

**ROCKY MOUNT TOWN COUNCIL
REGULAR COUNCIL MEETING
DECEMBER 9, 2013**

The December 9, 2013 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 Billie W. Stockton

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, Chief of Police David Cundiff, Finance Director Linda Woody, 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. For the record, Public Works Director Cecil Mason was absent.

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 action taken:

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

SPECIAL ITEMS

Let the record show that the Mayor presented a resolution and “Key to the Town” honoring Junior Sisk for contributions to American arts and cultures. The resolution was read into the record.

Mr. Sisk stated that he was truly honored in receiving the resolution and key, thanking his family, friends, fans and Franklin County, as he calls Franklin County home.

PUBLIC HEARING

Let the record show 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:

- November 12, 2013 Regular Council Meeting
- November 18, 2013 Special Work Session Meeting
- November 21, 2013 Special Meeting

The Mayor asked if there were any changes to the draft minutes, and there being none, the Mayor entertained a motion.

Motion action taken:

Motion was made by Council Member Greer to approve the draft minutes as presented, with motion on the floor being seconded by Council Member Stockton. There being no comments, 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
 - Review and consideration of approval of draft "Certificate of Adoption Resolution by the Rocky Mount Town Council" in relation to the Town of Rocky Mount's Flexible Spending Accounts (FSA).
- Miscellaneous Action
- Departmental Monthly Report
 - Community Development
 - Finance Department
 - Fire Department
 - Police Department
 - Public Works Department
 - Waste Water Department
 - Water Department
- Bill List

At the request of Council, the Town Manager further explained how the Town's Flexible Spending Accounts (FSA) has changed the rules that now allow an employee to be able to carryover \$500 a year, and with the Town's approval of the requested FSA certificate of adoption of resolution, this would allow the Town to participate, with the resolution being required to be adopted prior to the Town being able to do so.

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

Motion action taken:

Motion was made by Vice Mayor Walker to approve the draft *Consent Agenda* as presented, seconded by Council Member Moyer. 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 wishing to come before Council to speak.

Let the record further show that the Mayor opened the floor to anyone wishing to come forward to speak before Council at this time.

- Mr. James (Jim) Currie, CEO of the Franklin County YMCA, stated he was coming forward to address Council at the request of the Mayor in order to introduce himself, being new in the position as CEO of Franklin County YMCA. He encouraged all of Council and the Mayor to come and visit the YMCA again, with them probably finding out that over the next few months there will be the institution of new events. He stated that he is excited about the new organization of the YMCA

Let the record show that no one else came forward to speak at this time.

OLD BUSINESS

- A. Update by Superintendent of Water Plant regarding water accountability measures at the Rocky Mount Water Treatment Plant.

The Superintendent of the Rocky Mount Water Treatment Plant came forward stating that in order to assure that the accuracy of the Town's inter-plant metering is as accurate as possible, staff has hired one of the Town's engineering consultant partners to do a thorough accounting of all the water uses and losses within the Water Plant. By February 2014 Council meeting, staff should have something more concrete to share with Council.

No action needed at this time.

- B. Review and consideration of scheduling a Rocky Mount Town Council work session to discuss the Town's health insurance; specifically, Council members participation in the Town's health insurance program.

The Town Manager informed Council of the following:

- For the current plan year, members of Town Council have been classified as full-time employees for the calculation of the Town's contribution towards their participation in the Town's health insurance program. Council has indicated that this policy should be altered or reviewed prior to next year's renewals.

- This plan year will end on June 30, 2014 and definitive direction needs to be given to staff for the upcoming plan year. Staff asks that a Council work session be schedule for Council's consideration of this issue and make a recommendation in January as to the following:
 - Administrative code of Virginia requires that Council be treated as employees for the purpose of medical insurance.
 - The Town has two classes of employees as it relates to insurance benefits, full-time and part-time.
 - The Town currently allows part-time employees to buy health insurance through the Town.
 - Administrative Code of Virginia requires that if part-time employees are allowed to participate, the Town must contribute at least 50% of the amount contributed towards a full-time employee's health insurance plan. The Town meets this requirement.
- For the Fiscal Year 2015 plan year commencing July 1, 2014, Council must classify themselves as either full-time or part-time, and determine if part-time employees of the Town will continue to have access to the Town's health insurance plan.

