

**ROCKY MOUNT TOWN COUNCIL  
REGULAR MEETING MINUTES  
FEBRUARY 8, 2016**

The February 8, 2016 regular meeting of the Rocky Mount Town Council (hereafter referred to as "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:

- Mayor Steven C. Angle
- Vice Mayor Gregory B. Walker
- Bobby M. Cundiff
- P. Ann Love
- Robert L. Moyer
- Jon W. Snead
- Billie W. Stockton

The following staff members were also present:

- John Boitnott, Town Attorney
- Tim Burton, Wastewater Treatment Plant Superintendent
- Bob Deitrich, Water Treatment Plant Superintendent
- Rebecca Dillon, Interim Executive Assistant
- C. James Ervin, Town Manager
- Josh Gibson, Town Planner
- Matthew Hankins, Assistant Town Manager
- Mark Lovern, Lieutenant, Rocky Mount Police Department
- Cecil Mason, Public Works Director
- Linda Woody, Finance Director

The meeting was called to order by Mayor Steven C. Angle.

**PLEDGE OF ALLEGIANCE**

Mayor Angle led in saying the Pledge of Allegiance.

**APPROVAL OF AGENDA**

**Motion:** To approve the agenda.

**Motion By:** Council Member Snead

**Second:** Vice Mayor Walker

**Motion Discussion:** None

**Ayes:** Cundiff, Love, Moyer, Snead, Stockton, Walker

**Nays:** None

**Action: Agenda approved by a unanimous vote****SPECIAL ITEMS**

Recognition of two Franklin County Rescue Squad Members, Mr. Jack Swicegood and Mr. Gary Swicegood for a lifetime of service to the Town and its citizens. Both Mr. Jack Swicegood and Mr. Gary Swicegood were presented with resolutions from the Town by the Mayor honoring them for their lifetime of community work on the Franklin County Rescue Squad. Mr. Jack Swicegood had 49 years of experience at saving lives, training others, ministering to the squad and starting up new squads. February 8<sup>th</sup>, 2016 was declared Mr. Jack Swicegood day. Mr. Gary Swicegood had 47 years of experience traveling, being Captain and sharing his knowledge with others. February 9<sup>th</sup>, 2016 was declared Mr. Gary Swicegood day. After the presentations, each man was greeted by a round of applause and a standing ovation.

**PUBLIC HEARINGS**

Mayor Angle recessed the meeting to go into public hearing.

The public hearing is continued from the Town Council meeting of January 11, 2016, to allow neighboring property owners of Franklin County time to resolve issues related to the tower construction. These were described by the Town Planner as civil matters such as tenant competition, easements and trespass, etc. which are to the adjoining land owners related to the special use permit. The Town representatives were not involved with this.

At this time the Mayor opened the floor that if anyone wished to speak to Council to come forward.

Mr. Mark Cronk of 170 Virginia Key Drive, Union Hall, Virginia, 24176 came forward. Mr. Cronk had spoken with the County regarding the issues that were previously brought up and were addressed as well as they could be. Co-location is still a concern but Mr. Cronk was appreciative to Town Council for giving him the opportunity to speak with the County.

The Mayor asked if anyone else would like to speak and given no one came forward, the Mayor called the meeting back into session and ask the Town Manager if the Town Staff would like to give a brief statement of what the Special Exception Request was about. The Town Planner, Mr. Josh Gibson, gave the following summary:

This is a special exception request by Franklin County Public Safety to construct a 195 foot tower that replaces the 160 foot tower on top of Grassy Hill. Because it is a new tower, the wireless communications ordinance requires a new special exception permit. Article 40 does not account for replacement towers as one of the exceptions and doesn't really contemplate how replacement towers are considered. In instances where there is an increase in size, we consider it to be new. In 2012, the Middle Class and Job Safety Act that the FCC passed, describes what a significant increase is. In the guidance document, they mentioned the height increasing more than 10% was a substantial increase and this tower is a 22% increase in height Article 40 applies because of this increase. The nearest residential uses are approximately 1,000 feet away and set backs are not a consideration for the N1 District. They were incorporated into the previous rezoning. The Planning Commission recommended approval of the County's request with two suggested conditions.

- (1) That the site be developed in accordance with the application materials.
- (2) That the removal takes place within a reasonable amount of time set by Town Council.  
The recommendation was for 90 days with the completion of the new tower.

