

**ROCKY MOUNT TOWN COUNCIL
REGULAR COUNCIL MEETING
JANUARY 12, 2009**

The January 12, 2009 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, Fire Chief Posey W. Dillon, Public Works Director Cecil R. Mason, Deputy Clerk Stacey B. Sink, 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

The Mayor recognized a student attending from Mr. Selleby's government class at Franklin County High School.

PUBLIC HEARING

Let the record show the Mayor recessed the meeting to hold the following public hearing:

A) Review and Consideration of Approval of Proposed Draft of Article 32 of the Zoning & Development Ordinance, Wind Energy

The Mayor opened the floor to anyone wishing to come before Council to speak.

- The Assistant Town Manager presented the request before Council, stating that the Planning Commission had met on December 2, 2008 to review and consider a proposed draft of Article 32 of the Zoning & Development Ordinance, Wind Energy Facilities. He further stated that it was a unanimous vote (7 to 0) by the Planning Commission to recommend approval by Council for the proposed draft article.
- Council Member Lester questioned if the proposed ordinance would allow someone wanting to come and install the turbines along the ridge, with the Assistant Town Manager explaining that the minimum setback of a 25 acre lot would be required and that someone would not be able to do this in-town. He further explained that none could go on Grassy Hill as this is conservation land.
- Council Member Seale mentioned the two that are already installed at the Gereau Center, with one in operation. It was discussed that that the Town did not want to do anything to restrict what the school was trying to do, as the one in operation was being used for their greenhouse.
- Council Member Walker stated that this ordinance doesn't say you can't put them up, but it was just establishing guidelines to do so. The Assistant Town Manager informed Council that there were also guidelines in place if they wanted to take them down.

The Mayor commented that no one from the public had signed up to speak, but he still opened the floor to anyone wishing to come before Council regarding the proposed ordinance. Let the record show that no one came forward.

There being no further discussion, the Mayor reconvened the meeting back into regular session, asking what the pleasure of Council was regarding the request.

- Motion was made by Council Member Lester to approve the proposed draft Article 32 of the Zoning & Development Ordinance, Wind Energy, with motion on the floor being seconded by Council Member Walker. There being no discussion, let the record show that the motion on the floor passed unanimously.

APPROVAL OF MINUTES

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

minutes:

- December 8, 2008 Regular Council Meeting Minutes
- Motion was made by Council Member Lester to approve the draft Council meeting minutes as presented with motion on the floor being seconded by Council Member Seale. There being no discussion, let the record show that the motion on the floor passed unanimously.

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 "Town of Rocky Mount Supplemental Appropriation Resolution for the Fiscal Year Ending June 30, 2009"
 - Miscellaneous Action
 - Review and consideration of approval of Housing Rehab Board bylaws as requested by the Assistant Town Manager.
 - Review and consideration of approval of proposed network support contract. The Town Manager is requesting that Town Council consider entering into an agreement with Professional Network Services (PNS) during the five remaining months in this current fiscal year that will assist the Town in integrating the remote offices with the central administration building for day-to-day computer support.
 - Departmental Monthly Reports
 - Bill List
- Motion was made by Vice Mayor Dillon to approve the draft *Consent Agenda*, 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.

HEARING OF CITIZENS

A) Request of Herman Channel

Mr. Herman Channey of 344 Merry Knob Road, Boones Mill, Virginia came before Council requesting their consideration of making a donation towards a project he is working on to bring the moving Vietnam Memorial Wall to Franklin County. Mr. Channel gave an overview of how big the wall is, with it more than likely being placed for display at one of the Franklin County recreational parks from October 1st through the 5th. Mr. Channey further stated that the cost to bring the wall to

Franklin County is \$4,500 and asked Council's consideration of making a donation towards this. The Mayor instructed Mr. Channey to submit a written request to the Town's Finance Director in order for it to be included in the budget deliberations.

OLD BUSINESS

Let the record show there was nothing to report at this time.

