

**ROCKY MOUNT TOWN COUNCIL  
REGULAR COUNCIL MEETING  
JULY 11, 2011**

The July 11, 2011 regular Council meeting of the Rocky Mount Town Council was held in the Council Chambers of the Rocky Mount Municipal Building located at 345 Donald Avenue, Rocky Mount, Virginia at 7:00 p.m. with Mayor Steven C. Angle presiding. The following members of Council were present:

Vice Mayor Gregory B. Walker and Council Members  
Bobby M. Cundiff, Jerry W. Greer, Sr., P. Ann Love, Robert L.  
Moyer, and Robert W. Strickler

The meeting was called to order by Mayor Angle.

For the record, the following were present: All members of Town Council as noted, Town Manager C. James Ervin, Assistant Town Manager/Community Development Director Matthew C. Hankins (and Planning & Zoning Administrator), Town Attorney John T. Boitnott, Chief of Police David Cundiff, Finance Director Linda Woody, Public Works Director Cecil R. Mason, Superintendent of Water Department Robert Deitrich, Superintendent of Wastewater Department Timothy Burton, Fire Chief Charles Robertson, 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 Council Member Greer to approve the agenda as presented, seconded by Council Member Strickler and carried unanimously by those present.

### **SPECIAL ITEMS**

- The Assistant Town Manager introduced the new Town Planner, Mr. Patrick Rust, giving a brief synopsis of Mr. Rust's credentials, further stating that he was a good addition to the Community Development team. Mr. Rust thanked Town for hiring him, stating that he is learning the ropes; everyone is real nice to work with; and he is looking forward to working with the Town.

## **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:

- June 6, 2011 Proposed Fiscal Year 2012 Budget & Capital Projects Public Hearing
- June 13, 2011 Regular Council Meeting

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

- Motion was made by Vice Mayor Walker to approve the draft Council meeting minutes as presented with motion on the floor being seconded by Council Member Cundiff. 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
  - Review and consideration of approval of two each Commonwealth of Virginia – Department of Criminal Justice Services School Resource Officer Incentive Grant Funds for Grant Numbers 12-D5911FR12 and 12-D5912FR12 (\$14,4816 each); along with approval of two each draft “Town of Rocky Mount Supplemental Appropriation Resolutions for the Fiscal Year Ending June 30, 2012” to appropriate funds.

Council Member Moyer addressed the issue regarding the proposed school resource officer grants, stating that the wrong people are paying for this since the Town citizens pay for both Town and County taxes, and that the County of Franklin should be paying for the school resource officer position. He further outlined the costs associated with the Town paying for this position, with the grant only paying for one-third of those costs. There was discussion amongst Council regarding the position being paid by the Town, with both Vice Mayor Walker and Council Member Love stating that since they work in the school system, they see the benefits of having a school resource

officer at Franklin County High School and Benjamin Franklin Middle School, but they also expressed that the County of Franklin should also be helping with paying for these positions. The Town Manager was instructed by Council to contact the County of Franklin regarding funding for school resource officers in the Franklin County schools located in the Town corporate limits.

- Review and consideration of approval of draft Cigarette Tax Ordinance providing for the levy of taxes on cigarettes.

Let the record show that no discussion ensued.

- Miscellaneous Action
- Departmental Monthly Report
- Bill List

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

- Motion was made by Council Member Strickler to approve the draft *Consent Agenda*, with motion on the floor being seconded by Vice Mayor Walker. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

## **HEARING OF CITIZENS**

### A) Request of Franklin County High School Student Association

On behalf of Franklin County High School Student Association (FCHSSA), Ms. Anitra Holland came before Council requesting their consideration of allowing FCHSSA to hold a Homecoming Parade on October 14, 2011. It was confirmed by Ms. Holland that they have contacted the Rocky Mount Police Department and worked out the route of the parade. The Chief of Police confirmed that the RMPD would route the parade around any traffic disruptions.

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

- Motion was made by Council Member Love to approve the request of Franklin County High School Student Association to have the parade, 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.

B) Request of Rocky Mount Volunteer Fire Department Fire Chief

Charles Robertson, Fire Chief for the Town of Rocky Mount, requested that the Town assist the Rocky Mount Volunteer Fire Department in making sure the Town citizens were aware that the E-9-1-1 address numbers needed to be reflective, at least 3" high, and visible from the street. The Town Manager stated he would look into this request.

C) Request of Franklin County Retail Merchants Association

Mary Sigmon, representing Franklin County Retail Merchants Association (RMA), came before Council inviting them to attend their upcoming "Shop with the Merchants in the Central Business Area of Rocky Mount, Virginia", which they are hosting on July 23rd as a customer appreciation day. Council so noted the invitation.

**OLD BUSINESS**

Let the record show there were no "Old Business" items to discuss at this time.

