

**ROCKY MOUNT TOWN COUNCIL  
REGULAR COUNCIL MEETING  
NOVEMBER 10, 2008**

The November 14, 2008 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 Posey W. Dillon and Council Members Jerry W. Greer, Sr., John H. Lester, Roger M. Seale, Robert W. Strickler, and Gregory B. Walker

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, Chief of Police Erik Mollin, Finance Director Linda Woody, Planning & Zoning Administrator Paul Stockwell, Fire Chief Posey W. Dillon, Public Works Director Cecil R. Mason, and Town Clerk Patricia H. Keatts.

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 was made by Vice Mayor Dillon to approve the agenda as presented, seconded by Council Member Lester and carried unanimously.

### **SPECIAL ITEMS**

Let the record show there were no special items.

### **PUBLIC HEARING**

Let the record show there were no public hearing matters.

## **APPROVAL OF MINUTES**

Prior to the meeting, Council had received for consideration of approval the following draft minutes:

- October 6, 2008 Special Council Minutes
- October 13, 2008 Regular Council Meeting Minutes

The Town Clerk informed the Mayor that prior to the meeting, she had been informed by a Council member that there were several corrections needing to be made to the minutes, but at this time, the Council member would have to let her know at a later time what those corrections were after the Council meeting.

Let the record show that due to not knowing which set of minutes needed to be corrected, the Mayor deferred the approval of both sets of draft minutes until the next regularly scheduled Council meeting.

## **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 "Resolution by the Rocky Mount Town Council For Entering Into a Standard Project Administration Agreement with the Virginia Department of Transportation".
  - Review and consideration of approval of draft "Town of Rocky Mount Supplemental Appropriation Resolution for the Fiscal Year Ending June 30, 2009".
- Miscellaneous Action
  - Request of Community Partnership For Revitalization
    1. "Community Christmas Tree Lighting Program"  
(November 28, 2008) Closure of the following streets from 5:00 p.m. until 6:30 p.m.
      - East Court Street to Orchard Avenue
      - One block of South Main Street from the intersection at Floyd Avenue to the intersection at East Court Street
    2. "Come Home to a Franklin County Christmas"  
(December 5, 2008) Closure from 5:00 p.m. to 9:00 p.m.
      - Franklin Street from the intersection at Floyd Avenue to the intersection at Diamond Avenue
- Departmental Monthly Reports
- Bill List

- Motion was made by Council Member Lester to approve the draft *Consent Agenda*, with motion on the floor being seconded by Council Member Greer. There being no discussion, let the record show that the motion on the floor passed unanimously.

## **HEARING OF CITIZENS**

Let the record show that no citizens came forward to speak before Town Council.

## **OLD BUSINESS**

- A. Review and Consideration of Obtaining Community Partner to Operate the Community & Hospitality Center (Depot)

The Town Manager informed Council that he has received two replies to the Town's Requests For Proposals to operate the Depot, which were submitted by Franklin County Chamber of Commerce, and the Franklin County Retail Merchants Association, Inc. He further asked that Council consider having a committee of Council established to review the proposals with Town staff.

There was discussion regarding some Council members having seen the proposals that were submitted prior to the Council meeting, with other Council members not having looked at them at this time. It was pointed out by Council Members Seale and Lester that they would like to make sure a committee look at the proposals first before coming before the full Town Council, which would allow every Council member a chance to see the proposals before final approval.

Due to every Council member not having a chance to review the proposals prior to coming before the full Council for approval, the Mayor set the date of Monday, November 17, 2008, at 5:00 p.m. for the Public Facilities & Special Events Committee to review. The Town Manager so noted.

- B) Review and Consideration of Approval of Final Draft Floodplain Ordinance

The Town Attorney informed Council that the final draft Floodplain Ordinance before them for review and consideration of adoption was basically a cleaning up of the ordinance to make it consistent with the suggestions made by FEMA. He further informed Council that during the last Planning Commission meeting, it was their recommendation that Council consider approving the ordinance, which consisted of revising Article 10 and Article 19 of the Town of Rocky Mount's Zoning & Development Ordinance – Floodplain Ordinance. He further stated that the ordinance did not change a whole lot from the current one already in place, but instead it makes it a more current flood plain ordinance.