NEW BUSINESS

A) Presentation of Town of Rocky Mount's Fiscal Year 2008 Audit

The Finance Director introduced to Council Jason Hartman and Melanie Montgomery, representatives of Brown Edwards & Company, LLP, auditors of the Town.

Mr. Hartman informed Council that they had met earlier with the Finance & Human Services Committee, reviewing the Fiscal Year 2008 Audit in detail, with the State requiring that it also be presented to the full Council. According to Mr. Hartman, the Town has a clean opinion, which is the highest level of assurance that can be given. Brown Edwards & Company, LLP has issued a management letter, which includes comments and recommendations on operational and internal control management, which they went over in detail with the Finance & Human Services Committee. Mr. Hartman also pointed out that his firm saw significant improvements in management.

Council Member Strickler (Chair of the Finance & Human Services Committee) stated that it was the committee's recommendation that the presented audit be approved, with him further commending staff on all the improvements.

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

- Motion was made by Council Member Strickler to accept the Fiscal Year 2008 Audit as presented, with motion being seconded by Council Member Greer. There being no discussion, let the record show that the motion on the floor passed unanimously.

The Mayor thanked the Finance Director and her staff for all they do.

B) Review and Consideration of Approval of Engineering Firm Regarding Franklin Heights Subdivision Storm Water Management Solution

The Town Manager stated that he had received proposals from engineering firms relative to performing a Preliminary Engineering Report (PER) on likely solutions to the flooding that occurs in the Franklin Heights neighborhood. Three engineering

firms presented an overview of their proposals on January 5 (Mattern & Craig, Anderson & Associates, and Earth Environmental Consultants, Inc.). Of the proposals received, the proposal of Earth Environmental Consultants, Inc. was judged to best meet the needs of the Town. They propose to provide the PER for a flat fee of \$10,000 (using funds that Council has already appropriated for such work) that will:

- Identify options to detain and retain storm water in the entire drainage area of Franklin Heights.
- Divide the drainage area of Franklin Heights into sub-drainage districts that can each be evaluated independently.
- Draft solutions that will handle a ten year storm event.
- Assist the Town in identifying possible funding sources for the solutions proposed.
- Meet with Town staff and residents of the area to identify areas impacted by storm water issues.
- Assist Town staff in developing an overlay zoning district to address storm water management in this area.

The Town Manager stated that as a first step towards addressing the storm water needs for this part of the Town, he requested Council to authorize him to award a contract for the PER to Earth Environmental Consultants, Inc.

Discussion ensued with Council and the Public Works Director regarding the water drainage at the Norfolk Southern Railroad trestle on both sides.

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

- Motion was made by Council Member Lester for the Town Manager to proceed and enter into an agreement with Earth Environmental Consultants, Inc. for the Franklin Heights storm water management, 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.

C) Review and Consideration of Approval of Draft “Town of Rocky Mount – Cross Connection Ordinance”

The Town Manager reported to Council that the proposed draft ordinance before them did not need approval at this time, but that staff wanted Council to be aware that the ordinance was before the Town Attorney for final editing. He further reported that the Department of Health had requested that the Town create such an ordinance as a condition for the ongoing operation of the Water Treatment Plant and for the operation of the Town’s water distribution system. It was pointed out that a model ordinance was obtained from the Commonwealth and adjusted to suit the needs of Rocky Mount, with the intent being to ensure that the water distribution system is safe from contamination via backflows into the system.

Council Member Lester questioned how many water meters had been converted over to the new touch-read systems. The Finance Director stated that the Town had approximately 2,700 accounts, and in the past year, 300 to 400 meters had been changed out when the old ones wear out. Council Member Lester requested a count of how many that has been changed out so far.