**NEW BUSINESS**

A) Request of Rocky Mount Volunteer Fire Department Fire Chief

Charles Robertson, Fire Chief for the Town of Rocky Mount, presented to Council for their review and consideration of approval a list of names of officers for the physical year 2011/2012 for the Rocky Mount Volunteer Fire Department. He pointed out that the month of June each year brings about election of officers for the Rocky Mount Volunteer Fire Department. Those names submitted for consideration were:

- Chief: Charles Robertson
- Assistant Chief: Jeff Rakes
- Captain: Justin Woodrow
- First Lieutenant: Jeff McCarty
- Second Lieutenant: David Young
- Secretary: Brian Garland
- Treasurer: Ullis Chitwood
- Chaplain: Richard Gore

The Fire Chief pointed out that all of these men are very competent and respected members of the Fire Department and he looks forward to serving with them again, and that Council should rest assured that all of these men are up to the job.

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

- Motion was made by Council Member Greer to approve the Rocky Mount Volunteer Fire Department list of officers as presented by Fire Chief Robertson, with motion on the floor being seconded by Council Member Moyer. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

B) Draft “Town of Rocky Mount Supplemental Appropriation Resolution for the Fiscal Year Ending June 30, 2012” Relative to Franklin Community Bank

The Town Manager explained to Council that the Town has called a portion of the letter of credit securing the public improvements at the “Plateau and Landmark Plaza” subdivision. He pointed out the following:

- \$250,000 was placed on deposit in the name of the Town of Rocky Mount at Franklin Community Bank to guarantee that the Town has the resources needed to complete the public improvements legally required under the Town’s Subdivision Ordinance.
- The Town will expend these funds to complete improvements or pay costs covered under the bond and will return funds not needed to Franklin Community Bank.
- In order to use these funds, they must be appropriated by the Town of Rocky Mount.

Prior to the meeting, Council received a draft “Town of Rocky Mount Supplemental Appropriation Resolution for the Fiscal Year Ending June 30, 2012” that is relative to the matter brought to Council’s attention by the Town Manager.

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

- Motion was made by Council Member Greer to approve the request of the Town Manager as presented, 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.

C) Request of Superintendent of Town of Rocky Mount’s Wastewater Treatment Plant

The Superintendent of the Town’s Wastewater Treatment Plant (WWTP) came before Council outlining his request to submit application to the Virginia Clean Water Revolving Loan Fund (VCWRLF) for funds to replace the Ultra Violet (UV) treatment equipment at the WWTP. He explained the following:

- Though the Town is trying to fund this through the Town’s capital program, the VCWRLF may offer the Town a mixture of low interest loans and grants that make working with them attractive.

- The total amount of the application is \$278,600, which includes the estimated \$192,000 for the equipment, engineering fees, contractor fees, and a contingency for unforeseen expenses.
- In exploring the application, the Town was able to better define the regulatory implications of the replacement and the engineering assistance that the Town is likely to require.
- The application comes with no obligation to accept funds or loans offered.

The Superintendent of the WWTP stated that staff recommends proceeding in order to see what options are available under the VCWRLF. He also confirmed to the Mayor that the Town already has an engineer firm under contract, with this being one of the firms that the Town uses.

At the Mayor's request, the Superintendent of the WWTP explained to those present in the audience what the UV was about and why it needed to be replaced.

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

- Motion was made by Council Member Strickler for staff to make application, with motion on the floor being seconded by Council Member Love. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

## **COMMITTEE REPORTS**

### **A) Public Facilities & Special Events Committee**

The Town Manager informed Council that the Public Facilities & Special Events Committee had met on June 22, 2011 to review two requests from outside agencies, being:

1. Request of Community Partnership for Revitalization (CPR) to operate the Community & Hospitality Center (Depot) and for funding for specific functions.

The Town Manager summarized the requests of CPR:

- CPR would like to use the Depot and use the existing office to serve as CPR's organization's office. Staff and volunteers of CPR staff the Depot Wednesday through Saturday (which would include high school and Ferrum College students). In exchange for CPR managing the Depot, CPR proposes that the Town will continue to pay all utilities for the Depot; will continue to pay all communication costs, including telephone and internet; continue to pay for cleaning services to the facility; and the Town will continue to pay all maintenance costs, interior and exterior. To offset the management costs associated with the Depot, CPR requested the

following: to be provided the office space free of charge, and to retain all rental fees collected for use of the Depot to compensate staff for hours replaced to remain open Wednesday through Saturday.

- CPR requested funding for a comprehensive package of commercial district revitalization strategies to be carried out in the 2012 fiscal year by CPR in partnership with the Town of Rocky Mount.

The Town Manager reported that the Committee objected to the limited number of days open and the fact that CPR requested to retain the rental income from the facility.

