

**ROCKY MOUNT TOWN COUNCIL
REGULAR MEETING MINUTES**

**April 13, 2020
7:00 p.m.**

The following members of Council were present: Mayor Steven C. Angle
Vice Mayor Billie W. Stockton
Council Member Bobby M. Cundiff
Council Member Robert L. Moyer
Council Member Mark H. Newbill
Council Member Jon W. Snead
Council Member Gregory B. Walker

The following staff members were also present: John T. Boitnott, Town Attorney
Rebecca H. Dillon, Town Clerk/Executive Administrative Assistant
C. James Ervin, Town Manager

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, with Mayor Steven C. Angle presiding.

1. Roll Call

The Town Clerk called each member of the Rocky Mount Town Council by name to account that each one was present.

2. Pledge of Allegiance

Mayor Angle led everyone in saying the Pledge of Allegiance.

3. Approval of Agenda

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

The agenda was amended with one additional item being added to New Business which was a request from the Rocky Mount Rotary Club regarding the Rotary Independence Day Festival and two items were added under Closed Meeting which were 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 and 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.(Town Manager's Office)

Motion By: Vice Mayor Stockton
Second: Council Member Walker
Motion: To approve the amended agenda
Discussion: None
Approved

4. Special Items

4.1 Declaration of a Local Emergency

Town Manger Ervin began by explaining to Council what a Declaration of Emergency was under Virginia State Code Section 44-146.21. The declaration was being put into place by way of allowing Mayor Angle to declare a State of Emergency to make amendments to the Town's rules and processes regarding meetings, procurement, and service delivery. The Declaration of Emergency was signed by Mayor Angle on March 9, 2020 at the regular Council meeting thus the declaration required the Council to approve it once signed. Even with the Declaration of Emergency, Town Attorney Boitnott stated that any emergency plans or emergency actions would still have to be approved by Council.

Council Member Moyer did not believe that it was really necessary to pass such a declaration stating that only 10 people could be in the meeting room during a meeting and each person had to remain 6 feet apart during the time of the meeting.

Town Manager Ervin further explained that the declaration could have bearing on any FEMA funding in the future and if Council were to want to resend it at some point, it could be rescinded.

Motion By: Council Member Walker
Second: Vice Mayor Stockton
Motion: To approve the Emergency Declaration
Discussion: None
Approved

5. Public Hearing

5.1 Proposed Real Property Tax Increase for FY2021

Mayor declared a recess to hold the public hearing.

Town Manager Ervin presented to Council the current tax rate of .13 per 100. As Franklin County held a reassessment and in doing so, it changed the net value of the Town's flat

real estate rate. The State Code of Virginia requires that if the net value is 1% of variance, then a public hearing must be held. Whether the Town real estate tax rate is increased or decreased, as the Town goes into the budget season and a public hearing is held, if Council would like to keep the Town tax rate flat as it was advertised as, then the requirement of state code will have been met.

The Town did not receive any comments from the public prior to the public hearing.

No action was needed at this time.

5.2 Special Use Permit Requested by Carolyn Johnson

A public hearing was held as Mrs. Carolyn Johnson had applied for a Special Use Permit in order to place a manufactured home on Pendleton Street that was zoned R-2 residential. The only written comment the Town Clerk has received prior to the Council meeting was written by Laura Adkins. Town code allows manufactured homes on residential and agricultural zoned properties only. The application was advertised in the Franklin News Post as required by law.

The Planning Commission considered the application and made a recommendation for approval of the special use permit with a (4-0) vote.

Town Attorney Boitnott explained the BOCA home which is a manufactured home that would come to the property site as a double- wide or a 28 feet x 76 feet. It would be 2 units that would be put together.

Mayor Angle took the meeting out of recess in order to allow a vote.

Motion By: Council Member Snead

Second: Council Member Cundiff

Motion: To Approve the request for a special use permit.

Discussion: None

Ayes: (6): Vice Mayor Stockton, Council Member Cundiff, Council Member Moyer, Council Member Newbill, Council Member Snead, and Council Member Walker

Approved (6 to 0)

6. Approval of Draft Minutes

6.1 March 9, 2020 – Regular Meeting Minutes

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

Motion By: Council Member Walker

Second: Vice Mayor Stockton

Motion to approve the March 9, 2020 Regular Council Meeting Minutes with the correction made on page 6 in the minutes regarding EMT services in Rocky Mount during the hours of 8 p.m. and 8 a.m.