D) Review and Consideration of Forming a Façade Improvement Advisory Board for Uptown Revitalization Project

The Assistant Town Manager/Community Development Director stated that he is requesting Council's review and consideration of forming a Façade Advisory Board for the Uptown Revitalization Project. If approved, the names of those appointed to the Board will be given to Council. He pointed out that over the past month, he has been working with the Town's Community Representative from the Department of Housing & Community Development to refine and develop guidelines for the Uptown Revitalization Project Façade Grants Program, and before he can ask Council to approve the final program design, Council must appoint a Façade Improvement Advisory Board. The Board will consist of local citizens, at least one elected official, and have at least two bankers, which will be all voting members according to Department of Housing & Community Development. Non-voting members will consist of the Community Development Director and Community Partnership for Revitalization Director. The Assistant Town Manager stated that the façade program will consist of an investment of \$7,000 from each participating business, with a \$7,000 match from the state. Council Member Walker stated that he would be willing to serve as the elected official on the Board. The Assistant Town Manager confirmed that he will ask for Council's input that is needed and will share this with Council Member Walker.

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

- Motion was made by Council Member Greer to approve the formation of a Façade Improvement Advisory Board, with Council Member Walker serving as the elected official, with motion on the floor being seconded by Council Member Seale. Council Member Lester questioned the Mayor if this meant that he is still to serve as Council's liaison on the Community Partnership for Revitalization Board, with Mayor so affirming. There being no further discussion, let the record show that the motion on the floor passed unanimously.

E) Review and Consideration of Approval of Fiscal Year 2009-2010 Comprehensive Economic Development Strategy (CEDS) for West Piedmont Planning District Commission (WPPDC)

The Town Manager informed Council that the federal government may release a stimulus package and is based on those projects that are ready to go. He stated that each year the Town is asked to update and confirm the list of current projects

relative to economic development, better known as Comprehensive Economic Development Strategy (CEDS), which is submitted to the West Piedmont Planning District Commission (WPPDC) for allocation of state and federal funding. He pointed out that given the likelihood of a substantial government stimulus package that is aimed at local government infrastructure, this year's CEDS submission is critical. Prior to the meeting, Council had received the current projects, ranging from Priority I through Priority III, which is a list that the Town Manager and the Assistant Town Manager had developed, based on last year's statement and on projects requested by members of Council.

The Town Manager listed Priority I projects, being:

- Uptown Economic Restructuring and Revitalization – Uptown Business District – Town of Rocky Mount
- Industrial Site Development – Town of Rocky Mount
- Economic Restructuring Via Heritage Tourism Development – Town of Rocky Mount
- Pigg River Heritage Trail – Town of Rocky Mount/Franklin County
- Development of Alternative Water System – Town of Rocky Mount
- Interconnection with Western Virginia Regional Water Authority
- Replace Water and Sewer Lines

The Town Manager requested input from Council regarding the CEDS list and for approval for submittal of the final product on behalf of the Town. The Mayor commented that when he was working with WPPDC, they were really good on working with CEDS project. The Town Manager confirmed to Council Member Lester that the Crooked Road music venue project was listed in Priority I. There was discussion regarding making sure that the music venue project would be located in-town, or as close to it as possible, especially now that the County of Franklin has voiced publicly that they may be interested in becoming involved with a music venue project also.

There being no further discussion, the Mayor entertain a motion.

- Motion was made by Council Member Lester that the Town present the Community Economic Development Strategy to West Piedmont Planning District Commission as presented, with motion on the floor being seconded by Council Member Seale. There being no discussion, let the record show that the motion on the floor passed unanimously.

F) Review and Consideration of Setting Rates for Use of Community & Hospitality Center (Depot)

The Assistant Town Manager stated that as of January 1, 2009, his office has turned over the responsibility of renting the Depot to Franklin County Chamber of Commerce. During the Town's time in managing the Depot rentals, staff had

noticed some issues with the rates and with usage, with staff now recommending fixing by establishing an amended rate structure. He further explained that this recommendation will require groups and individuals to more fully plan their events and evaluate how much time they really need, and will allow them to pay a more proportionate share of the utility costs of the building. It was pointed out by the Assistant Town Manager that the Franklin County Chamber of Commerce has been charged with assessing the rental fees Council had previously set, and staff brings to Council the new proposed amended rate structure:

<u>Current Rates</u>	<u>Suggested Rates</u>
General: \$125 per rental	\$30 per hour (private, non-commercial rentals)
Non-profit: \$50	\$10 per hour (must provide proof of tax-exempt status)
Government: No charge	No charge
Board Room: \$25 two-hour rental (business, commercial, and government use only)	No change from current rate

All reservations will require a \$50 deposit unless alcohol is served, which requires a \$75 deposit. Refund Policy: full refund of rental fee and deposit for events cancelled up to 14 days prior to an event. Refund rental fee only for events cancelled within 14 days of event. Full refund for weather-related cancellations.

The Assistant Town Manager confirmed to Council Member Seale that the rate will start from the set-up time until after they clean up. He also confirmed that the proposed rates were good with the Franklin County Chamber of Commerce.

Since alcohol was mentioned as being allowed at the Depot, there was discussion regarding if this was suppose to be allowed, and what all it involved, as it was understood by the Mayor and several other Council members that alcohol was not to be served on Town property. It was explained to Council by the Assistant Town Manager that in order for alcohol to be served on the Depot premises, the applicant has to first obtain an ABC license.

There being no further discussion at this time regarding the proposed rates, the Mayor entertained a motion for the proposed rates.

- Motion was made by Council Member Strickler to approve the proposed rates as presented, with motion on the floor being seconded by Council Member Greer. As the question of the use of alcohol was voiced at this time again, the Mayor stated that Council will discuss this matter after the vote on the proposed rates. There being no further discussion at this time, let the record show that the motion on the floor passed unanimously.

At this time, discussion continued about the use of alcohol on Town property. It was

confirmed by staff that during the last three months, two requests have been submitted for use of the Depot, with the intent to serve alcohol. The Chief of Police stated that once a license is obtained, the ABC calls the police department to let them know. The Chief of Police further stated that alcohol cannot be sold through that license. The Mayor stated that until further notice, things can stay as it is until Council has the opportunity to look into this matter. The Mayor also confirmed to the Assistant Town Manager that until the February regular Council meeting, the refund policy can be used.

G) Review of Rocky Mount Town Council and Planning Commission Advertising Schedule for 2009

Council was informed by the Assistant Town Manager that the Virginia State Code §15.2-2204 dictates the advertising types and schedules of local governments for public hearings and ordinances, with the same code section allowing the Planning Commission and Town Council hearings to be advertised within the same advertisement so long as the advertisement appears no later than five days before, nor earlier than 21 days prior to a meeting. He pointed out that for 2009, staff can currently advertise all but two meetings at the same time, which would result in decreasing the number of ads staff takes out from 48 (two Planning Commission and two Town Council) to 26, with an average cost of \$50 per ad, for a cost savings of over \$1,100. He also commented that the former Town Manager, Keith Holland, had discontinued the practice of jointly advertising the Planning Commission and Town Council public hearings; however, with the current economic climate, staff believes that they must do everything that they can reasonably do to realize cost savings. He also pointed out that by combining the ads, staff will be able to extend the filing deadlines for requests by a full week in most cases, yielding better, more response service from Council's Town government. The Town Manager stated that he has received complaints about the filing deadlines being so far in advance, and with what staff is proposing, the time will be extended.

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

- Motion was made by Vice Mayor Dillon to approve the changes in the advertisement schedule, 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.

H) Review and Consideration of Appointment of Assistant Town Manager as the Town of Rocky Mount Planning & Zoning Administrator

The Assistant Town Manager stated that since the resignation of Paul Stockwell, the Town's former Planning & Zoning Administrator, it had come to the attention of staff that a "house keeping" item needed to be addressed by Council that would appoint the Assistant Town Manager as the Town's Planning & Zoning Administrator. He

further stated that it is staff's request that Council consider this appointment until such time he feels comfortable to turning it back over to the Planner. It was pointed out by the Assistant Town Manager that the Planning Commission did make him Subdivision Agent due to the absence of the Mr. Stockwell.

