on Sunday, June 10, 2018. The parade would start at 3:00 p.m., beginning at Lowe's and proceed with the same route as in previous years. Mr. Jonathan Custer, who is the Tractor Parade Coordinator, has been in touch with the Rocky Mount Police Department and they have reviewed and approved the event.

Discussion: None

Motion: To approve the Southwest Virginia Antique Farm Days parade

Motion By: Council Member Newbill

Second: Council Member Snead

Motion Discussion: None

Ayes: Cundiff, Moyer, Newbill, Snead, Stockton, Walker

Nays: None

Action: Approved the motion by a unanimous vote

4. USDA Vehicle(s)

Mr. Ervin stated that the Police Department and the Finance Director had been working together to receive two new police vehicles for the Police Department. The United States Department of Agriculture (USDA) offered the Town of Rocky Mount a grant of \$25,000 towards the purchase of two new police vehicles. The purchase price of two vehicles would be \$59,000 resulting in a Town cost of \$34,000. Staff asked that Council authorize the purchase of the vehicles, effectively helping our FY2019 budget by:

- Approving the USDA grant form
- Approving the attached Code of Conduct relative to the award of funds from USDA
- Approving the appropriation resolution that appropriates the USDA grant funds and fund balance towards the purchase of two police vehicles.
- Approve the grant application, Code of Conduct and Appropriation resolution

Discussion: None

Motion: Approve the USDA grant for two new police vehicles

Motion By: Council Member Moyer

Second: Council Member Snead

Motion Discussion: The Town Attorney requested for the motion to be amended to include the Town Manager to be given the authorization to sign the grant documents. The motion was amended per the Mayor; agreed to by Council Member Moyer and again seconded by Council Member Snead.

Ayes: Cundiff, Moyer, Newbill, Snead, Stockton, Walker

Nays: None

Action: Approved the motion by a unanimous vote

5. Animal Shelter

Mr. Hankins stated that Franklin County had been working with the Town Planning staff and county architects for approximately 10 months to determine whether a M1 zoned location on State Street would be an appropriate location for a new county animal shelter. The proposed use would be a use by right in M1 industrial, and the county would be making a \$2 million public investment in the North Main Street corridor that is consistent with the Town's comprehensive plan. The facility is expected to be a significant water user. The shelter will have a central location away from the landfill with easy access for animal control officers and for those seeking to adopt. The county has exercised its option to purchase the property.

County Facilities Director Mike Thurman was in attendance and gave a presentation on the proposed animal shelter. Mr. Thurman also responded to questions and concerns some of which are listed below.

- The Mayor asked if there was a reason for the particular parcel that the County intended to build on. Mr. Thurman replied that the Franklin County animal shelter was over 40 years old and that the parcel itself would be approximately a 1 acre parcel with the proposed facility being a 5,700 square foot building with everything all on one level.
- The Mayor asked about noise. Mr. Thurman stated that all cats and dogs would be kept inside as Franklin County plans to have an outside exercise yard to use during the daytime and the building would be insulated to cut down on noise. Ms. Cindy Brooks from the Franklin County Animal Shelter was present and stated that there were sound barriers that could be put up in the ceiling or the shelter could use ceiling tiles to eliminate that problem.
- The Mayor asked if the shelter would be a no kill shelter. Ms. Brooks stated that the shelter would be a no kill shelter and additionally stated that Franklin County would not be allowed by the state of Virginia, to turn away any animals. Ms. Brooks stated that the number of animals that the shelter took in per year were approximately 1,000 animals.