The Mayor stated that he believes it is a good idea for Council to sit down and discuss this during a Council work session.

The Town Clerk was asked by the Mayor to poll all Council members to see what day would be good for the work session to take place after Christmas, with it needing to be scheduled prior to the next regularly scheduled Council meeting. The Town Clerk so noted.

No action needed at this time.

NEW BUSINESS

- A. Review and consideration of request of Free Clinic of Franklin County regarding waiver of water/sewer connection fee for their new facility.

The Town Manager reported that Alise Culbertson, Executive Director of Free Clinic of Franklin County, had submitted a request for Council's review and consideration of waiver of the \$3,000 water/sewer meter connection fee for a 1" line to their new facility located at the Franklin Plaza (Schewel's Shopping Center), address known as 1171 Franklin Street in Rocky Mount.

There was brief discussion regarding the capital recovery fee of \$24 a month, which was verified by the Town's Finance Director.

The Town Manager stated to Council that he has no objection of waiving the fee as Town Manager as Council has done this in the past; also, the Town is a financial partner with the Free Clinic.

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

Motion action taken:

Motion was made by Council Member Greer to approve the request for the waiver of the fees as presented, seconded by Council Member Cundiff. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

- B. Review and consideration of approval of draft "Town of Rocky Mount Supplemental Appropriation Resolution for the Fiscal Year Ending June 30, 2014" in relation to the installation of a faster internet bandwidth needed for the Rocky Mount Police Department software upgrade and for the new SCADA system to be installed at the Rocky Mount's Water Treatment Plant and Wastewater Treatment Plant.

The Town Manager informed Council that this request goes hand-in-hand with another request that will be made by the Rocky Mount Police Department Chief of Police regarding software requirement upgrade in relation to the Franklin County Sheriff's Office and e911 center. He further pointed out the following:

- To support this upgrade, the department will require a faster data connection to the e911 center.
- Additionally, the Water Treatment Plant and Wastewater Treatment Plant will benefit from faster data transfer now that they are implementing a SCADA system.
- To accomplish this, a quote has been obtained from Shentel to provide the Town internet service at a faster rate than the existing DSL connection through CenturyLink.
- This faster access comes at an increased cost. Annually, the move from DSL to cable internet access will cost an additional \$8,200. Shentel will also require a one time build-out fee of \$10,000 to construct the facilities needed to connect the Water and Wastewater plants. The long-term plan is to invest in fiber connections between the Town's facilities to reduce this cost and improve service, but that will be a General Fund Capital Improvement Project (CIP) in future years.

The Town Manager stated that staff asks Council to appropriate additional funds from the General Fund Contingency to make this change in data service providers. Prior to the meeting, Council had received a draft "Town of Rocky Mount Supplemental Appropriation Resolution for the Fiscal Year Ending June 30, 2014" that related to this request.

The Chief of Police came forward basically reiterating what the Town Manager had stated regarding the Sheriff's Office and e911 Center going to a new software (Southern Software), and in order to make that work, the Town has to go to the high speed fiber. Stated further that the new system should be up and running by the Sheriff's Office in March 2014.

The Town Manager further stated that this is a stop-gap solution for the departments and further explained where the funds (\$10,000 coming out of contingency funds) will be payable to, which is Shentel, and in the long run, the Town will be looking at a larger fee to do fiber work for all Town facilities.

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

Motion action taken:

Motion was made by Council Member Greer to approve the request to appropriate additional funds from the General Fund Contingency to make this change in data service providers, seconded by Council Member Moyer. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

C. Review and consideration of entering into purchase contract for software and approval of draft "Town of Rocky Mount Supplemental Appropriation Resolution for the Fiscal Year Ending June 30, 2014" in relation to the software purchase for Rocky Mount Police Department.

