

**ROCKY MOUNT TOWN COUNCIL
REGULAR MEETING MINUTES
JUNE 12, 2017**

The June 12, 2017 Regular Council Meeting of the Rocky Mount Town Council (hereafter referred to as "Council") was held in the Fire Department Meeting Room of the Rocky Mount Fire Department located at 1250 North Main Street, 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
- Robert L. Moyer
- Jon W. Snead
- Billie W. Stockton
- Mark H. Newbill

The following staff members were also present:

- John Boitnott, Town Attorney
- Tim Burton, Waste Water Superintendent
- Ken Criner, Chief of Police
- Robert Deitrich, Water Plant Superintendent
- Rebecca H. Dillon, Executive Administrative Assistant
- C. James Ervin, Town Manager
- Matthew Hankins, Assistant Town Manager
- Brian Schofield, Public Works Superintendent
- Linda P. 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

Prior to the meeting, Council had received the agenda for review and consideration of approval. Let the record show that the agenda was amended due to adding two items; first was the redirection of funds from the Pigg River Bridge and secondly was Chris Brown from the Franklin County Extension Office to speak regarding "A Taste of Franklin County Farms". Also, tabled till the next regular meeting in July, was the special item to honor J & J Fashions.

Motion: To approve the amended agenda

Motion By: Council Member Snead

Second: Vice Mayor Walker

Motion Discussion: None

Ayes: Cundiff, Moyer, Snead, Stockton, Walker, Newbill

Nays: None

Action: Approved the amended agenda by a unanimous vote.

SPECIAL ITEMS

None at this time

PUBLIC HEARING

Mr. Ervin stated that the Town and the County had shared the impound lot for many years. At the time of this meeting, Council was looking at changing that from the shared facility with the County, to the Town having its own impound lot. A public hearing had to be held in regard of the sale of the property.

The Mayor opened the floor if anyone would like to speak regarding the impound lot. No one came forward.

For the record, no action was required at this time.

APPROVAL OF MINUTES

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

- May 8, 2017 – Regular Council Meeting

Discussion: None

Motion: To approve the draft minutes

Motion By: Council Member Newbill

Second: Council Member Stockton

Motion Discussion: None

Ayes: Cundiff, Moyer, Snead, Stockton, Walker, Newbill

Nays: None

Action: Approved the motion by a unanimous vote.

APPROVAL OF CONSENT AGENDA

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

- (1) **Miscellaneous Action:** (none at this time)
- (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: None

Motion: To approve the consent agenda as presented.

Motion By: Council Member Cundiff

Second: Vice Mayor Walker

Motion Discussion: None

Ayes: Cundiff, Moyer, Snead, Stockton, Walker, Newbill

Nays: None

Action: Approved the consent agenda as presented by a unanimous vote.

HEARING OF CITIZENS

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

For the record, no one came forward.

OLD BUSINESS:

1. Town of Rocky Mount Erosion and Sediment Control Ordinance Repeal

Mr. Ervin stated that the General Assembly had previously passed code that required cities, counties and if so desired, towns as well, to enact a storm water management fee relative to new construction. When the code was enacted, the Town decided that it would not do a secondary stormwater management program but would be subject to Franklin County's storm water management program.

In 2014, the Town decided that as a body, the Town would no longer offer erosion and sediment control. This was worked out in a memorandum of understanding between the Town and the County. The agreement was passed through Town Council and the Franklin County Board of Supervisors approximately 3 years ago when the Town implemented it. The agreement had worked well however, upon reviewing what the County and Town had in place,

the Department of Environmental Quality noted that the Town still had an erosion and sediment control ordinance on the books. Specifically codes 22-201 and 22-208. The Department of Environmental Quality asked if it was the Town's intent to continue working with the County for these types of things and if so, then the Town should repeal the two specific code sections. If the Town ever wishes to change and have an ordinance on the books again regarding erosion and sediment control, it is possible, but not so long as there is a document on the books with Franklin County.

Discussion: None

Motion: To repeal the two code sections.

