

**ROCKY MOUNT TOWN COUNCIL
REGULAR COUNCIL MEETING
JUNE 14, 2010**

The June 14, 2010 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.

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 Erik Mollin, Finance Director Linda Woody, Fire Chief Posey W. Dillon, Public Works Director Cecil R. Mason, Community Partnership for Revitalization Executive Director Katie McElroy, Water Plant Superintendent Robert Deitrich, Wastewater Plant Superintendent Timothy Burton, 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.

The Mayor requested that the agenda be amended to include the following:

- Under *Special Items*:
 - Resolution of Appreciation for Council Member John H. Lester
 - Resolution of Appreciation for Council Member Roger M. Seale
 - Under *Consent Agenda*:
 - Review and consideration of personal property delinquent tax write-offs for year ended June 30, 2010.
- Motion was made by Vice Mayor Dillon to approve the amended agenda as requested by the Mayor, seconded by Council Member Lester and carried unanimously by those present.

SPECIAL ITEMS

The Mayor stated that since this will be their last official Council meeting, he presented resolutions of appreciation to Council Members Roger M. Seale and John H. Lester.

- Council Member Seale thanked the Mayor and Council and stated that it was his privilege to serve citizens of the Town, and an educational venture for him also, with him now looking forward to enjoying retirement. He also stated that it was a great privilege to work with the Town employees, with the Town being a great and wonderful place to live and raise children. He concluded by saying thank you for letting him serve 12 years on Council.
- Council Member Lester thanked the Mayor and gave a brief history of coming to the Town 35 years ago. He stated that he saw some things he liked and some things he thought could be improved upon. He also stated that he was grateful that he could help improve some of those things while serving on Council. He concluded by stating that he was thankful for serving with Council, working with great Town employees, thanking them all.

The Mayor stated that on behalf of himself and Council, he thanked both Council Member Lester and Council Member Seale for serving with Council, and that they will be missed.

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:

- May 10, 2010 Special Council Meeting
- May 10, 2010 Regular Council Meeting
- May 12, 2010 Budget Work Session No. 3
- June 7, 2010 Special Council Meeting Fiscal Year 2010-2011 Budget and Capital Projects Public Hearing

The Mayor asked if there were any corrections, and there being none, the Mayor entertained a motion.

- Motion was made by Council Member Seale to approve the draft Council meeting minutes as presented 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 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
- Miscellaneous Action
 - Review and consideration of approval of the Member Agreement and the Virginia Municipal League Insurance Programs Bylaws.
 - Review and consideration of approval of final and delinquent utility account write-offs for year ended June 30, 2010.
 - Review and consideration of approval of personal property delinquent tax write-offs for year ended June 30, 2010.
 - Review and consideration of acceptance of GFOA Certificate of Excellence for June 30, 2009 financial report.
- Departmental Monthly Reports
- Bill List

There being no discussion, the Mayor entertained a motion.

- Motion was made by Council Member Seale to approve the draft *Consent Agenda*, 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 by those present.

HEARING OF CITIZENS

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

Let the record show that no one came forward.

OLD BUSINESS

A. Town of Rocky Mount Fiscal Year 2011 Appropriation Resolution and Proposed Levy of Cigarette Tax

The Mayor, along with the Town Manager, gave a brief overview of what was being presented, being:

1. Regarding the draft ordinance of the Town of Rocky Mount providing for the levy of taxes on cigarettes under the provision of the ordinance and § 58.1-3830, et seq., of the Code of Virginia (1950, as amended), there was discussion amongst Council members regarding this matter, being:

- Council Member Greer stated that during the public hearing, Jamie Singleton of Riverside Minute Market had presented 500 signatures of those living in and out of the Town that were against the proposed cigarette tax.
- The Town Manager confirmed to Council Member Lester that there would be a \$125,000 shortfall from the budget and any additional funds would either come from further dialogue, or taking from the fund balance; he won't know what will be carried over until the Town is audited, which would be sometime in September.
- Council Member Lester asked that Council members remember the balloon payment for the Emergency Services Building that would be coming up soon, and the loss of revenue from meals tax.
- Mayor confirmed the debt service will be paid off on the Water Plant in 2014.
- Council Member Seale mentioned that the budget projections for the expense side this year was budgeted with employee vacancies in mind. The Town Manager confirmed that some of those have been removed, but he and the Finance Director hesitate to give figures at this time until audit is done.
- Council Member Lester stated that with the possibility of the grant with Ronile and cost savings going back to them, revenue normally received from Ronile will not be coming in and has the Town looked at cost breakdown of money that the Town will lose with their water not being processed. The Town Manager stated that they do not have enough data at this time to go down that path, but will be looked at it at that time. Council Member Lester stated that the variable cost will need to be looked at.
- Vice Mayor Dillon stated that his biggest concern regarding Ronile is what it will cost the Town additionally. The Town Manager informed Council that this will be discussed further as it comes up on the agenda later one, but it will be structured in a way that whether it works or not, Ronile will be responsible for it and all of the Town's cost will be covered.
- Council Member Greer asked about the Town employee's Christmas bonus for Fiscal Year 2011, with the Town Manager stating that it is at the aggregate amount this year, which is close to \$30,000.
- Council Member Walker suggested that the Town do the same thing this upcoming fiscal year as the same they did last year regarding giving the Town employees a Christmas bonus, which would be \$125, with Council Member Greer agreeing with his statement.
- Council Member Strickler stated it is hard economic times for citizens and he can't support a levy on cigarette tax.
- Council Member Seale stated that the cigarette tax is not a tax on businesses, but on the user, urging the Town to support the cigarette tax in order to prevent the Town from having to go into the fund balance to balance the budget.
- Council Member Walker mentioned that last fiscal year the Town had about \$600,000 carried over, and with that in mind, he imagines the Town will have carry over funds this year, with him hating to impose a tax and later finding out that the Town had enough in the budget to cover it.
- Council Member Lester urged Council to not put the burden of balancing the budget on the employees to cover this expense.

- The Mayor indicated that he did not think anything has been said about taking out the Christmas bonus for Town employees.
- Council Member Seale stated that if Council goes back to the \$125 Christmas bonuses to the Town employees, it is a reduction in Christmas bonus for the Town employees.
- Council Member Walker indicated that with almost a 10% national unemployment rate, it is hard to give this type of bonus of this nature.

There being no further discussion, the Mayor entertained a motion regarding the proposed cigarette tax.

- Motion was made by Council Member Greer to not go forward with a cigarette tax at ten cents per pack as advertised in the budget, 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.
2. Concerning the employee bonus for Town employees for Christmas, it was the consensus of Council to have it stay the full amount as proposed in the budget, and wait to see if there are enough carryover funds for the Town to fund the bonuses.
 3. Concerning the draft "Town of Rocky Mount Fiscal Year 2010 Appropriation Resolution", the Mayor entertained a motion.
 - Motion was made by Council Member Greer to approve the "Town of Rocky Mount Fiscal Year 2010 Appropriation Resolution" as amended without the cigarette tax, 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 carried unanimously by those present.

B) Request of Rising Opportunities

The Town Manager informed Council that the Town had budgeted \$7,000 in the current fiscal year to fund local programs offered by Goodwill Industries of the Valleys. To obtain these funds, Goodwill proposed a program that was in fact already funded. Council elected at that time to retain the funds for future use as they deemed appropriate. Rising Opportunities approached the Town of Rocky Mount and requested that those outside agency funds be allocated to them to perform the same service and function locally. At the time of the request, Rising Opportunities proposed to demonstrate their ability to use the funds to support adults with developmental issues by raising private funds to match those funds requested from the Town. It was the consensus of Council to defer this discussion until the end of the fiscal year. He further informed Council that Rising Opportunities has approached the Town and reported that they have raised over \$9,000 in private funds to match the originally pledged \$7,000 to Goodwill, and asks that the Town release the funds to Rising Opportunities for their use to serve the local developmentally challenged population. The Town Manager confirmed to the Mayor that the \$7,000 was put aside in this fiscal year's budget.

Council Member Lester asked if the Town could increase the \$7,000 by another \$3,000, with the Mayor stating that the \$7,000 was in this year's current fiscal budget. The Finance Director confirmed that in Fiscal Year 2010-2011 budget, \$2,500 was set aside for Rising Opportunities in the agency funding portion of the budget.

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

- Motion was made by Council Member Lester for the Town to appropriate the \$7,000 that was previously assigned to Goodwill Industries to be released to Rising Opportunities, and to increase that amount if possible, with motion on the floor being seconded by Council Member Seale. Discussion ensued. The Town Manager confirmed to Vice Mayor Dillon that the Town did sign an agreement with Piedmont Community Services for Rising Opportunities and that they are meeting the Town's expectations. The Finance Director confirmed to Vice Mayor Dillon that the Town did receive from Rising Opportunities the same information that was received from other agencies that had submitted requests for funding. There being no further discussion, let the record show that the motion on the floor passed unanimously by those present.