**Motion:** To approve the special exception request

**Motion By:** Council Member Moyer

**Second:** Council Member Love

**Motion Discussion:** None

**Ayes:** Cundiff, Love, Moyer, Snead, Stockton, Walker

**Nays:** None

**Action:** Request approved as presented by a unanimous vote

### **APPROVAL OF MINUTES**

Received by Council in their packet for this scheduled meeting were draft minutes for review and consideration of approval:

- January 11, 2016 Regular Meeting Minutes

**Motion:** To approve the draft minutes as presented

**Motion By:** Council Member Moyer

**Second:** Council Member Snead

**Motion Discussion:** None

**Ayes:** Cundiff, Love, Moyer, Stockton, Snead, Walker

**Nays:** None

**Action:** The draft minutes presented were approved by a unanimous vote

### **APPROVAL OF CONSENT AGENDA**

This month's consent agenda consists of the following items:

(1) **Miscellaneous Action:**

Review of Budget and Capital Improvement Plan Schedule for FY 2017

(2) **Miscellaneous Resolutions/Proclamations:** None at this time

(3) **Department Monthly Reports**

- Community Development Department
- Finance Department
- Fire Department
- Police Department
- Public Works Department
- Wastewater Department
- Water Department

**Discussion:** The dates for the budget will be discussed under New Business

**Motion:** To approve the consent agenda with the exception of the budget and capital improvement plan scheduled for FY 2017

**Motion By:** Council Member Moyer

**Second:** Council Member Love

**Motion Discussion: None****Ayes: Cundiff, Love, Moyer, Snead, Stockton, Walker****Nays: None****Action: Consent agenda approved with the exception of the budget for FY 2017****HEARING OF CITIZENS**

Mayor Angle opened the floor to any other citizens wishing to speak.

Mrs. Nancy Bradley of 55 Tyree Street, Rocky Mount, Virginia, 24151. Mrs. Bradley was present at the meeting to ask for a dog leash law. Mrs. Bradley is afraid of dogs and has problems with her next door neighbor Miss Amber Miller of 45 Tyree Street, Rocky Mount, Virginia, 24151 regarding her dogs. Council Member Bobby Cundiff spoke regarding the invisible fencing and Mrs. Bradley being afraid in her own home. Photos of the dogs and Mrs. Bradley's underneath porch area were submitted to Council for review. As chairman of the Public Safety Committee, Vice Mayor, Greg Walker ask if Council would send this to committee for them to take a look at and Council did so.

Mr. Mike Carter of 210 Maple Avenue, Rocky Mount, Virginia 24151 spoke regarding a music group called Robin and Linda Williams and The Mountain Valley Pipeline. They ask Council if they could have a concert possibly in the spring to bring people together and talk about the pipeline. Mr. Carter would like to have the concert at the Harvester Performance Center. The Mayor commented that perhaps if not the Harvester then maybe the Farmer's Market. Mr. Carter passed around to Council a brochure entitled "The Blackwater River Must Not Be Sacrificed to the Proposed Mountain Valley Pipeline and a hand out by the Blue Ridge Environmental Defense League.

Mayor Angle ask further if anyone would like to address Council and no one came forward.

**OLD BUSINESS:**

Update on Town Council Planning Retreat: Town Manager, Mr. Ervin shared with Council that they had previously scheduled a retreat on the 11<sup>th</sup> and 12<sup>th</sup> of March 2016, however the cost for the proposed facilitator was an issue and staff was instructed to search for an alternate. Staff has discussed the Town's needs with Dr. Ferguson, who recently facilitated a Franklin County retreat successfully. Dr. Ferguson then submitted to us a proposal to facilitate a retreat of \$2,500. Staff recommends the March dates to get more Council participation as some of Council has shared that there are time conflicts until school is out for the summer. Council asked the Town Manager to send out a prospectus to Council and that would be a guide to a further discussion.

**NEW BUSINESS**

The Franklin County Parks & Recreation have submitted a letter regarding the Chug for the Jug 5K, Kids Fun Run and Carilion Health Walk on April 23, 2016.

**Discussion:** The Chug for the Jug has been reviewed by the police department and the route is the same as last year with the exception of the fact that the children's run will be on the grounds of the Early Inn this year which is safer for the children and the street closures will not have to be as long as previous years.

**Motion:** To approve the street closure as ask

**Motion By:** Vice Mayor Walker

**Second:** Council Member Snead

**Motion Discussion:** None

**Ayes:** Cundiff, Love, Moyer, Snead, Stockton, Walker

**Nays:** None

**Action:** Request approved as presented by a unanimous vote

The Outlaw Cruisers Club have submitted a letter regarding their car show on May 29<sup>th</sup>, 2016.

**Discussion:** The Outlaw Cruisers Club Car Show has been reviewed by the police department and everything was found to be the same as last year. The Club has agreed to keep the public address system off this year until after church has concluded.

**Motion:** To approve the street closure as ask

**Motion By:** Council Member Snead

**Second:** Council Member Moyer

**Motion Discussion:** None

**Ayes:** Cundiff, Love, Snead, Stockton, Walker

**Nays:** None

**Action:** Request approved by a unanimous vote

#### **LUMOS Franchise Renewal:**

Staff presented a prepared renewal of the prior telecommunications franchise issued to Ntelos for a period of five years. Staff noted that the name of the firm had changed to LUMOS.