Motion By: Council Member Moyer

Second: Council Member Cundiff

Motion Discussion: None

Ayes: Cundiff, Moyer, Snead, Stockton, Walker, Newbill

Nays: None

Action: Approved the motion by a unanimous vote.

2. Refuse Collection Truck Bids

Mr. Hankins stated that staff had bid out a new rear loading refuse truck for a FY2018 purchase. The Town received five bids from four different companies. The Town had budgeted for \$150,000 for this purchase. Cavalier Equipment had the lowest base bid at \$144,511. In the bid, was a 2018 Freight Liner, M2106 Chasey, Heavy Duty Truck with several safety installments and equipped. Also included would be strobe lights, a safety camera and an auto to cab radio for emergencies. Delivery would be 60 to 120 days from time of order.

Motion: To authorize the Town Manager's Office to purchase the new refuse truck at the \$144,511.

Motion By: Council Member Cundiff

Second: Council Member Snead

Motion Discussion: None

Ayes: Cundiff, Moyer, Snead, Stockton, Walker, Newbill

Nays: None

Action: Approved the motion by a unanimous vote.

The Mayor then stated with the purchase of the rear loading refuse truck, he would like to see a return to the following regulations:

- No larger than a 45 gallon can
- All trash must be in a trash bag, in a can; nothing around the outside of the can
- A warning given for first time offenders
- A \$10.00 fine given each time after that.

Mr. Shofield stated that the Town had not been enforcing the regulations and agreed that through the next utility billing cycle, the regulations would be reviewed again.

Council Member Moyer stated that he would like to see a message regarding a return to the regulations in the Franklin News Post as well.

3. End FY2017 Budget True Up

Mr. Ervin stated that the last meeting of the current fiscal year, was the last opportunity for the Finance Director to present to Council items that need to be trued up such as approved expenses vs budgeted expenses. Some of those items are as follows:

Account 05.5333 WTP HVAC	\$32,288	
Account 05.6186 WTP Pump Drive	3,966	
Account 05.6192 WWTP Blower	3,521	
Account 05.6193 WWTP Transfer Switch	8,806	
Account 05.6900.0000.0000.9959 (contingency)		\$48,581
Account 01.4313.0000.0000.7001 (Impound Lot)	\$67,000	
Account 01.9102.0000.0000.9959 (contingency)		\$67,000
Account 01.4350.0000.0000.7010 (Vets Park stabilization)	\$116,502	
Account 01.4118.0000.0000.7010 (Scuffling Hill drainage)		\$116,502

Discussion: None

Motion: To approve the appropriation resolution as submitted

Motion By: Council Member Stockton

Second: Council Member Cundiff

Motion Discussion: None

Ayes: Cundiff, Moyer, Snead, Stockton, Walker, Newbill

Nays: None

Action: Motion approved by a unanimous vote

NEW BUSINESS

1. Resolution for Virginia Department of Health Grant Awarded to Water Treatment Plant

Mr. Deitrich stated that each year the Water Treatment Plant sets aside money to spend on fluoridation. This year the Water Treatment Plant was able to acquire a dual purpose meter that not only provides fluoride but also tests ph as well.

Discussion: None

Motion: To adopt the supplemental appropriation resolution in the amount of \$2,810 from the Virginia Department of Health.

Motion By: Council Member Newbill

Second: Council Member Moyer

Motion Discussion: None

Ayes: Cundiff, Moyer, Snead, Stockton, Walker, Newbill

Nays: None

Action: Motion approved by a unanimous vote

2. Angle Bridge VDOT Funding Direction

Mr. Hankins stated that Council had been made aware that VDOT was holding approximately \$600,000 in remaining funds from the Pigg River Project which can be transferred to another significant highway project here in Town. Staff recommended and Council previously approved transferring the funds to relieving traffic issues around the Franklin – Floyd intersection downtown. Staff had since worked with two of the Town’s engineering partners for road design. Mr. Hankins stated that neither solution fell within the Town’s budget. The Town’s deadline for committing the funds to use is December, 2017.