The Town Manager confirmed to Council Member Greer that there were parcels in the floodplain and that the proposed ordinance would allow those people affected to be able to get flood insurance. He also confirmed that Town staff would be contacting those people that had parcels in the floodplain.

- Motion was made by Council Member Greer to adopt the proposed ordinance, with motion being seconded by Council Member Seale. There being no discussion, let the record show that the motion on the floor passed unanimously.

## **NEW BUSINESS**

### A) Review and Consideration of Matter Concerning Delinquent Taxes

The Town Manager informed Council that State Code §58.1-3965 allows the Town to force an auction of property that is three years delinquent in the payment of real estate. He stated that there were 43 parcels in the Town of Rocky Mount that were three or more years delinquent in the payment of real estate taxes, and that many of these parcels had not paid taxes in over a decade, with the total amount outstanding being \$15,160.46 as of October 28, 2008, which included taxes, penalty, and interest. He further requested Council's approval for the Finance Director and Town Attorney to begin the process specified in State Code §58.1-3965 to force auction of these parcels. He further stated that though the legal fees associated with this process may exceed \$20,000, the costs will be recovered as permissible under State Code, and that the Town is entitled to add the pro rata costs of publication, court costs, attorney's fees, and title examination fees to the total to be collected either from the auction proceeds, or from the amount paid by the parcel owner to redeem the property. It was further confirmed by the Town Manager that the landowners will be charged fees and that the land owners will have the opportunity to come to the Finance Department to settle up their accounts before any action is taken by the Town.

- Motion was made by Council Member Lester for Town staff to proceed with collection of delinquent taxes and notice of auction, with motion on the floor being seconded by Council Member Greer. There being no discussion, let the record show that the motion on the floor passed unanimously.

### B) Review and Consideration of Placing Recordings of Council Meetings and Planning Commission Meetings on Town's Website

Council was informed by the Town Manager that the Town had the ability to post on the Town's website the recordings of Council and Planning Commission meetings, and that the process would be relatively easy as the minutes were recorded in MP3 format. He further informed Council that surrounding municipal localities were already doing this. He stated that the recordings themselves did not need approval of the Council, only the transcribed draft minutes.

- Motion was made by Council Member Seale to allow Town staff to post the minutes as requested, but to only post them on a trial basis for six months, then for staff to revisit the site to see how many people are accessing the recordings, with motion on the floor being seconded by Council Member Strickler. There being no discussion, let the record show that the motion on the floor passed unanimously.

C) Review and Consideration of Accepting Right-of-Way Dedication from Virginia Department of Transportation (VDOT)

The Town Attorney informed Council that as a formality, Council had before them for consideration of approval the acceptance of right-of-way dedication from VDOT, which was in actuality a deed from back in the late 1960's or early 1970's which had affected the right-of-way from Hillcrest Drive down to the Town limits at Pigg River, which had some parcels of land that were conveyed to VDOT during that time, with VDOT now needing to convey back to the Town. The Town Attorney requested Council's consideration of acceptance of the deed from VDOT conveying the right-of-way and permanent easement area on South Main Street from Hillcrest Drive to the Town limits at Pigg River to the Town of Rocky Mount.

- Motion was made by Council Member Greer to approve the request of the Town Attorney for the acceptance of said right-of-way dedication from VDOT, with motion on the floor being seconded by Council Member Strickler. There being no discussion, let the record show that the motion on the floor passed unanimously.

D) Proposed Budget Calendar for Fiscal Year 2009-2010

Prior to the meeting, Council had received from the Town Manager and Finance Director a proposed budget calendar for Fiscal Year 2009-2010. The Town Manager relayed to Council that it is time to start thinking about next year's budget and calendar, and requested Council's approval of the proposed budget calendar, with adjustments to be made, if necessary.

- Motion was made by Council Member Seale to approve the proposed budget calendar for Fiscal Year 2009-2010, with motion on the floor being seconded by Council Member Lester. There being no discussion, let the record show that the motion on the floor passed unanimously.

