

**ROCKY MOUNT TOWN COUNCIL  
REGULAR MEETING MINUTES  
NOVEMBER 13, 2017**

The November 13, 2017 Regular Council 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
- 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
- Jeff Rakes, Fire Chief
- 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.

**Motion: To approve the agenda**

**Motion By: Council Member Newbill**

**Second: Council Member Snead**

**Motion Discussion: None**

**Ayes: Moyer, Snead, Stockton, Walker, Newbill**  
**Nays: None**  
**Action: Approved the agenda by a unanimous vote.**

### **SPECIAL ITEMS**

Angle Hardware Resolution for 130 years in business

Mr. Bob Mills accepted the resolution for Angle Hardware being recognized for 130 years of business. Mr. Mills stated that his uncle and his father before him, had ran the hardware store and it was an honor to be in the Town of Rocky Mount.

Free Clinic Resolution for 25 years in business

Mrs. Donna Proctor accepted the resolution for the Free Clinic for 25 years of business in the Town of Rocky Mount and spoke briefly to say much of their work was accomplished by volunteers.

### **PUBLIC HEARING**

None 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:

- October 9, 2017 – Regular Meeting Minutes
- November 2, 2017 – Special Called Meeting Minutes

**Discussion: None**  
**Motion: To approve the draft minutes**  
**Motion By: Council Member Newbill**  
**Second: Council Member Stockton**  
**Motion Discussion: None**  
**Ayes: 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**

- Resolution for VDOT

A resolution authorizing a local official to execute agreements with the Virginia Department of Transportation (VDOT) and acknowledgment of a local funding commitment as required in VDOT funding agreements, relative to the reallocation of funds to the Angle Bridge improvements.

- Resolution for Trinity Packaging Economic Development Grant

Trinity Packaging has met the hiring and job investment requirements contained in the 2014 agreement between the Town and the County, authorized by Town Council and the Board of Supervisors. The Tobacco Commission and the Virginia Economic Development Authority have paid and the County expects to pay its portion of the agreed incentives timely.

### **(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 Stockton**

**Second: Council Member Snead**

**Motion Discussion: None**

**Ayes: 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:**

None at this time

**NEW BUSINESS**

1. Boundary Line Adjustment Request from the Franklin County Board of Supervisors

Mr. Ervin stated that the request regarding a proposed boundary line adjustment relative to rental property located at 1545 North Main Street was requested by Franklin County. The parcel is partially in the Town and partially in the County.

The owner is planning to construct eight additional apartment units on the parcel and has requested the entire parcel be taken into the Town.

When the original apartment units were built, the Town requested a boundary adjustment but the County was not in agreement at that time.

Staff estimates that taking in the entire parcel would reduce the Town's utility revenue by \$4,900 a year, but increase the Town's personal property tax by a smaller amount.

Staff recommends that the parcel be taken into the Town as it would be in the best interest of the property owner and residents.

If Council concurs with the request of the County and the recommendation of Staff, the Town Attorney can begin the process, of drafting a voluntary boundary adjustment agreement.

The Mayor stated it was preferable for the Community & Economic Development Committee and the Town Attorney to meet and discuss the boundary line adjustment prior to Council voting on the matter. The Mayor asked Council Member Newbill, who chairs the committee, to meet with the other members and the Town Attorney to make a recommendation and bring that recommendation back to the Council at the next regular meeting in December.

2. Supplemental Appropriation Resolution for Two Police Officers

The Public Safety Committee has recommended to Town Council that the Police Department's budget be amended to allow two additional full time officers.

**Discussion: None**

**Motion: To approve the recommendation of two additional full time police officers.**

**Motion By: Vice Mayor Walker**

**Second: Council Member Moyer**

**Motion Discussion: None**

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

**Nays: None**

**Action: Approved the motion by a unanimous vote.**

### 3. Comprehensive Economic Development Strategy (CEDS)

The United States Department of Commerce, Economic Development Administration requires that the Town keep on file and update annually, a list of our comprehensive economic development strategies (CEDS) and that this list be filed through our local planning district. The CEDS list has devolved to an annual list of projects that are approved and submitted through the West Piedmont Planning District. Projects must be on the CEDS list to apply for federal funding (though in the past decade all of the projects accomplished that were once on the CEDS list, have been done with local dollars).

Staff asked that Council consider and approve the list of projects and authorize the letter to be sent by the Town Manager.