Schwartz & Associates had completed its biennial inspection of Angle Bridge and made recommendations for repairs which exceed the Town’s current maintenance budget. The bridge is not structurally deficient but requires enough repairs in the bridge and support structures, to be a cause for concern. The overall bridge is rated a 6.5 on a 10-point scale.

The primary recommendations made in the bridge report included cleaning, inspecting and resealing the deck expansion joints, sealing cracks in the decking, sidewalks and backwalls, repairing concrete, replacing missing bolts and tightening loose bolts, cleaning debris from the bearing seats at the abutments, repairing sidewalks approached, and correcting anchor nuts that are tight at the expansion ends. Mr. Hankins stated that this work could not be done in house.

The holdover funds from the Pigg River Bridge can be redirected to the repairs of the Angle Bridge. The estimate from Schwartz & Associates details \$772,695 in repairs which should be made to bring the bridge back up to standard, lengthen the service life of the bridge and minimize hazards to drivers, pedestrians and commerce. That figure includes engineering and contingency, and anything over the \$600,000 funded through VDOT would have to be borne by the Town. The project has to be signed off on by December, 2017.

Mr. Ervin stated that the two bridges that need to have work done on them will run about a million dollars.

The Mayor asked after the repairs are complete, would the realignment of the intersection at The Hub have any impact on the bridge. Mr. Hankins replied that it should not.

Discussion: None

Motion: To approve the request that moves the \$600,000 to Angle Bridge improvements.

Motion By: Council Member Newbill

Second: Council Member Moyer

Motion Discussion: None

Ayes: Cundiff, Moyer, Snead, Stockton, Walker, Newbill

Nays: None

Action: Motion approved by a unanimous vote

1. Extension Agent, Chris Brown Regarding "A Taste of Franklin County Farms"

Mr. Chris Brown with the Franklin County Extension Office and Mr. Spencer Irby, an intern also with the Extension Office spoke regarding the upcoming event called "A Taste of Franklin County Farms" on July 15th from 9:00 a.m. to 2:00 p.m. at the Rocky Mount Farmer's Market. Mr. Brown stated that this event was for local farmers who would be ask to bring products grown or produced on their own farm to the market for the public to sample as well as items to sell. Items to taste and sell would be beef, pork and produce. Although there are two wineries in Franklin County; no alcohol is allowed on the market.

Mr. Brown indicated he would like for at least 10 farmers to take part in the event. That does not include the other farmers that would have already paid to be at the market selling their food items in the booths. The Health Department would be notified to be sure all is in line with their rules. The event is free to the public and it will be a rain or shine event.

The Mayor stated that Mr. Brown should meet with Mr. Hankins' office to share a preliminary diagram of what to expect at the market, and so the Town will know how it will be set up.

Council Member Cundiff stated that there would be a charge for the Extension Office using the market on that date as there is always a charge for anyone using the market.

Discussion: None

Motion: To approve the request to hold "A Taste of Franklin County Farms" at the Rocky Mount Farmer's Market at Saturday, July 15, 2017 from 9 a.m. to 2 p.m.

Motion By: Council Member Moyer

Second: Vice Mayor Walker

Motion Discussion: None

Ayes: Cundiff, Moyer, Snead, Stockton, Walker, Newbill

Nays: None

Action: Motion approved by a unanimous vote

COMMITTEE REPORTS

Council Member Snead stated to the Mayor and members of Council that he had a professional and business relationship with the party that the following discussion involved, therefore he would respectfully abstain from voting on the matter.

The Public Utilities Committee met on May 23, 2017 to consider two items:

1. Per Unit charges for those customers that connect multiple units (residences or businesses) to one meter.

It was the consensus of the committee that the policy should remain the same. Though the committee sympathized with those that had significant numbers of dwellings or businesses served by a single meter, the best option was for the property owner to install additional meters to correct the situation. The committee also reviewed the times that this has come before Council in the past decade and felt that they should remain consistent with their policy so that current and former customers were treated the same.