Ayes: (6): Vice Mayor Stockton, Council Member Cundiff, Council Member Moyer, Council Member Newbill, Council Member Snead, and Council Member Walker
Approved (6 to 0)

6.2 March 16, 2020 - Special Called Meeting Minutes

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

Motion By: Council Member Walker

Second: Vice Mayor Stockton

Motion Discussion: None

Ayes: (6): Vice Mayor Stockton, Council Member Cundiff, Council Member Moyer, Council Member Newbill, Council Member Snead, and Council Member Walker
Approved (6 to 0)

6.3 April 6, 2020 - Special Called Meeting Minutes

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

Motion By: Council Member Walker

Second: Vice Mayor Stockton

Motion Discussion: None

Ayes: (6): Vice Mayor Stockton, Council Member Cundiff, Council Member Moyer, Council Member Newbill, Council Member Snead, and Council Member Walker
Approved (6 to 0)

7. Approval of Consent Agenda

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

- 7.1 Miscellaneous Action (none at this time)
- 7.2 Miscellaneous Resolutions/Proclamations (none at this time)
- 7.3 Departmental Monthly Reports
 - 7.3.1 Community Development Department
 - 7.3.2 Finance Department
 - 7.3.3 Fire Department
 - 7.3.4 Police Department
 - 7.3.5 Public Works Department
 - 7.3.6 Wastewater Department

7.3.7 Water Department

Motion By: Council Member Snead

Second: Council Member Newbill

Motion Discussion: None

**Ayes: (6): Vice Mayor Stockton, Council Member Cundiff, Council Member Moyer, Council Member Newbill, Council Member Snead, and Council Member Walker
Approved (6 to 0)**

8. Hearing of Citizens

Mayor Angle asked the Clerk if anyone had contacted the Clerk's Office prior to the meeting with comments or questions. The Clerk's Office did not receive any.

9. Old Business (none at this time)

10. New Business

10.1 Resolution of Economic Relief During COVID-19 Pandemic

Town Manager Ervin presented the resolution to Council as a continuation of the Declaration of Local Emergency. The Resolution of Economic Relief During the COVID-19 Pandemic represents Council's ratification of the Declaration of Emergency. Staff submitted to Council suggestions for actions that Council could ratify and approve as to how the Town staff might make a response such as asking Council not to impose transient occupancy tax and meals tax penalties and interest on a late filing or a late payment through June of 2020. The time frame may be extended as Council sees fit so long as reports for those taxes are filed timely. Also, the Town of Rocky Mount directs the Finance Director not to impose late payments of penalties or begin a disconnection for service to utilities customers through June of 2020. This time frame may be extended also as Council sees fit.

Motion By: Council Member Newbill

Second: Council Member Moyer

Motion Discussion: None

**Ayes: (6): Vice Mayor Stockton, Council Member Cundiff, Council Member Moyer, Council Member Newbill, Council Member Snead, and Council Member Walker
Approved (6 to 0)**

10.2 Emergency Continuity of Government Resolution

The Emergency Continuity of Government Resolution is an extension of the Declaration of Emergency. The resolution states the process by which the meetings occur presently which is electronically. The resolution also states how the Town could hold an electronic only meeting without a quorum present.

The document spells out how to conduct that meeting and the process that is used during that meeting as well as rules and procedures. It is an ordinance that intends to carry forward for 60 days but can be extended out for as long as six months. This resolution gives Council the ability to postpone public hearings and can be rescinded at any time by the vote of Council.

Motion By: Vice Mayor Stockton

Second: Council Member Moyer

Motion Discussion: None

Ayes: (6): Vice Mayor Stockton, Council Member Cundiff, Council Member Moyer, Council Member Newbill, Council Member Snead, and Council Member Walker

Approved (6 to 0)

10.3 Rotary Club Annual Independence Day Festival

The Rotary Club that organizes and holds the Annual Independence Day Festival at the Franklin County High School stadium had ask the Town and Franklin County to both contribute additional funds for this year's festival. Due to the COVID-19 outbreak which has shut many businesses down and dramatically lessened the customers of others, the Rotary Club did not feel that they could follow tradition and ask area businesses to monetarily support them this year. The Rotary Club asked the Town to contribute an additional \$7,500 above the usual amount given to the Club from the Town which was usually \$2,500. Town Manager Ervin stated that he had spoken with the County and the County had in principle agreed to match whatever monetary help the Town agreed to give the Rotary Club.

Motion By: Council Member Walker

Second: Council Member Snead

Motion Discussion: None

Ayes: (6): Vice Mayor Stockton, Council Member Cundiff, Council Member Moyer, Council Member Newbill, Council Member Snead, and Council Member Walker

Approved (6 to 0)

11. Committee Reports (none at this time)

12. Other Matters, Concerns and Rise 'N Shine Appearances

Mr. Hankins was scheduled to be on Rise 'N Shine but due to the bad weather in our area, the show was cancelled.

13. Closed Meeting and Action

Mayor Angle read aloud sections.

13.1 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.

13.2 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. (Town Manager's Office)

Enter Closed Meeting

Motion: To go into closed session under the Virginia Code Section cited below.
Time: 7:48 p.m.

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

14. Adjournment

Moved: Council Member Moyer
Seconded: Council Member Walker
Motion Discussion: None
Result: Adjourned
Time of Adjournment: 8:20 p.m.

Steven C. Angle, Mayor

Attest:

Rebecca H. Dillon, Town Clerk