

**ROCKY MOUNT TOWN COUNCIL
REGULAR MEETING MINUTES**

**January 11, 2021
7:00 p.m.**

The following members of Council were present:

Mayor Steven C. Angle
Council Member Billie W. Stockton
Council Member Bobby M. Cundiff
Council Member Robert L. Moyer
Council Member Mark H. Newbill
Vice Mayor Jon W. Snead
Council Member J. Tyler Lee

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
Elizabeth "Beth" Simms Campos, Economic Dev. Cultural Placemaking

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 in saying the Pledge of Allegiance.

Mayor Angle addressed viewers of the meeting, reminding them that due to Governor Northam's order regarding COVID-19, the Rocky Mount Town Council and the state of Virginia were still under a limit of 10 people to attend meetings.

3. Approval of Agenda

The agenda was amended to table item number 10.3 under New Business due to clarification being needed. Also, the first item under Closed Meeting and Action entitled Section 2.2-3711(A).1 in regard of an appointment to Planning Commission was tabled as doing so would give staff more time to appropriate names to possibly appoint.

Motion: To approve

Motion By: Council Member Lee

Seconded: Billie Wayne Stockton

Motion Discussion: None

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

Approved (6 to 0)

4. Special Items (none at this time)

5. Public Hearing

5.1 Special Use Permit for Lucky Dog Auction Company

Due to meeting COVID-19 rules, Town Manager Ervin presented the public hearing.

Lucky Dog Auction Company applied for a special use permit in an effort to relocate their online auction business to 770 Cornell Road, Rocky Mount, VA. Council was sent information regarding the special use permit application in their packet prior to the meeting. The application was duly advertised as was the public hearing for the scheduled regular meeting of the Rocky Mount Town Council. The Planning Commission held a public hearing to hear the request on January 5, 2021 in which the motion passed unanimously.

Approval of the special use permit was within the parameters of the Comprehensive Plan and staff recommended approval of the permit.

In granting the special use permit, Council was advised to set the parking that would be required. The Town Planner recommended warehouse parking in the staff report given to Council which would be one parking space per 400 square feet that would result in approximately seven spaces. There were also plans for a proposed addition of a 7,200 square foot storage facility which may give the online

business 25 more spaces. The special use permit without conditions would stay with the property and would not be transferrable.

Motion: Council Member Stockton made a motion to approve the Lucky Dog Auction Company at 770 Cornell Road, Rocky Mount, VA with the conditions of 1 parking space for every 400 square feet of storage space.

Motion By: Council Member Stockton

Seconded: Council Member Newbill

Motion Discussion: None

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

Approved (6 to 0)

6. **Approval of Draft Minutes**

6.1 December 14, 2020 – Regular Meeting Minutes

Motion: To approve

Motion By: Council Member Newbill

Seconded: Billie Wayne Stockton

Motion Discussion: None

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

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: To approve

Motion By: Council Member Newbill

Seconded: Billie Wayne Stockton

Motion Discussion: None

Ayes: Council Member Cundiff, Council Member Lee, Council Member Moyer, Council Member Newbill, Vice Mayor Snead, Council Member Stockton

Approved by a unanimous vote

8. Hearing of Citizens

Mayor Angle reminded the public that the Town was under restrictions by the Governor to have no more than 10 people in the room for the Council meeting therefore, Town Clerk Dillon was accepting email correspondence from citizens that wished to have their comments entered into the record since the meeting was a closed meeting. Comments submitted must include the name and the address of the submitter to be made part of the record.

Mayor Angle thanked the public for all of their comments.

Below is a written record of the comments received.

Ms. Bernitta Jackson, 8461 Landry Road, Beaumont, TX 77713. Ms. Jackson's comment was that everyone has the right to their political views but operating as a public official; no one should know your political views until you vote.

Ms. Kathy Bethke, 106 Pintail Lane, Henry, VA 24102. The question was asked why the comments emailed in from Mr. Dan Bethke on December 14, 2020 were not made part of the record. When the email was sent, Town Clerk Dillon did not receive an address with the comment. Town Clerk Dillon replied asking for the address to make the comments

part of the record but never received a reply, thus the comments did not become part of the record.

Ms. Judy Dameron, P.O. Box 755, Riner, VA. It was expressed that the two officers that are on leave for attending the rally in D.C., was ridiculous and stated that the officers needed to be reinstated.