2. Deposit Amounts.

The Finance Director proposed increasing utility deposit amounts so that the deposit covered two months of usage. The recommended new deposit amounts are:

In town residential \$100 (old rate \$75)
 Out of town residential \$150 (old rate \$100)
 In town commercial \$200 (old rate \$125)
 Out of town commercial \$250 (old rate \$175)

Discussion: None

Motion: To continue with the Town's current policy and to make changes in the deposit amounts as outlined.

Motion By: Council Member Cundiff

Second: Council Member Stockton

Motion Discussion: Council Member Moyer objected as he stated that the citizens were being over charged for water approximately \$105,000 a year for water that is a minimum charge, that the citizens were not getting. Mr. Ervin stated that Council Member Moyer's point was an accurate one however, each time the matter had come before Council, it also brought up that the subject created a funding issue with the other utility customers.

Ayes: Cundiff, Snead, Stockton, Walker, Newbill

Nays: Moyer

Action: Motion approved by a vote of 5 – 1 in favor of the motion.

Let the record show that Council Member Snead abstained from voting.

REFERRALS TO PLANNING

None at this time

OTHER MATTERS AND CONCERNS

Council Member Stockton had a concern regarding the sidewalks, repairs and trip hazzards. Council Member Stockton asked if the project had been completed and if so that more areas should be done. Mr. Schofield reported that funds were in the budget to continue the work.

Council Member Moyer brought a concern regarding the vacant lot across from Council Member Newbill's house. Council Member Moyer stated that there were small children playing at that intersection and the he had received a request for the Town to install some children playing signs at the location.

Council Member Moyer brought a second concern regarding the right hand turn lane on South Main Street turning onto Scuffling Hill Road. Chief Criner stated that his officers had monitored the intersection, but no tickets were written. Chief Criner's suggestion was to put up a sign that said no turn on red.

Council Member Moyer asked for an update on the First Responders Memorial. Mr. Hankins stated that the Town had received their pricing from the memorial company and the Town plans to move forward. Mr. Hankins stated it would be approximately a 3 month turn around on production. Mr. Hankins also stated that he expected the memorial to be up before the fall season.

Vice Mayor Walker inquired about Gilley's Park. Mr. Hankins replied that the contractor had been on vacation but that he would contact the contractor and see when he was planning on a treatment for the geese.

Vice Mayor stated that coyotes had been reported at Ferguson Land and Lumber. The coyotes had been seen pretty regularly in the morning hours. Chief Criner stated that he would have his officers pay close attention to the problem.

Council Member Cundiff stated that he had seen a black bear in town. Chief Criner confirmed that there was a bear in town.

Council Member Cundiff stated that he had one concern referring back to the Committee Report. Citizens have the right to replum their residences and businesses to avoid multiple charges per meter.

CLOSED MEETING AND ACTION

Enter Closed Meeting

Motion: To go into closed session under the Virginia Code Section cited below

Time: 8:00 p.m.

Virginia Code Section:

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.

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.

Motion By: Council Member Moyer

Second: Vice Mayor Walker

Motion Discussion: None

Ayes: Cundiff, Moyer, Snead, Stockton, Walker, Newbill

Nays: None

Action: To go into a closed meeting

Certificate of Closed Meeting Discussion:

Council certified unanimously that nothing was discussed in the closed meeting other than what was stated in the motion to enter the closed meeting. No action was taken during the closed meeting.

Whereas, the Rocky Mount Town Council has convened a closed meeting on Monday, March 14, 2016 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 (1950), as amended, 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

ADJOURNMENT

Motion: To adjourn meeting

Time: 8:40 p.m.

Motion By: Council Member Moyer

Second: Vice Mayor Walker

Motion Discussion: None

Ayes: Cundiff, Moyer, Newbill, Snead, Stockton, Walker

Nays: None

Action: Adjourned by a unanimous vote

Steven C. Angle, Mayor

ATTEST:

Rebecca H. Dillon, Town Clerk