E) Accreditation of the Rocky Mount Police Department

The Chief of Police presented to Council at the request of some Council members an overview of the accreditation process for the Rocky Mount Police Department. Also presented surrounding localities of police/sheriff's departments that are also in the process or have their accreditation. It was pointed out by the Chief of Police that

the accreditation is an ongoing process whereby agencies evaluate policy and procedure against established criteria, and have their compliance with that criteria verified by an independent and authoritative body, with the ultimate goal of accreditation being enhanced service delivery.

Council Member Lester stated that he would like for the Chief of Police to proceed with the accreditation process. The Chief of Police explained to Council Member Strickler that the cost would be minimal as it only takes man hour time, and would be done over the next several years. There was also discussion if accreditation would be mandated by the State down the road. The Mayor informed the Chief of Police to continue the process in getting accreditation for the Police Department.

## **COMMITTEE REPORTS**

The Assistant Town Manager/Community Development Director presented to Council the following committee reports:

### A) Main Street Committee

The Main Street Committee met on October 14, 2008 to continue discussion about the Main Street Program; reviewed and discussed results of the survey that was circulated to all central business district businesses and property owners; and reviewed a request from Community Partnership for Revitalization (CPR) for funding for their Director position. During that meeting, the committee requested a copy of a draft job description for such position. A draft copy was given to Council prior to the November 10, 2008 Council meeting for review and consideration.

The Town Manager informed Council that the Town had sent out 141 surveys and received 60 surveys back from the participants. Of the responding participants, 85% were familiar with the Main Street Program. Of the participants that were familiar with the Main Street Program, 73% supported the Town of Rocky Mount's participation in the program. 63% of the participants that were familiar with the Main Street Program would support the Town funding an organization to implement the Main Street Program in the Town. A majority of the participants felt that the Town should finance the Main Street Program out of the current Town budget and not via a special tax district. The Town Manager also informed Council that the respondents were asked to rate the effectiveness of the various community groups in helping promote and enhance the Town. CPR was rated as the most effective organization of all those rated. When asked which is the most important investment for the Town and its partners to make, a majority of respondents chose: transportation, job creation incentives, and public parking development. Of all the participants, 68% believed that the Town should continue to participate in the National Main Street Program.

It was the consensus of Council that the appropriate Town committee review the

draft job description before any decision is made. The Town Manager so noted.

B) Finance & Human Services Committee

The Finance & Human Services Committee met on October 23, 2008 to review the Town's draft drug and alcohol policy. It was the recommendation of the committee for Council to adopt the final draft policy. The Town Manager also recommended adoption of said policy. The Town Manager informed Council that the draft policy was sent to an outside agency for final review to make sure it was in compliance, and what was before Council for consideration of adoption was the final draft policy.

It was the consensus of Council to adopt said policy, with it becoming effective July 1, 2009.

**OTHER MATTERS & COMMENTS**

A) Referrals to Planning Commission from Town Council

There were no referrals at this time.

B) Rise 'N Shine Appearances

The Town Manager informed Council that the Assistant Town Manager will be on the *Rise 'N Shine* show December 8.

**COUNCIL CONCERNS**

A) Council Member Greer

Informed Council that We Care and Helping Hands will be conducting a fund raiser at The Farmers' Market on November 29 and December 2 from 2:00 p.m. to 7:00 p.m.

B) Council Member Seale

Stated that regarding the management of Depot, he had talked with the Town Manager and at that time, this matter was to be reviewed by the Council committee; therefore, he did not look at the information, believing instead it was to go to the committee first before Council was to make a decision on it. The Mayor commented that this will be addressed at that committee meeting.

**CLOSED MEETING**

Let the record show there were no *Closed Meeting* items to discuss.

**ADJOURNMENT**

At 7:56 p.m., motion was made by Council Member Strickler to adjourn, seconded by Council Member Walker and carried unanimously.

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Steven C. Angle, Mayor

ATTEST:

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Patricia H. Keatts/Town Clerk

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