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

○ Motion was made by Council Member Seale to appoint the Assistant Town Manager as the Town of Rocky Mount Planning & Zoning Administrator, with the 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.

I) Autism House Bill No. 1588

The Town Manager stated that he Town has been asked to express its support for Autism House Bill No. 1588, which requires insurance providers to cover the treatment of those under the age 21 as medical expenses. He also noted that the County of Franklin has submitted a letter of support.

The Mayor stated that he thinks this is a very worthwhile bill, and entertained a motion.

○ Motion was made by Council Member Walker to support this bill by submitting a letter to Delegate Dudley and Senator Hurt, 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.

J) Review and Consideration of Request Submitted by Finance Director

The Finance Director informed Council that the Water Treatment Plant has identified several items that need to be addressed prior to this fiscal year end. She stated that from an analysis at this point, it appears that there will not be any funds in the Water Treatment Plant budget itself to cover, and it will be necessary to tap into the \$65,000 contingency budget in the Utility Fund.

The projects are:

Replace four each 4" valves and one each 4" meter	\$4,678
Survey of maintenance oil in equipment	\$5,940
Concrete wall for heating fuel tank	\$4,500
Two each Scott C100 SCBA chlorine masks	\$4,000

The Finance Director stated that the total contingency funds needed are \$19,118.

The Town Manager informed Council that he had asked the current operator to make the Water Treatment Plant safe and the items mentioned were discovered, such as the safety chlorine masks.

Vice Mayor Dillon (also Town's Fire Marshal) questioned if the Town Manager knew what type of setup for the masks, as the Fire Department may have some spare ones that the Water Treatment Plant could use. It was confirmed by the Town Manager that all he knew was that the price quoted was for used masks and he would relay to the current operator to get in touch with Vice Mayor Dillon prior to purchasing the chlorine masks.

The Finance Director requested Council's approval to transfer \$19,118 from the Utility Fund contingency to the Water Treatment Plan to cover the requests as stated.

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

- Motion was made by Council Member Lester to approve the transfer of \$19,118 and if able to reduce that amount, to do so accordingly, with motion on the floor being seconded by Council Member Seale. There being no discussion, let the record show that the motion on the floor passed unanimously.

COMMITTEE REPORTS

The Town Manager presented to Council the following committee reports:

A) Streets, Sidewalks & Sanitation Committee

The Streets, Sidewalks & Sanitation Committee met on December 16, 2008 to review several items:

1. Review and Consideration of "No Through Traffic" Request from Residents of Franklin Heights Subdivision: The residents of Franklin Heights have asked Council to consider limiting through traffic on Bernard Road. In order to determine the amount of traffic that is through traffic or commercial traffic, the Committee asked the Town Manager to perform a traffic study of the street, and once complete, the Committee will reconsider the issue and consider solutions to the traffic issue.
2. Review and Consideration of Request of Planning & Zoning Administrator to Review Request of Ferguson Land & Lumber for a Street Egress/Ingress Off of State Street: Ferguson Land & Lumber has approached the Town, asking for the Town's review of locations for a potential new exit from their site in conjunction with the construction occurring along State Street. The Committee instructed staff to advise Ferguson Land & Lumber that the Town stood ready to assist with any exit configuration they sought, and that the Town wished to generally encourage truck traffic along State Street as opposed to Main Street.

3. Review and Consideration of Request of Planning & Zoning Administrator to Review Egress/Ingress at the Hunter's Ridge Phase II Portion of Member One Way: The Planning Commission had requested the Committee's review of the second phase of Hunter's Ridge for Council's preference regarding should the private road be constructed as a through street from North Main Street to State Street. The Planning Commission had also requested that the street not be a through street when approaching development in 2005, but the former Planning & Zoning Administrator, Paul Stockwell, had suggested to them that a through street may be desirable. The Committee returned the issue to the Planning Commission without a recommendation. It was pointed out by the Town Manager that the developer of the housing complex does not want to create a cut through

scenario in the Hunter's Ridge development, and the residents living in the completed Phase I do not want the private road serving their townhomes to become an alternate route for traffic to State Street.