- Council Member Cundiff asked how often did the sewer drain fields have to be pumped. Ms. Brooks stated that presently, there are two tanks and the lines are flushed every other month except for large feces or solids which are placed in the trash. When asked if the animal shelter was willing to pay for the water, Mr. Ervin stated that the shelter would pay the current rate.
- Council Member Stockton asked from start to finish, what would be the time line for building? Mr. Thurman stated it would likely be fall of the year before construction would begin.
- The Mayor asked if sound control would be included in the original building. Mr. Thurman stated that the building would accommodate such to be added on however, the Mayor stated he preferred that such measures be included in the building from the start.
- Council Member Snead asked what the maximum capacity of runs for the dogs would be. Mr. Thurman answered that there were 26 quoted runs in the preliminary plans.
- Vice Mayor Walker asked about the odor at the shelter. Mr. Thurman stated that there would be very little odor because all animals would be kept inside.
- Council Member Newbill inquired if there was another kennel that the County based its plans from, that Council could visit and take note of. Mr. Thurman stated that there was a kennel in Bath County that Council could visit to get a better idea of the proposed shelter.
- The current facility is not handicapped accessible and does not have a “sally port” (which is an enclosure). The proposed facility would have a garage area that could be backed into to unload, which would greatly diminish the chance of a dog getting loose in the shelter.

Council Member Moyer stated that Franklin County and the Town are in need of a much better animal shelter than what Franklin County and the Town currently have. Council Member Moyer stated that there was no better location than State Street if the Town could control the noise and if the property would allow for expansion, if needed in the future.

No action was required at this time.

6. Presentation of Budget FY19

Mr. Ervin shared staff's proposed budget for FY2019 for the period starting July 1, 2018 running to June 30, 2019. Mr. Ervin began by recognizing the Town's Finance Director for a great job. Mr. Ervin stated that sorting out what was essential from what is needed or desirable and working to establish a fit with the best needs of the Town going forward, was challenging and stressful.

Mr. Ervin stated that the primary governmental project for FY19 was new software for the Town's core functions (accounts payable, payroll, utility billing and collections, tax billing and collections etc.). The software suite used by the Town's Finance Department was over 23 years old and was running on an AS400 system that was difficult and costly to support. It would be called a "Legacy" system. The Finance Director and Town Manager spent the past decade evaluating ways to migrate off of the legacy system. The budget includes \$460,000 to purchase and convert to a new finance software system. The Town has not been able to fund the project in the past decade due first to the recession then to the need to address core unfunded projects in other areas. Part of the funding for the project would come from a transfer from Fund Balance, but the transfer would likely be less than an estimated FY2018 cash carry forward of \$400,000.

Mr. Ervin stated that for FY19, there was a utility project which was the proposed complete replacement of the Town's water meters. The Town's plan to replace all meters by doing 20 to 50 a year, was not keeping up with meter failure and additionally the technology purchased over a decade ago to implement, is now being phased out (the Town's touch read system). \$990,000 was budgeted for new water meters system wide (residential and small commercial). Other utilities, that the Town was in the process of having removed are the meters and technology that the Town was still struggling to implement and the Town finds itself with a portion of our system using a now outdated reading technology. The technology was funded through a Revenue bond with a proposed ten year term so that future utility customers assist in paying for this long-lived upgrade.

Another item of note in the budget would be the significant cost in giving staff a cost of living allowance in addition to the usual merit increase that they can earn if their performance warrants it. The Town did not include COLAs in most of the Town's budgets over the past decade and the Town's pay and classification system is getting more and more out of date due to the Town not including it. Twelve years ago the Town was in a similar position and had to perform a complete review of its pay scale as inflation had eaten away at the Town's competitive position in hiring new employees. Where the Town would typically have over 40 applicants for a Public Works position, the Town recently had only seven. The way to avoid costly pay plan updates and to remain competitive would be to periodically adjust the plan for inflation. In the last decade (2008 and beyond) there has been an estimated 16% of total inflation and the Town has only addressed this with COLA'S totaling 6%. Mr. Ervin stated that if the Town does not manage the gap between inflation and pay plan maintenance; then the Town will eventually have to add another wholesale restricting of its pay and classification system.

There were also some staffing changes proposed. A new position was proposed in Public Works to dedicate time to our landscapes and to work on improving our welcoming appearance. Also, three part time grounds workers were proposed to increase the Town's productivity during the growing season and keep the Town's streets, parks and grounds, looking their best. One part time employee at the Harvester Performance Center was also proposed to be moved to full time.

Though the Town was focusing on two very large projects, the Town still had a few significant utility projects proposed. The projects included lining the sewer line on Hillcrest and rebuilding the flocculators at the water treatment plant. Together these projects will cost nearly \$300,000.

