

**ROCKY MOUNT TOWN COUNCIL
SPECIAL COUNCIL MEETING
FEBRUARY 19, 2008**

The February 19, 2008 special Council meeting of the Rocky Mount Town Council was held in the Council Chambers Closed Chambers Room of the Rocky Mount Municipal Building located at 345 Donald Avenue, Rocky Mount, Virginia at 4:00 p.m. with Mayor Steven C. Angle presiding. The following members of Council were present:

Vice Mayor Roger M. Seale and Council Members Stephen F. Agee, Posey W. Dillon, John H. Lester, and Sadie W. Tuning

Let the record show that Council Member Jerry W. Greer, Sr. was not present at time of roll call, but note for the record that at 4:08 p.m., he was in attendance.

The meeting was called to order by Mayor Angle.

The Town Clerk read for the record the following being present: All members of Town Council as noted: Town Manager C. James Ervin, Assistant Town Manager/Community Development Director Matthew C. Hankins, Town Attorney John T. Boitnott, Finance Director Linda Woody, Superintendent of Wastewater Treatment Plant Jessie D. Jones, and Town Clerk Patricia H. Keatts.

APPROVAL OF AGENDA

The Mayor presented the agenda for approval as submitted.

There being no comments, the Mayor entertained a motion.

- Motion was made by Vice Mayor Seale to approve the agenda as presented, with motion on the floor being seconded by Council Member Agee and approved unanimously by those present.

REVIEW AND CONSIDERATION OF THE MEMORANDUM OF UNDERSTANDING DEVELOPMENT WITH THE COUNTY IN CONJUNCTION WITH THE USE OF TOWN LAND FOR THE PROPOSED WHITE WATER PARK

The Town Manager informed Council that on various occasions, the County of Franklin has asked for the part of the Town's Wastewater Treatment Plant that involved the removal of the Pigg River Dam, with this matter being referred to the Town's Public Utilities Committee for review. During the last committee meeting held January 29, 2008, the committee's consensus was that all things were negligible with all things being considered. The committee was provided a cost estimate of approximately \$15,000 by the Public Works Director for the utility lines to be extended at the request of the County of Franklin.

The following synopsis is a breakdown of comments and concerns:

- The Wastewater Treatment Plant Superintendent wanted to make sure that the following items on the site plan that was prepared by the County of Franklin were taken into consideration:
 - Since the planned picnic table area is in the plant's oxidation area, want to make sure that if the Town ever enlarges the plant, the picnic area is not in the way.
 - Also concerned about the odor that would be coming from the plant and going towards the White Water Park area.
 - Force lines would have to be protected.

- The Town Manager pointed out that when he and the Wastewater Treatment Plant Superintendent had looked over the plans as submitted by the County of Franklin, everything was on the plans as to what the County would be doing. He further pointed out that on the Memorandum of Understanding, that it is mentioned that in order for the County of Franklin to change anything on the final plans, it would have to meet the Town's approval.

- The Mayor stated that before the Town approves anything, the Town Manager will need to get back with the County of Franklin and relay to them that it may not be a good idea to expand all the way down to where the Wastewater Treatment Plant may be expanding. The Town Manager informed Council that the Town will make sure the County of Franklin knows this and any other changes that will be necessary to make.

The Town Manager informed Council that he will make note of their concerns and comments and send to the County of Franklin. He further confirmed to the Mayor that once all the language is cleaned up and finalized in the Memorandum of Understanding, he will send a copy of it to Council in their weekly Council packet for review.

REVIEW AND CONSIDERATION OF PROPOSED DRAFT DROUGHT PLAN

Prior to the meeting, Council had received a draft "Town of Rocky Mount Drought Response & Emergency Plan" for their review.

The Assistant Town Manager/Community Development Director presented to Council the proposed plan, going over the following:

- Drought Response Plan Purpose
 - Prepare Town response for water emergencies
 - Account for growing population
 - Meet State requirements to put plan in place by 2010
 - Ensure Town staff has tools necessary before disaster strikes
 - Plan for capital and staffing needs
 - Ensure adequate water to meet health, safety, industrial and commercial needs