NEW BUSINESS

A) Request of Ronile

The Town Manager briefed Council regarding a request of Ronile:

- Two years ago, Ronile approached the Town with a proposal to build a reverse osmosis water treatment facility whereby they could reduce their demand for water by treating and re-using some of their effluent. This concept was originally established when the Town was facing a drought, but continued to be discussed during the recession as a way of keeping Ronile strong as a local employer. Ronile asked that the Town alert them of any funding opportunities that may be available to help them build this facility as the cost to build it was not economically viable given the savings it would produce.
- Rocky Mount was notified in February of this year of a grant/loan program for "green" projects that would reduce demand for water or improve the quality of effluent. The program would provide a low interest loan with a substantial portion forgiven for projects that had a positive environmental impact. Ronile prepared an application for \$223,452 in funding to build a reverse osmosis facility and the Town submitted it on their behalf.
- The State Department of Environmental Quality (DEQ) notified the Town in March 2010 that the application was tentatively approved and that funds would be awarded after a public hearing in May of this year. DEQ is offering to make a loan to build the facility and to forgive one-half of the loan. The challenge is that DEQ requires that the Town be the recipient of the loan.
- If approved by Council, Ronile has agreed to enter into a lease agreement with the Town, whereby the facility in question is built by Ronile, drawing down loan funds as appropriate, but the facility is then leased to Ronile by the Town for a period identical to

the term of the loan, with the fee for the lease being identical to the debt service of the loan.

The Town Manager also summarized the proposal for Council:

- DEQ will issue a loan to the Town (in the form of a bond agreement) in the amount of \$223,452.
- DEQ will forgive one-half of this loan amount, leaving a loan amount of \$111,726.
- Ronile will construct the reverse osmosis facility using the proceeds from the loan/bond/grant. The Town will technically own the facility.
- Ronile will lease the reverse osmosis facility from the Town for an amount equal to the annual debt service on the loan/bond.
- All Town expenses in obtaining the bond on behalf of Ronile will be included in the lease agreement so that there is zero cost to the taxpayer for the project.

It was pointed out by the Town Manager that DEQ is ready to make the award and seeks an answer from the Town as to if it still wants to participate. Prior to responding to DEQ and prior to investing legal expenses in developing such a lease or in spending funds with bond counsel, the Town Manager indicated that he would like to know if Council supports this concept. He pointed out that it was initiated as method of providing economic and industrial developmental assistance to one of Rocky Mount's largest employers, with this being the only "public/private" grant awarded by DEQ and represents a philosophical challenge for the program. He further pointed out that if successful, it will reduce the amount of water purchased from the Town, but will strengthen Ronile as a local employer and part of the Town's economy.

Discussion ensued between the Town Manager and Council regarding the request:

- Town Manager confirmed that the Town Attorney's fees will be included so there would be zero dollars to the Town citizens.
- This would be a real opportunity to help industry for the Town.
- It is important to keep an employer and jobs in Rocky Mount for Town and County citizens.
- Even though this may be taking a small part of Town revenue from the Town, it will be keeping an employer in the Town.
- If Ronile is able to divert, it will make it challenging for the Town to budget the loss in water and sewer rates for Fiscal Year 2012, but in the long run, the Town will be able to adjust at the Town's plants by possibly dropping down to ten hour weeks. By helping Ronile, the Town is keeping them as an employer, which is more important than the Town losing revenue.
- Can understand an industry looking at ways to save money, and if successful, Ronile will reduce their intake almost half.

The Town Manager informed Council that if it is the consensus of Council for the Town to proceed, he can bring the matter back before Council with more information at a later time.

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

- Motion was made by Council Member Seale to give the green light to the Town Manager and Town Attorney to proceed with negotiations and drafting the various agreements and protection that the Town needs, with the Town Manager bringing the lease agreement back before Council. Let the record show that the motion on the floor was seconded by Council Member Strickler. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

B) Request of Ray A. Agee, Board Member of Southwest Virginia Antique Farm Days

Mr. Ray A. Agee, Board Member from the Southwest Virginia Antique Farm Days, came before Council requesting that they be allowed to kick-off their antique tractors parade around Town on June 17th.

The Chief of Police confirmed to Council that the parade route had changed a little from last year and that the Police Department will have a patrol officer to monitor the event.

There being no discussion, the Mayor entertained a motion.