**Discussion: None**

**Motion: To approve the CEDS document as a list of projects and to authorize Mr. Ervin to send the letter to the Town's local planning district.**

**Motion By: Council Member Snead**

**Second: Council Member Moyer**

**Motion Discussion: None**

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

**Nays: None**

**Action: Approved the motion by a unanimous vote.**

## **COMMITTEE REPORTS**

### 1. Finance & Human Services Committee Meeting on November 2, 2017

The Finance Committee met on November 2, 2017 to consider a question of BPOL referred to committee by Council during their meeting on October 9, 2017. Staff asked if Council wished to look at BPOL changes to limit the total annual sales of a given company using an Itinerant Merchants License. The Committee directed staff to propose changes that could create more of a level playing field for businesses in Rocky Mount whereby sales of identical products would result in a similar tax burden.

Staff met with the Town Attorney to review state code as well as code from other jurisdictions and formulated a proposal to bring to Town Council.

Council Member Snead suggested that the solution could be a tiered system where by the tax liability of an itinerant merchant could scale upwards as their sales increased. A review of state code indicated that this would be difficult to achieve given the uniform taxation requirements. A

given product or sale has to have the same tax rate across different sales volumes and sales prices.

A proposal will be forthcoming pending research by the Town Attorney and staff.

The Town Attorney stated the tax that the Iterant Merchant has been filing, was an annual tax of \$500.00. An Iterant Merchant that would come into the town limits and has paid the \$500.00 licensing fee would have gross sales of \$250,000 at .20 cents on a \$100.00 to make the \$500.00 fee. A car dealer of the Va. Code does not include trade in value as part of gross sales. The only gross sale amount that would be included in a license tax filing would be the value of the vehicle sold minus the trade in value. That amount would need to total \$250,000 before there would be any increase in the license tax that was already being paid. The Town Attorney further stated that once the Town makes a decision as to what direction to pursue; the Town Attorney will request an opinion from the State Tax Commissioner.

The Committee also considered holidays coming up. Staff advised that the State was closing for a half day on 11/22 and 12/22. The Committee instructed staff to verify that Franklin County was closing for these times as well. Staff verified that Franklin County would be closing for a half day on 11/22 and 12/22. The Committee indicated that Council would consider to close or not to close Town offices at these times during the November meeting.

Discussion Ensued

**Discussion:** After much discussion, the following motion was made.

**Motion:** To approve the one half day off on Wednesday, November 22<sup>nd</sup> for Thanksgiving 2017 only. This is in addition to the two days the Town already gives the employees off. December 26<sup>th</sup> and 27<sup>th</sup> will remain as being the two paid days off for Christmas.

**Motion By:** Council Member Snead

**Second:** Council Member Moyer

**Motion Discussion:** None

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

**Nays:** None

**Action:** Approved the motion by a unanimous vote.

## 2. Public Safety Committee Meeting on November 8, 2017

The Public Safety Committee met on November 8, 2017 to consider staff's request to add two additional full time Police officers, specifically on a timeline that would allow new hires to be placed into the academy during its January starting session. This was referred to committee by Council during their special called meeting on November 2, 2017.

The Chief and his staff reiterated the challenges that new regulations pertaining to temporary detention orders and emergency custody orders presented the department and highlighted the fact that the department had used 46% of their overtime budget in the July to October timeframe. Mr. Ervin indicated that his principal concern was the morale and mission readiness of a department that is having to put in such a large amount of overtime.

**REFERRALS TO PLANNING**

None at this time

**OTHER MATTERS AND CONCERNS**

Mr. Ervin was on Rise n' Shine today. Mr. Ervin encouraged people to shop local.

Mr. Hankins stated that he would be meeting a TV crew to produce a commercial the following day in downtown Rocky Mount.

Council Member Moyer stated he would like to see more shopping in Rocky Mount and not see purchases through Amazon and other places. Mr. Hankins replied that all department heads have been instructed to check prices and buy local if possible.

**CLOSED MEETING AND ACTION**

Enter Closed Meeting

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

**Time: 7:39 p.m.**

**Virginia Code Section:**

**Section 2.2-3711(A)(5)**

**Discussion concerning a prospective business or industry, or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community. (Economic Development Downtown)**

**Motion By: Vice Mayor Walker**

**Second: Council Member Stockton**

**Motion Discussion: None**

**Ayes: 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.

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Steven C. Angle, Mayor

#### **ADJOURNMENT**

**Motion:** To adjourn meeting

**Time:** 8:25 p.m.

**Motion By:** Council Member Stockton

**Second:** Council Member Moyer

**Motion Discussion:** None

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

**Nays:** None

**Action:** Adjourned by a unanimous vote

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Steven C. Angle, Mayor

ATTEST:

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Rebecca H. Dillon, Town Clerk