

**ROCKY MOUNT TOWN COUNCIL
REGULAR MEETING MINUTES
JANUARY 13, 2020**

The January 13, 2020 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 Billie W. Stockton
- Bobby M. Cundiff
- Robert L. Moyer
- Mark H. Newbill
- Jon W. Snead
- Gregory B. Walker

The following staff members were also present:

- Allan Arrington, Lt. of Investigations
- John T. Boitnott, Town Attorney
- Ken Criner, Chief of Police
- Rebecca H. Dillon, Town Clerk/Executive Administrative Assistant
- C. James Ervin, Town Manager
- Ed "Jeff" Gauldin, Water Superintendent
- Matthew Hankins, Assistant Town Manager
- Mark Lovern, Lt. of Patrol
- 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: Vice Mayor Stockton

Second: Council Member Moyer

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

None at this time

APPROVAL OF MINUTES

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

- December 9, 2019 – Regular Meeting Minutes

Discussion: None

Motion: To approve the draft minutes.

Motion By: Vice Mayor Stockton

Second: Council Member Newbill

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**

1. Consideration of Approval for Authorization of a Waiver for Utility Refund
2. Revision of Town Meeting dates for 2020

(2) **Miscellaneous Resolutions/Proclamations**

(3) **Department Monthly Reports**

- Community Development Department

- Finance Department
- Fire Department
- Police Department
- Public Works Department
- Wastewater Department
- Water Department

Council Member Cundiff expressed an interest in removing item #1 Consideration of Approval for Authorization of a Waiver for Utility Refund from the Consent Agenda. Mr. Ervin explained that Council had the option of removing the item or approving the Consent Agenda as it was presented.

Discussion: None

Motion: To remove item #1 Consideration of Approval for Authorization of a Waiver for Utility Refund from the consent agenda as presented.

Motion By: Council Member Cundiff

Second: Council Member Walker

Motion Discussion: None

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

Nays: None

Action: Approved the removal of the item from the Consent Agenda by a unanimous vote.

Discussion: None

Motion: To approve the remainder of the consent agenda as presented.

Motion By: Vice Mayor Stockton

Second: Council Member Walker

Motion Discussion: None

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

Nays: None

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

HEARING OF CITIZENS

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

No one came forward.

OLD BUSINESS:

1. Review and Consideration of Supplemental Water Meter Budget

Although nearly completed, the water meter replacement project was reportedly likely to fall short on funds. There were three reasons why.

- The number of meters estimated exceeded the number that did not have “setters” which require the entire meter, meter box and the service connection to be dug up and replaced.
- The price of copper went up considerably since the project estimates were given.
- Meters that were larger, were considered better and would more accurately measure large flow customers.

The estimated additional amount needed to complete the project was \$130,000.

Council Member Cundiff expressed objection to the item being on the Council agenda as the item was not referred to the Finance Committee for review and consideration first. Mayor Angle suggested the item be referred to the Finance Committee since Council had just been made aware of the need for more funding to complete the project however, Mr. Schofield then made Council aware that the project had to be completed by May 1, 2020, for the Finance Director's software update as the Finance Department will begin the new utilities update with Munis at that time. Due to Mr. Schofield indicating that the Town would be depleted of monetary funds to complete the project in a week to two weeks, the decision was made by Mr. Ervin to return to Council to ask for additional funding for the completion of the project as there were not sufficient funds to do so given the amount of funds previously borrowed for the project. Mr. Ervin voiced that he did not wish to borrow anymore funds than he had to as there are many regulations to a municipality borrowing funds as well as how to handle the balance of the funds borrowed but not used.

Discussion: None

Motion: To recommend sending the item to the Public Utilities Committee for review and consideration of the appropriation of funds. The committee would be empowered to authorize the field work to continue on the project pending the supplemental appropriation work by Council.

Motion By: Vice Mayor Stockton

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. Chug for the Jug 5K Race

The 2020 Chug for the Jug 5K race was requested to be held on Saturday, April 11, 2020 (rain or shine) starting at 8:00 a.m. The Rocky Mount Police Department met with the events new coordinator, Ms. Karen Dillon, and reviewed all plans regarding the event course. The plans have been approved by Lt. Lovern at the police department.

Discussion: None

Motion: To approve the Chug for the Jug 5K Race.

Motion By: Council Member Snead

Second: Vice Mayor Stockton

Motion Discussion: None

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

Nays: None

Action: Approved the motion by a unanimous vote.