for the community

- Presented information showing:
 - Finished water produced monthly average per fiscal year (projection at eight percent annual average growth shown since 2004) for fiscal years 2004 – 2013.
 - Water billed, annual monthly demand average per fiscal year (demand growth projections at 5.18 percent annual average growths shown since 2004) for fiscal years 2004 – 2013.
- Went over the average water loss percentages for fiscal years 2004 – 2008.
- Elements of Drought Response
 - Stages: Five stages, but always in a water watch
 - Triggers: Elements which cause the Town to move to the next stage
 - Determining Data: Available climate and water information
 - Oversight: Team to manage highest priority
 - Implementation: Communication to public
 - Enforcement: Staff required to monitor
- Presented the individual stages:
 - Stage 1: Water Watch
 - Showed the river flow stage implementation levels for water emergency stages 1 through 5.
 - Triggers: 27.9 cfs or more of river flow
 - Actions:
 - Voluntary conservation
 - Leak detection and elimination
 - Meter maintenance and replacement
 - Line redevelopment
 - Develop additional water sources
 - Dam integrity
 - Planning
 - Hydrant maintenance
 - Occasional public education efforts
 - Stage 2:
 - Showed river flow example data from December 29, 2007 through January 26, 2008.
 - Triggers: Any two or more of these:
 - River flow <19.5 cfs for 30 days or more, per capita water demand 10% above normal, 75 percent of annual rainfall average, <5 days rain predicted in next month, one day outage.
 - Actions:
 - Extend voluntary conservation efforts
 - Involve commercial and industrial interests
 - Weekly media releases on conservation

- Town staff should interview with local media to stress importance of conservation efforts
- Stage Three: Water Shortage
 - Triggers: Any two or more of these:
 - River flow <13.7 cfs and diminishing, per capita water demand, >90 percent of average, 50 percent of annual rainfall average, <5 days rain predicted in next month, plant outage or pump failure
 - Actions:
 - Mandatory conservation
 - Water abuse hotline
 - Printed notification to all customers
 - Water recyclers
 - Prohibit bulk water use/sales
 - Bottled water for drinking
 - Local emergency declaration
 - Special notice to all industrial/commercial customers
 - Increased media presence, workshops
- Stage 4: Water Emergency
 - Triggers: Any of these:
 - River flow <9.6 cfs and diminishing, per capita water demand >85 percent of average, 40 percent of annual rainfall average, <4 days rain predicted in next month, plant outage or pump failure
 - Actions:
 - Emergency status
 - Emergency pricing
 - Increased enforcement
 - Increased meter reading, with warnings to excessive users
 - Continued public education measures
- Stage 5: Extreme Water Emergency
 - Triggers: Any of these:
 - River flow <6.7 cfs and diminishing, plant outage or pump failure
 - Actions:
 - Water rationing
 - No activation of new taps (legislative pending)
 - Limit fire response
 - Emergency water pricing
 - Frequent appearances with local media to stress conserving
 - Request assistance from National Guard
- Emergency Water Pricing (water increase only)
 - Rates were shown for current rates versus proposed emergency rates for inside and outside of Town corporate limits.

The Assistant Town Manager/Community Development Director informed Council that it

was staff's intent to present this to Council so they can be aware as to what the Town can have in place before the deadline of 2010.

The Town Manager informed Council that it was staff's intent also to present the proposed plan when the Town has sufficient water, versus the Town facing a drought. He also referenced how little rain the area has received in the past couple of years and how low the water has been at the Water Plant.

The Mayor commented that a drought plan is definitely necessary, and if the water gets to that level, the Town will not have to scramble to do a drought plan.

The Assistant Town Manager/Community Development Director stated that the emergency pricing would be the worse case scenario. He further stated that instead of putting in dollar amounts, Council could consider putting in that the Town could either double or triple the rates.

Let the record show that it was the consensus of all Council members present for the drought response plan.

REVIEW AND CONSIDERATION OF DRAFT RESOLUTION FOR THE TAKING OF PROPERTY BY CONDEMNATION FOR THE CONSTRUCTION OF SEWER FACILITIES

The Town Attorney informed Council that the Town was in the process of moving forward with the Grayson Street improvement property and part of that was the necessity of acquiring some easements that the Town has not been able to acquire in order to put in the sewer lines. He explained to Council that he would be working with the Town Clerk to prepare a public hearing notice for the March 10, 2008 regular Council meeting to review and consider the adoption of a draft resolution for the taking of property by condemnation for the construction of sewer facilities.

It was clarified by the Town Manager to Council that the intent of proceeding with this process would be a positive to the on-going dialogue with the property owners to acquire the necessary easements.

CLOSED MEETING

At 5:05 p.m., motion was made by Council Member Greer to go into *Closed Meeting*, and seconded by Council Member Tuning 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 (review performance of the Town Manager).

At 5:54 p.m., motion was made by Council Member Agee 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 Tuning 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 Greer 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 consider in the meeting by the public body was discussed. Motion was seconded by Council Member Dillon. The Mayor swore to adopt the motion on the floor by Council Member Greer that this was all that was discussed as defined in Section 2.2-3412 Code of Virginia. Voting yes were Vice Mayor Roger M. Seale and Council Members Stephen F. Agee, Posey W. Dillon, Jerry W. Greer, Sr., John H. Lester, and Sadie W. Tuning.

The Mayor reported that no action was taken.

ADJOURNMENT

At 5:59 p.m., motion was made by Council Member Agee to adjourn, seconded by Vice Mayor Seale and carried unanimously.

Steven C. Angle, Mayor

ATTEST:

Patricia H. Keatts/Town Clerk