There was much discussion on the options of how to keep the Depot opened to the public. Several options explored were:

- Use of volunteers to manage the Depot.
- Hiring retirees to manage the Depot.
- Use of CPR to manage the Depot.

There was much discussion regarding the proposal of CPR. Also discussed the Town's operational cost to keep the Depot open. Ms. Whitney Harmon, Executive Director of CPR, gave an explanation as to why CPR feels like they have a lot to offer in helping the Town in keeping the Depot open. Also discussed the events CPR hold that the Town is already funding at a cost of approximately \$3,000 annually, being: Pigg River Ramble, Come Home to a Franklin County Christmas, and the Chug for the Jug. Ms. Harmon confirmed to Council that she has submitted a letter to County of Franklin regarding funding after CPR met with the Town's Public Facilities & Special Events Committee. Question rose regarding continuing this discussion, but it was determined that it would be best to resolve this issue at this time.

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

- Motion was made by Council Member Cundiff for the Town to go with a volunteer staff to operate the Depot, 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 carried unanimously.
2. Request of Franklin County Parks & Recreation to close part of Franklin Street for a "Mountain Spirits" festival in October.

During the Council meeting of June 13, 2011, Franklin County Parks & Recreation requested to hold a "Mountain Spirits" festival in October, with Council requesting further information to be given to the Public Facilities & Special Events Committee during their meeting. The Town Manager pointed out that the Committee discussed the event at length and suggested that the

municipal parking lots on or near Franklin Street be used and if needed, closing part of the streets new the Farmers' Market. The Committee recommended allowing the event to proceed with these changes and advised them to work with the Rocky Mount Police Department, Retail Merchants (which also has an event that day), and the merchants. Additionally, the Committee stated that the Town's preference for street closures is on Sunday or after 5:00 p.m.

It was confirmed to Council by Franklin Parks & Recreation that the streets would not be closed, with the event using the parking areas as recommended by the Committee, with the exception of those reserved, with Mrs. Debra Weir Tourism & Project Manger with the Franklin County Parks & Recreation being very much aware of this.

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

- Motion was made by Council Member Greer to approve the request without closing the streets, with motion on the floor being seconded by Council Member Moyer. There being no discussion, let the record show that the motion on the floor passed unanimously.

#### Finance & Human Services Committee

The Town Manager informed Council that the Finance & Human Services Committee met on June 28, 2011 to consider changes in the Town's Workers' Compensation Policy. Prior to the meeting, Council had received a brief summarization of the Committee meeting, along with their recommendation for the Town Attorney to research the issue further and to reconvene when additional information was available, with the focus on the additional research bringing the Town's policy in-line with the Family and Medical Leave Act so that the two policies operate together.

The Town Manager informed Council that no action was needed at this time.

The Mayor requested that the Town Attorney speed this research up and to anticipate a meeting with the Committee in order for Council to have a recommendation during their regular August Council meeting. The Town Attorney so noted.

#### **OTHER MATTERS, CONCERNS AND RISE 'N SHINE APPEARANCES**

##### A) Referrals to Planning Commission from Town Council

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

The Assistant Town Manager did confirm to Council that a joint meeting between Council and the Planning Commission will be discussed during the Planning Commission's August meeting.

B) Rise 'N Shine Appearances

Let the record show that the Assistant Town Manager appeared on the show.

**MISCELLANEOUS**

- The Assistant Town Manager informed Council on the progress of the paving for the Uptown Project, and explained to Council why the paving company went to days paving versus doing it during the night (high heat during the day helped the asphalt to bond better). The Town Manager confirmed to Council that he and the Assistant Town Manager have been meeting with the owners of North Main Street Amoco regarding their business being affected by the Uptown Project work.
- The Mayor complimented the Public Works Department crew for fixing a water break after working hours, with the citizen being very grateful and asked that his gratitude be passed on to the Public Works Department.

**COUNCIL CONCERNS**

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

**CLOSED MEETING**

At 8:05 p.m., motion was made by Council Member Moyer to go into *Closed Meeting*, and seconded by Vice Mayor 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 (specifically, Rocky Mount Police Department).

At 8:41 p.m., motion was made by Council Member Greer 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 Strickler 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.

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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 considered in the meeting by the public body was discussed. Motion was seconded b Council Member Moyer. 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 2.2-3712 Code of Virginia. Voting yes were Vice Mayor Gregory B. Walker and Council Members Bobby M. Cundiff, Jerry W. Greer, Sr., P. Ann Love, Robert L. Moyer, and Robert W. Strickler.

The Mayor reported that no action was taken.

## **ADJOURNMENT**

At 8:45 p.m., motion was made by Council Member Love to adjourn, seconded by Vice Mayor Walker and carried unanimously by those present.

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Steven C. Angle, Mayor

ATTEST:

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Patricia H. Keatts/Town Clerk