2. Eagle Strut Race 2020

Mr. Ervin presented the Eagle Strut 2020 race to Council. The course for 2020 will be the same as in previous years and will begin at 8:00 a.m. at the Franklin County High School parking lot. The organizer, Ms. Jennifer A. Bennett, met with the Rocky Mount Police Department who reviewed and approved the plans for the race.

Discussion: None

Motion: To approve the Eagle Strut Race 2020.

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. Review and Consideration of Agenda Management Software

For years, the Town of Rocky Mount was using an “in-house” method of producing and delivering electronic agendas to Council for their meetings. This method was said to have worked well for all that used it through the years until in more recent times, the hardware began breaking down, making it challenging to use when it is needed most.

Mr. Ervin stated that an RFP was developed, vendors interviewed and based on demonstrations, the town has selected eScribe to purchase software from and start migrating to. The migration to the newly selected software will cost \$9,000 as well as an estimated \$8,000 for a technology refresh which would include new iPads for Council as well as new equipment for use by staff.

Mr. Ervin recommended initiating the conversion using General Fund and Utility Fund Contingency (70/30 split) so that the training and use of the new equipment could begin. Mr. Ervin shared with Council that as an alternative, staff could include the conversion in a budget proposal and begin the migration in the August or September although Mr. Ervin suggested beginning the project now as the existing hardware that was being used was no longer supported and staff were encountering more and more equipment failures as time goes on such as the iAnnotate program that had stopped working with the pdf software and the iPads were at best barely functional at this time as many are not able to bring up meeting agendas without crashing.

Discussion: None

Motion: To approve moving forward into the conversion of new Agenda Management Software.

Motion By: Council Member Walker

Second: Council Member Snead

Motion Discussion: None

Ayes: Moyer, Newbill, Snead, Stockton, Walker

Nays: Cundiff

Action: Approved the motion on the vote of 5-1 in favor of the conversion to new Agenda Management Software.

4. Review and Consideration of Supplemental Appropriation Resolution for Water Plant Equipment Expenses Related to the Western Virginia Water Authority Connection

Mr. Ervin requested contingency funds to cover expenses that staff incurred during the Western Virginia Water Authority interconnection project. There were costs incurred during the site connection between the water connection and the Water Plant computer control systems and the Water Plant laboratory. Mr. Ervin stated that the named expenses were not included in the project that was financed by the Western Virginia Water Authority. The amount that was being asked for was \$15,000 from contingency.

Discussion: None

Motion: To approve the appropriation of \$15,000 dollars from contingency to the Water Plant capital fund.

Motion By: Council Member Snead

Second: Vice Mayor Stockton

Motion Discussion: None

Ayes: Moyer, Newbill, Snead, Stockton, Walker

Nays: Cundiff

Action: Approved the motion on the vote of 5-1 in favor of appropriating the funds from the contingency fund to the Water Plant capital fund.

COMMITTEE REPORTS

None at this time

REFERRALS TO PLANNING

None at this time

OTHER MATTERS AND CONCERNS

Mr. Ervin was on Rise n' Shine.

No other matters were discussed at this time.

CLOSED MEETING AND ACTION

Enter Closed Meeting

Motion: To go into closed session under the Virginia Code Section cited below.

Time: 7:46 p.m.

Virginia Code Section:

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. (EDA)

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. (Town Towing Policy)

Motion By: Vice Mayor Stockton

Second: Council Member Walker

Motion Discussion: None

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

Nays: None

Action: To go into a closed meeting

Certificate of Closed Meeting Discussion:

Council certified unanimously that nothing was discussed in the closed meeting other than what was stated in the motion to enter the closed meeting. No action was taken during the closed meeting.

Whereas, the Rocky Mount Town Council has convened a closed meeting on Monday, March 14, 2016 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 (1950), as amended, 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

Mr. Ervin reviewed the facts surrounding the overcharge of the utility customer. Council decided to take the following action with Staff.

Motion: To refund the customer's overcharge after an audit was completed by the Town Manager's office.

Motion By: Council Member Newbill

Second: Vice Mayor Stockton

Motion Discussion: None

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

Nays: None

Action: Approved the motion by a unanimous vote.

ADJOURNMENT

Motion: To adjourn meeting

Time: 8:50 p.m.

Motion By: Council Member Newbill

Second: Council Member 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