No action was required at this time.

7. Review and Consideration of Paving Agreement

Mr. Hankins stated that staff had sought bids on street paving for an estimated 3,362 tons of asphalt overlay. Patterson Brothers Paving has submitted a bid of \$97.67 per ton with milling and cleanup charged separately.

Mr. Hankins stated that the Town was seeking a paving partner that could be renewed for up to four additional years so that paving could be managed better and be more efficiently handled. Patterson Brothers has been a great paving partner in the past and we are excited to be able to work with them for the next five years.

A list of proposed streets for paving had been presented to Council, but the list was only a preliminary document as the general paving contract proposed would allow the town to add or change streets based on needs and observed field conditions.

Mr. Hankins stated that staff requested Council authorize the issuance of a general paving contract to Patterson Brothers Paving at the price of \$97.67 a ton with optional renewals for four additional years, with pricing scaled per the standard index published by VDOT.

Discussion: None

Motion: Authorize the issuance of a general paving contract to Patterson Brothers Paving.

Motion By: Council Member Newbill

Second: Council Member Snead

Motion Discussion: None

Ayes: Cundiff, Moyer, Newbill, Snead, Stockton, Walker

Nays: None

Action: Approved the motion by a unanimous vote

COMMITTEE REPORTS

Public Utilities Committee Meeting Report from March 19, 2018.

Mr. Ervin stated that the Public Utilities Committee met on March 19, 2018 to consider ways to reduce the number of cutoffs associated with the Town's water and sewer utility.

With recent staffing changes, the Town has had a much more "by the book" approach to utility cutoffs and the Town has been finding without the multiple calls and requests for payment, there are many that regularly get their water cutoff. The Town Finance Department has been averaging about 50 cutoffs a month since September of 2017. The Committee members felt that the nearly three days of staff time that this represented, was significant and that steps should be taken to encourage people to pay their utility bill prior to being cutoff.

The Committee recommended the following changes to our utility billing practices to help encourage customers to pay without cutoff:

- That the reconnect fee be changed by adding a third tier of \$100, resulting in a reconnect fee of \$25 for your first cutoff, \$50 for your second and \$100 for your third (within a 12 month period)
- That after a third cutoff in a 12 month period a \$100 deposit be required for in-town customers and \$150 be required for out of town customers
- That the language in our standard rules that commits to a same day cut-on if the outstanding balance is paid by 2:30 p.m. be removed and in its place a statement be added that the "Town will strive for a resumption of service within 48 hours"

Discussion: None

Motion: Approve the committee's recommendation

Motion By: Council Member Cundiff

Second: Council Member Stockton

Motion Discussion: None

Ayes: Cundiff, Moyer, Newbill, Snead, Stockton, Walker

Nays: None

Action: Approved the motion by a unanimous vote

Council Member Moyer asked if the changes in utility billing would be advertised so the public would be aware of what the Town's plans were.

Mr. Ervin stated that the Public Utilities Committee suggested sending a letter in with the utilities billing to all of the Town's current customers. Mr. Ervin stated that if Council wanted to proceed with an advertised change he would be glad to do so. Mr. Ervin stated that he would work with Ms. Woody to make those changes and begin them July 1, 2018.

The Mayor stated he would like to see the utility changes in the utility billing monthly. Council Member Moyer then stated he would like to see the changes in the newspaper as well. Also, included in the letter would be the Town's garbage collection rules.

REFERRALS TO PLANNING

None at this time

OTHER MATTERS AND CONCERNS

Mr. Hankins was on Rise n' Shine.

CLOSED MEETING AND ACTION

None at this time

ADJOURNMENT

Motion: To adjourn meeting

Time: 8:10 p.m.

Motion By: Council Member Stockton

Second: Vice Mayor Walker

Motion Discussion: None

Ayes: Cundiff, Moyer, Newbill, Snead, Stockton, Walker

Nays: None

Action: Adjourned by a unanimous vote

Steven C. Angle, Mayor

ATTEST:

Rebecca H. Dillon, Town Clerk