**Discussion:** Council reviewed the prepared franchise and the existing services provided by LUMOS.

**Motion:** To approve the renewal

**Motion By:** Vice Mayor Walker

**Second:** Council Member Cundiff

**Motion Discussion:** None

**Ayes:** Cundiff, Love, Moyer, Snead, Stockton, Walker

**Nays:** None

**Action:** The renewal of the franchise agreement from Ntelos to LUMOS

### **Wastewater Treatment Plant Intern:**

Wastewater Treatment Plant Superintendent, Tim Burton spoke to Council on the particulars of having an intern. The intern would be from Ferrum College and be required to work 400 hours in order to get credit for the internship. The funds are already in the budget to pursue the intern for this year.

**Discussion:** Mr. Burton indicated that the program has been very successful in the past and was seeking Council's approval to have another intern.

**Motion:** To approve for Mr. Burton to offer an internship to Ferrum College for the Wastewater Treatment Plant

**Motion By:** Council Member Love

**Second:** Council Member Cundiff

**Motion Discussion:** None

**Ayes:** Cundiff, Love, Moyer, Snead, Stockton, Walker

**Nays:** None

**Action:** To approve the request for Mr. Burton to hire an intern at the Wastewater Treatment Plant for the summer

### **Wastewater Treatment Plant Pump Outage/Repair**

**Discussion:** The Wastewater Treatment Plant had an emergency breakdown of one of the main pumps. Mr. Burton has already sent the pump off for repair. The bill will likely be close to \$18,000. Mr. Burton was advised by Town Manager, Mr. Ervin to move immediately to repair the pump. Mr. Burton is waiting on parts for the pump to come out of Sweden and he hopes to have it repaired by the end of February. While a repair is costly, a new pump would be even more, estimated at \$31,000. When asked by Vice Mayor Walker what happens if another pump goes down Mr. Burton said he could order a loaner and have it in here in 24 hours but the adaptor plate would have to be built and that would take up to two weeks. Contingency plans are being developed by Mr. Burton and Mr. Ervin. Council Member Stockton asked what was the life expectancy of the pump. Mr. Burton stated 20 years. Town Manager, Mr. Ervin stated that the water treatment plant is getting to the point in time where it is paid for and some of the equipment is now breaking down. Mr. Ervin pointed out that Council may see that in the capital improvement plan as we go further into the budget.

**Motion:** To approve the \$18,000 to be taken out of the utility capital fund to pay for the repair of the pump

**Motion By:** Council Member Love

**Second:** Vice Mayor Walker

**Motion Discussion:** Chairman of Public Utilities Committee, Council Member Bobby Cundiff added that the utility fund was dedicated for this specific purpose which was for upgrading and added that he would like to see the money taken out of the utility fund for whatever his repairs require. Finance Director, Linda Woody asks if Mr. Cundiff meant the Utility Capital fund and Council Member Cundiff confirmed.

**Ayes: Cundiff, Love, Moyer, Snead, Stockton, Walker**

**Nays: None**

**Action: To take the \$18,000 out of the Utility Capital Fund to make the repair bill when it comes in**

**Review of the budget calendar:**

Town Manager, Mr. Ervin stated that the March event is a regular meeting, the April 5<sup>th</sup> is a regular meeting of the Planning Commission Meeting. The April 11<sup>th</sup> is a regular Town Council meeting then there are two purposed work sessions that are not regular meetings. The Finance Director purposed April 12<sup>th</sup> and 18<sup>th</sup> at 5:00 p.m. for Town Council's normal work sessions. Ms. Woody also asks that April 18<sup>th</sup> be held as a potential work session if needed. The dates as long as they are advertised in advance, can be moved around as Council sees to do so.

Note: there were no committee reports this month. There was one meeting with Shentel, but it met to near the time of the packet to be included.

**OTHER MATTERS & CONCERNS**

Assistant Town Manager Hankins appeared on Rise and Shine Franklin County this morning, with Mr. Dick Shoemaker as host.

The Mayor complimented Public Works Director, Mr. Cecil Mason on what a fine job he and his men did on the snow removal. The Mayor said he had heard a lot of nice comments from folks about it.

Council Member Mr. Bobby Moyer gave a compliment to the Police Department on the race tickets. He thought they did a fine job on that.

Council Member Mr. Bobby Cundiff commended Mr. Boby Deitrich on keeping the numbers up on production of the water on the amount that we were making. Mr. Cundiff thanked Mr. Deitrich for his efforts.

**ADJOURNMENT**

**Motion: To adjourn meeting**

**Time: 8:00 p.m.**

**Motion By: Council Member Stockton**

**Second: Vice Mayor Walker**

**Motion Discussion: None**

**Ayes: Cundiff, Love, Moyer, Snead, Stockton, Walker**

**Nays: None**

**Action: Meeting convened**

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Steven C. Angle, Mayor

ATTEST:

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Rebecca H. Dillon, Acting Town Clerk