- Motion was made by Council Member Seale to approve the request for the parade, 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) Resolution of the Town of Rocky Mount, Virginia Approving the Assignment of the Cable Television Franchise

An overview was presented by the Town Manager regarding the Town being notified by Shentel that it intends to purchase the local cable television system, with the following being highlighted:

- They provided a transfer form for the Town's review (FCC form 394).
- The Town must consent to this sale.
- This form and the transfer was reviewed by the Town and County jointly and a meeting took place whereby Town and County staff met with representatives of Shentel to go over their plans for the system and their future support for Cable 12.
- Shentel presents itself as a cable system operator rather than a cable system investor. Information from other localities supports this description.
- The Town and County negotiated with Shentel regarding Cable 12 and customer service issues. The negotiations produced a pledge of continued support for Cable 12, a large transition period for e-mail customers, and a tentative agreement to locate a customer service office within the Town.
- Based upon a review of the company, it is the opinion of staff that it is in the Town's interest to consent to the transfer as Shentel has a better customer service track record than JetBroadband, is a more local company than JetBroadband, and has a track record of running systems for growth versus investment.

Mr. David Ferguson, Vice President of Customer Service for Shentel, came before Council, briefing them on the following, and answering questions posed by Council:

- Gave an overview of their company's history, present operation, and current locations.
- Price of their services may go down if customer bundles their services together.
- Confirmed that Cable 12 would still exist, and that he has met with representatives from Cable 12.
- Encouraged Council to call some of their current customers regarding the type of services that they provide localities, and following through with what he tells them Shendel will do for their customers.

Mr. Steve Oaks, representing Cable 12, came before Council stating the following:

- Along with Richard Shively, they met with Mr. Ferguson about two weeks ago and for the first time, he and Mr. Shively feel encouraged by what Mr. Ferguson states that they will do for them.
- Looks forward to working with Mr. Ferguson and Shentel.
- What he sees so far from Shentel, he believes it will be different from the previous cable companies.
- Thanked Council for their support and for them coming and appearing on the *Rise 'N Shine* Cable 12 program.

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

- Motion was made by Council Member Lester to approve the assignment of the cable franchise, 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 by those present.

D) Amendment to VA Code §51.1-144 Regarding Virginia Retirement System Contributions

Regarding the proposed amendment to VA Code §51.1-144 regarding the Virginia Retirement System contributions, the Town Manager presented to Council the following:

- The Virginia General Assembly, in its 2010 session, passed legislation creating a separate retirement plan for employees hired on or after July 1, 2010 (hereafter referred to as "Plan 2" employees).
- The legislation amended VA Code § 51.1-144 to provide that Plan 2 employees will pay their 5% member contribution and that, absent other action by the employer, such contribution will be paid through salary reduction according to Internal Revenue Code § 414 (h). Internal Revenue Code § 414 (h) provides that a governmental employer may "pick-up" mandatory employee contributions and thereby cause the contributions to be made on a pre-tax basis.
- The formal written action required by Internal Revenue Code § 414 (h) to effect the pick-up has been taken by the General Assembly with the Governor's signature.
- The legislation also permits each county, city, town, local public school board, or other local employer, to pick-up, in whole or in part (in 1 percent increments), the 5%

member contribution as an additional benefit not paid as salary. This is the Town of Rocky Mount's current policy.

- The Town must decide if all new hires after July 1, 2010 will be treated the same as current employees who has the Town to pick-up the 5% employee share of VRS contributions.
- Formal written action is required by Internal Revenue Code § 414 (h) to effect the pick-up using the alternatives permitted by the legislation and must be taken by the governing body of the specific employing entity and must be effective only on a prospective basis.
- A draft resolution is being presented to Council, which indicates that the Town will continue to treat new hires identical to existing employees and pay or "pick-up" the employee's share of VRS contributions. If Council wishes to pass on any or all of the 5% employee share to new hires, the resolution can be adjusted to reflect the figure chosen by Council. If Council wishes to have new hires pay the 5%, no action is required.
- Council needs to consider on whether or not to "pick-up" amount for employees hired after July 1, 2010.

The Town Manager stated that he recommends for simplicity and parity among employees and that the Town continues the current policy of paying the 5% contribution.

The Mayor commented that he believes the draft resolution is good, and if the Town passes the 5% on to employees, it is the same as a pay reduction.

The Town Manager confirmed to Council Member Walker that once the draft resolution is passed, it would be for new employees only, but could be reviewed year to year.

Council Member Strickler commented that the Town needs to be competitive in hiring employees.