4. Review and Consideration of Request of Assistant Town Manager Regarding McDonald's Restaurant Median Issue: The Assistant Town Manager reviewed transportation safety issues related to the Rocky Mount exit adjacent to McDonald's Restaurant. The exit allows left turns from 40 west bound and left turns into 40 west bound, both of which create congestion at the intersection leading back to the 220 exit traffic signal. The staff recommendation is to extend the existing concrete median to obstruct and prevent left-in and left-out turns from the shopping center, forcing traffic exiting left to use the traffic signal. Vice Mayor Dillon had suggested the use of posts in the median to keep mowing to a minimum. Staff suggested the entire median could be concrete. It was also determined that the shopping center owner would need to be contacted also for their input regarding this recommendation. The Streets, Sidewalks & Sanitation Committee will be reviewing this item during their meeting of January 15, 2009.
5. Review and Consideration of Request for Additional Streetlight on Grayson Street: The Committee reviewed the existing lights on Grayson Street and no changes were recommended.
6. Review and Consideration of Request for Additional Streetlight on Leonor Street: The Committee reviewed the existing lights on Leonor Street and no changes were recommended.

Let the record show that no action was taken on the items listed above.

B) Finance & Human Services Committee

The Finance & Human Services Committee met on January 12, 2009 to hear a presentation by Brown Edwards & Company, LLP on an overview of the Town's Fiscal Year 2008 Audit, which has been covered under "New Business".

OTHER MATTERS & COMMENTS

A. Referrals to Planning Commission from Town Council

Let the record show there were no referrals at this time.

B. Rise 'N Shine Appearances

The Town Manager appeared on today's Rise 'N Shine show.

COUNCIL CONCERNS

A) Council Member Lester

Requested an item be added to the January 15, 2009 agenda for the Streets, Sidewalks & Sanitation Committee, being; review and consideration of additional parking on Maynor Street for patrons of the dance studio located in the Wray Building on Franklin Street, and to also include a crosswalk near the Wray Building.

B) Vice Mayor Dillon

Requested the Finance Director look into the possibility of mailing out early the tax tickets next year.

C) Council Member Walker

The Town Manager confirmed that the County of Franklin had responded to his letter inquiring whether or not they could put recycling bins in-town, with them stating that they could not at this time due to the economic downturn. Council Member Walker requested that the Town Manager perhaps investigate to see if the County would be willing to do something jointly, and to come back to Council at a later date with their response.

D) Council Member Seale

Requested an item be added to the January 15, 2009 agenda for the Streets, Sidewalks & Sanitation Committee, being: review and consideration of installation of rumble strips at stop signs on Bernard Road.

E) Mayor Angle

Requested the same thing as Vice Mayor Dillon regarding possibly mailing out early the tax tickets next year so people can take it off their current tax year. The Finance Director stated she could look into this and bring back before Council next month, if feasible.

CLOSED MEETING

At 8:22 p.m., motion was made by Council Member Strickler to go into *Closed Meeting*, and seconded by Council Member Lester and carried unanimously to discuss the following:

- 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 (parcel of land in uptown district).

At 8:29 p.m., motion was made by Council Member Seale 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 Lester and carried unanimously.

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 Strickler 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 Greer. The Mayor swore to adopt the motion on the floor by Council Member Strickler that this was all that was discussed as defined in Section 2.2-3412 Code of Virginia. Voting yes were 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 Mayor reported that no action was taken.

ADJOURNMENT

At 8:30 p.m., motion was made by Council Member Walker to adjourn, seconded by Council Member Seale and carried unanimously.

Steven C. Angle, Mayor

ATTEST:

Patricia H. Keatts/Town Clerk

/phk

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