The Town Manager referenced what the Chief of Police had just alluded to regarding the need to change the Police Department's software dealing with the use of Records Management (RMS) and Computer Aided Dispatch (CAD) in order to be compatible with the Franklin County Sheriff's Office e911 system. Due to this, this leaves the Town having to have a big item to fund that is not in this fiscal year budget. The Town Manager pointed out the following:

- Franklin County's e911 center and the Sheriff's Office have made a mid-year off-budget change in the software they use for RMS and CAD.
- The Town's Police Department has long been a data partner with the RMS and CAD, and by virtue of that partnership, has always been required to operate the same software for RMS and CAD. The County's change forces the Town to make an equal off-budget mid-year software investment.
- Submitted for Council's review and consideration is a contract with Southern Software, Inc. for the purchase of the Town's share of the required software and licenses to operate the same product as the e911 center and the Sheriff's Office.
- The total investment required is \$47,055. If Council wishes to change the software used at the Town's Police Department as requested by the Town's Chief of Police, there are the following funding options available:
 - o Take the funds out of Fund Balance. If this is the method Council wishes to use, an appropriation resolution is submitted for Council's consideration.
 - o Finance the purchase. If Council wishes to make the purchase, but not take the funds out of Fund Balance, a short-term financing instrument can be arranged from one of the Town's state investment partners to make the purchase over five years, taking the funds that would be set aside for Police Department Capital projects.
- The Chief of Police indicates that this change is essential, given that they share a common dispatch and jail services with these other agencies.

The Chief of Police confirmed to Council that the company that this contract would replace, the Town currently pays them \$5,800 fee each year; plus another \$2,700 to another company for the use of the software; therefore, once the Town enters into this new contract agreement, those funds that were spent on these other companies will go back into the Fund Balance. He also stated that the current equipment was purchased in 1996 and it does not give out correct information, such as wrong addresses, wrong driver's license information, and from time-to-time, goes down during the weekends. The Chief of Police also confirmed that the Town's Police Department was consulted by the Sheriff's Office. He also confirmed that this is not a budgeted expense.

The Finance Director confirmed to Council that if they decide to finance the expense for the purchase and annual maintenance fees for the software at \$15,246.79 per year, it would result in a total cost of \$76,233.95; versus entering into the contract for the purchase of the compatible records management and computer aided dispatch software for a total of \$47,055.

The Town Manager stated that staff requests that Council authorize him to enter into submitted contract to guide staff as to financing preference, either approving a resolution to use Fund Balance, or authorizing Finance personnel to obtain financing.

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

Motion action taken:

Motion was made by Vice Mayor Walker to approve paying for the entire contract straight up in the amount of \$47,055.00, seconded by Council Member Love. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

D. Review and consideration of request of Franklin County YMCA to conduct a fundraising event.

Jennifer G. DeForest of 450 Laurel Run Drive, Callaway, Virginia, came before Council stating that efforts are underway for the Franklin County YMCA to host their first ever RESOLVE 5k/10k event on January 25, 2014, with both races beginning at 9 a.m., beginning at the YMCA. The proposed route is still not finalized, but the Chief of Police confirmed that the Police Department will make sure that the proposed route is okay.

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

Motion action taken:

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

E. Review and consideration of request of Town of Rocky Mount Wastewater Treatment Plant for an intern for 2014 through the Virginia Western Community College wastewater training program.

The Superintendent of the Wastewater Treatment Plant came before Council requesting approval to make available in 2014 an intern position for a person that is participating in the wastewater training program at Virginia Western Community College. He stated that Council authorized such an item in 2013 and stated that any future extension of an intern program would need to be considered by Council. Discussed that the funds for this position are already placed in the current budget and are not to exceed \$10,000. The Superintendent of the Wastewater Treatment Plant stated that one of the major benefits of having an intern is providing coverage at the plant during vacations, sick leave and during periods of heavy workloads, and that the intern receives valuable training.

The Wastewater Treatment Plant Superintendent requested Council's consideration to allow the hiring of an intern for the Wastewater Treatment Plant in 2014 that is participating in the Virginia Western Community College wastewater training program, and that they be hired under the same conditions of employment as in 2013.