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

- Motion was made by Council Member Strickler to adopt the draft resolution as proposed, with motion on the floor being seconded by Council Member Lester. Discussion ensued. The Town Manager confirmed to Vice Mayor Dillon that the State of Virginia had backed off from having new employees pay the 5%, leaving the matter up to the localities to decide. He further confirmed that if the Town did do this, it would not make the Town competitive and would create two classes of employees. It was also confirmed by the Town Manager that the budget impact is zero dollars as it is budgeted in Fiscal Year 2011 to have the Town pick up the 5%. Let the record show that the motion on the floor passed five to one, with Vice Mayor Dillon voting in opposition to the motion on the floor.

E. Advertising for Part Time Employees for Summer Work for Town of Rocky Mount Public Works Department

The Town Manager informed Council that he has initiated Town staff to start the advertising process for two part time employees for the Public Works Department that would be used for summer work. He also stated that he has instructed them to begin a temporary staff member on board to work at the Public Works Department from a local employment agency, as the Public Works Department is now short four men, with two being out on long term workers compensation leave, one is out for shoulder surgery, with the fourth resigning the last week in May. The Town Manager further pointed out that he asks for Council's authorization to add these part time positions, not previously approved, due to the unusual staffing challenges facing the Public Works Department, and the need to stay on top of the normal maintenance tasks assigned to that department.

Discussion ensued on what the Public Works Director actually needed regarding the part time help. The Public Works Director confirmed to Council that the two part time positions would be the same as he has used in the past that do the grass and weed cutting. He also stated he needs one to help on the garbage trucks, and one that would need a Commercial Drivers License (CDL). The Town Manager stated that the Town is looking to get two multi-purpose part time workers on board until the three individuals that are out due to medical leave can come back to work. He also confirmed that one person is already on board that was hired through Manpower (local employment agency). It was also discussed that the Town Manager and Public Works Director could sit down and discuss filling the position where one person resigned from Public Works. The Mayor stated that Council needed to address the part time positions, and then address the position needing the CDL license.

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

- Motion was made by Council Member Walker to approve the request, with motion on the floor being seconded by Council Member Greer. Discussion ensued. The Town Manager confirmed to Council that the two part time positions will be hired through the Town alone, and not through Manpower. There being no further discussion, let the record show that the motion on the floor passed unanimously.

F) USDA Grant

The Town Manager informed Council that Council Member Seale had asked the Town to seek USDA funds to offset the costs of purchasing police vehicles, with staff applying to USDA for \$50,000 towards the purchase of two police vehicles, fully equipped for police duty. He explained that the local cost, if funded, would be \$19,896.04, which has been included in the proposed budget for Fiscal Year 2011. It was confirmed to Council by the Town Manager that no action was needed from Council at this time, but if the Town is awarded the grant, Council will be asked to

accept the funds and appropriate them for the use specified.

G) Request of Botetourt County Administrator

The Town Manager pointed out that a request was received by the Town from Gerald A. Burgess, County Administrator of Botetourt County, for the Town to review and consider approval to lobby the Virginia Department of Transportation (VDOT) to extend the payback period for economic development grants like the one the Town used to extend Weaver Street. He explained that if the Town wishes to join other localities in presenting this issue to VDOT, a letter can be drafted to the Town's representative on the Commonwealth Transportation Board requesting a change in the policy. He further explained that since the Town is a recipient of the same funds referenced, an extension would be in the Town's best interest and that he recommends that the Town join other localities in the effort. It was confirmed to the Mayor by the Town Manager that the extension is just for the payback period, referencing what the Town has received so far from VDOT for Weaver Street in order to get a tenant in the Industrial Park.

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

- Motion was made by Council Member Seale for the Town to join Botetourt County in lobbying VDOT for granting an extension for the economic development grants, 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.

COMMITTEE REPORTS

Let the record show there were no committee reports at this time.

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 at this time.

B) Rise 'N Shine Appearances

The Mayor pointed out that the Town Manager had appeared on the *Rise 'N Shine* show this morning, with the host being Bernice Cobbs.

COUNCIL CONCERNS

Let the record show there were no Council concerns at this time.

CLOSED MEETING

At 8:22 p.m., motion was made by Council Member Lester to go into *Closed Meeting*, and seconded by Council Member Walker 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 (Police Department personnel).

At 8:56 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 Greer 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 Walker. 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 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 9:00 p.m., motion was made by Council Member Lester to adjourn, seconded by Council Member Strickler and carried unanimously by those present.

Steven C. Angle, Mayor

ATTEST:

Patricia H. Keatts/Town Clerk

/phk