Mr. Bryan Hochstein, 2403 Goldfield Ct, Greensboro, NC. The comments emailed were a recommendation of delaying the hiring of a new Town Manager for the Town for at least 6 months to better understand what the Town Manager does as opposed to the Assistant Town Manager and to better understand if both positions are needed. Mr. Hochstein stated that he was well versed in several areas of government sector hiring and government Human Resources. Mr. Hochstein relayed in the email that a strong Human Resource Manager would be helpful to address some of the deficiencies the Town has experienced as well as to recommend some organizational structure that would improve the overall performance and morale of the Town's workforce.

Ms. K. Madison Williams, 180 Taliaferro Street, Rocky Mount, VA. The citizen emailed about being upset to learn of Mr. T.J. Robertson and Mr. J. Fracker's participation in the event that occurred at the U.S. Capital on January 6, 2021 and shared there was a difference in the two officers only being in attendance at the rally versus posting pictures of themselves standing inside the U.S. Capital making inflammatory comments. The commenter shared that within the officer's job descriptions and employment contracts should be expectations that as officers of the law, each of them are to be held to high standards of ethical behavior and lawful conduct while on and off duty and neither displayed that.

Ms. Katie Wise, 721 Peters Pike Road, Wirtz, VA. The commenter was shocked to learn that 2 local officers participated in the violent riots at the U.S. Capital and shared the officers could not be trusted to enforce the law because both appeared to be proud of breaking it and expressed each should face consequences for their actions.

Ms. Enrique Escobar, 1404 Tripple Creek Road, Rocky Mount, VA. The citizen shared how shocked they were to learn of the officer's actions who were supposed to be representing the Town of Rocky Mount with a legal and moral responsibility to enforce the law inside of and outside of uniform. Ms. Escobar expressed that neither officer should be allowed to keep their job as an officer of the law.

Mr. Terry McGuire, 339 King George Ave., SW, Roanoke, VA. The commenter shared there had been damage to the community, the citizens and to the businesses in Rocky Mount and that the town should go forward to show how unacceptable the officer's behavior was by terminating both officers.

Mr. Henry Turnage, 1315 Calico Rock Road, Rocky Mount, VA. Mr. Turnage respectfully requested that Mr. Thomas Robertson and Mr. Jacob Fracker be fired from the Rocky Mount Police Department immediately without benefits or compensation as the officers had engaged in domestic terrorism by unlawfully entering the U.S. Capital and posting to

Facebook obscene gestures and comments regarding taking over the government which are not individuals upholding the oaths of duty and honor that was taken by the officers.

Mr. Gregory Maxwell, 2551 Ashpone Tavern Road, Rocky Mount, VA. Mr. Maxwell wished to convey his disappointment in the two officers, Mr. T.J. Robertson and Mr. Jacob Fracker as by each of the officers participating in such an event, called into question the officers ethics and the higher standard in which each of the officers should have conducted themselves which did not display the values and ideals of Rocky Mount, Franklin County or the United States of America.

Mr. Eddie Seay, 4556 Henry Road, Henry, VA. Mr. Seay's email conveyed that the two policemen, Mr. T.J. Robertson and Mr. Jacob Fracker should be held accountable for their actions displayed at the U.S. Capital on January 6, 2021 and conveyed both officer's should be immediately terminated as well as the two officials of the Town that Mr. Seay shared was complicit in the behaviors of the officers which were the Town Manager and the Police Chief.

Ms. Ruth Cook, 345 Glenwood Drive, Rocky Mount, VA. The citizen shared that the policemen who invaded the U.S. Capital "must be fired" as the officer's actions were treason against the U.S. government.

9. **Old Business**

9.1 Review and Consideration for Supplemental Appropriations Resolution for Water Treatment Plant Generator

The water plant did not have a generator. The water plant was on APCO's first list to be reinstated with electricity, should the power go off, but Town Manager Ervin shared that the water plant should have a generator. The generator proposed was a 350-kilowatt generator that would handle the whole plant and would be able to make water should anything go wrong, and the plant have no power. The generator would be able to run the plant for 24 hours and water could be made even if AEP was down. The lifespan of the generator if exercised properly and kept up properly, would likely be 20-30 years.

Motion: To approve the resolution as presented

Motion By: Vice Mayor Snead

Seconded: Council Member Lee

Motion Discussion: None

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

Approved by a unanimous vote

10. New Business

10.1 COVID-19 Leave Refresh

Previously, two weeks of COVID-19 leave had been given when someone needed to be out to quarantine from COVID sickness or to quarantine from a COVID exposure. Town Manager Ervin asked if Council wished to refill the bank as some employees were out of bank having used the bank for some employees more than one time was necessary where there was one-on-one contact. The leave issued would be based at the discretion of the Department Head paid for by the CARES Act funds. There were some CARES Act funds left from the previous stimulus and if the federal government sends out a future stimulus, Town Manager Ervin stated that part of those funds would be set aside to replenish the COVID-19 leave funding.