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

Motion action taken:

Motion was made by Council Member Love to approve the request to hire an intern through the Virginia Western Community College wastewater training program for the Town's Wastewater Treatment Plant as presented, seconded by Council Member Greer. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

F. Review and consideration of Town of Rocky Mount holidays for Christmas and New Year's.

The Town Manager informed Council that the Governor of Virginia has announced that in addition to December 24th and December 25th, the State will be closing in observance of the Christmas holiday on December 23rd. Franklin County has indicated that they will follow suit and has officially adopted the opening and closing schedule of the State. The Governor's Office has also indicated that it is considering closing the State on December 31st, as well as January 1st in observance of New Year's Day.

The Town Manager asked Council if they wished to follow the State's schedule in relation to openings and closings for the Christmas and New Year's holidays. The Town Manager confirmed that as of right now, the Governor had not made a determination on the extra days closing for New Year's Day. There was brief discussion regarding following the State's schedule.

Consensus of Council:

Let the record show it was the consensus of Council to leave the Town's holiday closing schedule as it was already and not to follow what the State is proposing.

COMMITTEE REPORTS**A. Finance & Human Services Committee**

The Finance & Human Services Committee met on today's date, December 9, 2013, at 6:00 p.m. (one hour prior to Council meeting) to review janitorial services bids received for the Town of Rocky Mount facilities, which consisted of: Rocky Mount Municipal Building, Community & Hospitality Center (Depot), Farmers' Market, and the Town's park facilities.

The Assistant Town Manager stated that during the November 12, 2013 regular Council meeting, staff had been directed to re-advertise the janitorial cleaning services for the Town facilities, which the staff did. After the re-advertising, two bids had been received, being: Sarver Cleaning Services, and DMS Cleaning Services. DMS Cleaning Services was the low bidder. He further stated that it was the recommendation of the Committee for Council to authorize the Town Manager to enter into a janitorial cleaning services agreement with DMS Cleaning Services.

There was discussion whether or not the two bids received were comparable to apples, with the Assistant Town Manager stating the only difference was the number of hours it would take to clean the Town facilities, with DMS Cleaning Services feeling like they can clean with less hours (80 hours or less a year), but other than that, the two bids received were pretty fair in comparison. He further stated that staff advertised for the janitorial services to be for two years with a one-year extension, but that can be negotiated to one year. Also discussed that if parties involved want the contract to be terminated before it expires, this can be done so by written letter giving 30 days notice of termination.

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

Motion action taken:

Motion was made by Council Member Greer to approve the recommendation of the Committee to award the janitorial cleaning services contract to DMS Cleaning Services in the amount of \$14,400.00, seconded by Council Member Stockton. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

OTHER MATTERS, CONCERNS AND RISE 'N SHINE APPEARANCES

A. Referrals to Planning Commission from Town Council

Let the record show there were no referrals to the Planning Commission from Council.

B. Rise 'N Shine Appearances

Let the record show that the Assistant Town Manager appeared on the *Rise 'N Shine* show this morning.

COUNCIL CONCERNS

Vice Mayor Walker

Vice Mayor Walker congratulated the Assistant Town Manager for what took place regarding him being able to obtain funding from the Tobacco Commission for the Harvester Performance Center. At the request of the Vice Mayor, the Assistant Town Manager gave a brief synopsis on how he was able to get \$400,000 instead of \$200,000; plus, he will continue over the next several weeks to ask for the full funding amount of \$588,000. He also confirmed to Council that funding is now at 45% for the Harvester Performance Center.

CLOSED MEETING

At 7:50 p.m., motion was made by Council Member Greer to go into *Closed Meeting*, and seconded by Council Member Moyer and carried unanimously to discuss the following:

- 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).
- 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 (location undisclosed).
- Section 2.2-3711(A).5 - Discussion concerning a prospective business or industry, or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community (Franklin County/Rocky Mount Industrial Park).

At 9:00 p.m., motion was made by Council Member Moyer 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 Stockton 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 Council Member Cundiff. The Mayor swore to adopt the motion on the floor by Council Member Stockton 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 Billie W. Stockton.

The Mayor reported that no action was taken.

ADJOURNMENT

At 9:03 p.m., motion was made by Council Member Greer to adjourn, seconded by Council Member Stockton and carried unanimously by those present.

Steven C. Angle, Mayor

ATTEST:

Patricia H. Keatts/Town Clerk

/phk

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