Motion: To extend the COVID-19 leave of 7 days for a 6-month period of time (June 30, 2021) at which time the Town would possibly look at the leave again especially with the vaccine being made available in the coming months.

Motion By: Council Member Lee

Seconded: Council Member Newbill

Motion Discussion: None

Ayes: Council Member Cundiff, Council Member Lee, Council Member Moyer, Council Member Newbill, Vice Mayor Snead, and Council Member Stockton

Approved by a unanimous vote

10.2 Budget Calendar for FY2022

Town Manager Ervin shared with Council for Finance Director Woody regarding the FY2022 Budget & Capital Improvement Plan Schedule. The schedule included Budget Work Session #1 and #2 both of which would be in April and a 3rd date was also given in case the date was needed. The dates were April 13, 2021, April 15, 2021 and April 19, 2021. The budget calendar had a budget adoption date of May 10, 2021 at the Town Council Regular Meeting. The times and dates would be moveable if needed.

Motion: To approve

Motion By: Council Member Stockton

Seconded By: Council Member Cundiff

Motion Discussion: None

Ayes: Council Member Cundiff, Council Member Lee, Council Member Moyer, Council Member Newbill, Vice Mayor Snead, Council Member Stockton

Approved by a unanimous vote

10.3 Review and Consideration for Sign Ordinance

This item was taken off the agenda when the agenda was amended.

10.4 Review and Consideration for Eagle Strut Race 2021

The Eagle Strut 2021 was set for September 11, 2021 beginning at 8:00 a.m. with the course the same as in previous years. The organizer, Ms. Jennifer A. Bennett met with the police department and the police department approved the plans for the race.

Motion: To approve

Motion By: Council Member Newbill

Seconded By: Council Member Stockton

Motion Discussion: None

Ayes: Council Member Cundiff, Council Member Lee, Council Member Moyer, Council Member Newbill, Vice Mayor Snead, Council Member Stockton

Approved by a unanimous vote

11. **Committee Reports**

11.1 Finance and Human Services Committee Meeting January 5, 2021

The recommendation was given by the Finance & Human Services Committee to move forward with the purchase of the bucket truck and that the truck did not merit debt. Council wished to purchase a new bucket truck as a direct expense.

Chairman of the committee, Vice Mayor Snead stated that the Town should save 1 month of rental fee by ordering the bucket truck the next business day which would be Tuesday, January 12, 2021.

First Item Discussed from The Committee Meeting:

Motion: To authorize the purchase of a new bucket truck.

Motion By: Vice Mayor Snead

Seconded By: Council Member Newbill

Motion Discussion: None

Ayes: Council Member Cundiff, Council Member Lee, Council Member Newbill, Vice Mayor Snead, Council Member Stockton

Nays: Council Member Moyer
Council Member Moyer voted no because there were no plans to see what the old truck would have cost to get it repaired.

Approved by a vote of 5 – 1 in favor of the purchase.

Second Item Discussed from The Committee Meeting:

Motion: To approve the request

Motion By: Vice Mayor Snead

Seconded By: Council Member Newbill

Ayes: Council Member Cundiff, Council Member Lee, Council Member Moyer, Council Member Newbill, Vice Mayor Snead, Council Member Stockton

Approved by a unanimous vote

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

There were no concerns at this time.

13. Closed Meeting and Action

Mayor Angle read aloud the section.

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. (Town Manager's Office)

Motion By: Vice Mayor Snead

Seconded By: Council Member Stockton

Motion Discussion: None

**Ayes: Council Member Cundiff, Council Member Lee, Council Member Moyer,
Council Member Newbill, Vice Mayor Snead, Council Member Stockton**

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, January 11, 2021 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**

Motion: To adjourn

Time: 8:40 p.m.

Motion By: Council Member Newbill

Seconded By: Council Member Lee

Motion Discussion: None

Ayes: Council Member Cundiff, Council Member Lee, Council Member Moyer,
Council Member Newbill, Vice Mayor Snead, Council Member Stockton

Approved by a unanimous vote

Action: Meeting was adjourned

Steven C. Angle, Mayor

ATTEST:

Rebecca H. Dillon, Town Clerk

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