

**ROCKY MOUNT TOWN COUNCIL  
REGULAR MEETING MINUTES  
SEPTEMBER 9, 2019**

The September 9, 2019 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 Billie W. Stockton
- Bobby M. Cundiff
- Robert L. Moyer
- Mark H. Newbill
- Jon W. Snead
- Gregory B. Walker

The following staff members were also present:

- Allan Arrington, Lt. of Investigations
- Tim Burton, Waste Water Treatment Superintendent
- Rebecca H. Dillon, Town Clerk/Executive Administrative Assistant
- C. James Ervin, Town Manager
- Ed "Jeff" Gauldin, Water Superintendent
- Matthew Hankins, Assistant Town Manager
- Mark Lovern, Lt. of Patrol
- 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 Snead

**Second:** Council Member Walker

**Motion Discussion:** None

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

**Nays:** None

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

## **SPECIAL ITEMS**

1. Resolution Honoring Rocky Mount Lions Club 95<sup>th</sup> Anniversary

Mayor Angle stated that there was one special item to be shared. Mayor Angle asked Mrs. Joyce Gordon to come forward to receive the resolution honoring the 95<sup>th</sup> Anniversary of the Founding of the Rocky Mount Lions Club. Mayor Angle read the resolution and then presented the resolution to Mrs. Gordon.

2. The LOVE Sign at the Farmer's Market will be revealed on September 17, 2019 at 5:00 p.m. All of Council is invited to attend.

3. Mayor Angle recognized the success of the "Cruisin" on Saturday night and announced to everyone that the next "Cruisin" would be on Saturday, October 5, 2019.

## **PUBLIC HEARING**

1. Special Exception Use Permit for Family Day Home at 45 Lakeview Drive

Ms. Donna Hale and Ms. Jaime Johnson applied to the Town of Rocky Mount for a special use permit in order to operate a family day home at their home which is located on Lakeview Drive, (tax parcel # 2020115400), zoned as R1-Residential. Mr. Hankins presented to Council the recommended approval of the special use permit based on compliance with the Comprehensive plan and taking into consideration the benefit the proposed family day home would provide town citizens in need of childcare. There were six people to speak at the public hearing and there were five letters of support and a petition containing sixteen signatures also in support in Council's packet given to them for review prior to the Council meeting. If Council approves the special exception use permit, the applicants intend to become a licensed family day home allowing them to care for no more than eight children and that the special use permit only be valid for the applicants and the permit would not follow the property. The motion by the Planning Commission to approve the special use permit with the conditions was approved (4-3).

A family day home is defined as: A single-family dwelling in which a facility as defined in § 63.2-100 of the Code of Virginia (1950), as amended, is operated for the purpose of providing care for more than five but less than 13 children separated from their parents or guardians during a portion of the day, exclusive of the provider's own children and any

children who reside in the home. The care of five or less children for portions of a day shall be considered a home occupation. Currently, the applicants operate a home childcare service providing care for four children. If approved, the applicants intend to become a licensed family day home to provide care for up to eight children even though a licensed family day home allows up to twelve children.

Once zoning approval is acquired, the applicant has stated that Virginia Licensure will be obtained. The applicant also stated that they intend to make any changes in or outside the home necessary to meet the Standards for a Licensed Family Day Home in Virginia including a 30x30 fence in the rear of the home and hiring one part-time employee to provide assistance between 9 a.m. – 2 p.m. each day. Staff did not anticipate any negative impacts on the community.

Mayor Angle opened up the floor for anyone that would like to speak regarding the proposed Family Day Home. Mayor Angle asked that the comments be kept to five minutes or less per person.

Ms. Jamie Johnson, 45 Lakeview Drive, Rocky Mount, Va. stated that the childcare she provided at 45 Lakeview Drive was a calling from her heart and that the childcare was offered from 6:00 a.m. until 5:00 p.m. Monday – Friday.

Ms. Donna Hale, 45 Lakeview Drive, Rocky Mount, Va. stated that the home the proposed Family Day Home would be operating out of was her home but her daughter Jamie Johnson would be providing childcare there. Ms. Hale would not be running a foster home at the 45 Lakeview Drive but a licensed Family Day Home.

Ms. Sonia Jones, 40 Muse Court Lane, Rocky Mount, Va. spoke and shared that she had been in the childcare business for 38 years and took training every month regarding childcare.

Ms. Angel Bousman, 150 Fralins Road, Rocky Mount, Va. stated that she had worked for 15 years in Rocky Mount with Child Welfare Services and was knowledgeable about laws of childcare services. Ms. Bousman also shared that her child stayed with Ms. Jamie Johnson.

Mr. Robert Jones, 240 Lakeview Drive, Rocky Mount, Va. spoke that he liked to walk in the mornings and spoke against the Family Day Home. Mr. Jones stated that he did not want the Family Day Home in his neighborhood.

Mr. Conrad Lavinder, 160 Hilltop Drive, Rocky Mount, Va. spoke to Council sharing that he had lived at his residence for 40 years. Mr. Lavinder shared that the idea of a Family Day Home was great, but not in the Franklin Heights neighborhood.

The Town Attorney read aloud the State Code and the Planning Commission recommendation.

The Vice Mayor Billie W. Stockton shared with Council and the audience that he lived beside of a daycare setting in the Town and had another one two doors down from him so he had no problem with the proposed Family Day home.

**Discussion:** None

**Motion:** There was no motion therefore Town Council declined to issue a Special Exception Permit.

### **APPROVAL OF MINUTES**

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

- August 12, 2019 – Regular Meeting Minutes

**Discussion:** None

**Motion:** To approve the draft minutes

**Motion By:** Vice Mayor Stockton

**Second:** Council Member Walker

**Motion Discussion:** None

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

**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**
- (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 Newbill

**Second:** Council Member Moyer

**Motion Discussion:** None

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

**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.

Let the record show that no one came forward.

## **OLD BUSINESS:**

### 1. Towing Advisory Board

The Towing Advisory Board met on September 5, 2019 at the Town of Rocky Mount Municipal Building. Mr. Scott Foley had advised he did not wish to participate thus Mr. Keith Tosh agreed to serve as the Towing representative on the board pending appointment by Council. The Board recommended Mr. Steve Holley as the final member. At the meeting, the general consensus of the Board was that the geography of the Town's official towing rotation could be easily enlarged to have more operators but that the Town should continue to have regulations related to being on the towing rotation to promote fair and open pricing for the service. Presented to Council was the recommendation to appoint Mr. Tosh and Mr. Holley as members of the Towing Advisory Board.

**Discussion: None**

**Motion: To approve the recommendation by the Towing Advisory Board to appoint Mr. Keith Tosh and Mr. Steve Holley as members of the Towing Advisory Board as presented.**

**Motion By: Council Member Walker**

**Second: Council Member Moyer**

**Motion Discussion: None**

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

**Nays: None**

**Action: Approved the recommendation as presented by a unanimous vote.**

### 2. Street Sound System

Council was previously asked to fund a street sound system. Council asked for a demonstration of that system and the demonstration of the proposed system was held in August and input was received. Staff now asks that the matter be referred to the Community and Economic Development Committee for a recommendation to Council on the next steps forward with the street sound system.

**The recommendation was made for the Community and Economic Development Committee to review the street sound system and report back to Council at the next regular meeting.**

## **NEW BUSINESS**

1. Proposed Joint Dinner Retreat Between Town Council, Planning Commission Members and the Economic Development Authority.

Mr. Ervin shared with Council that Members of Council as well as Members of the Planning Commission and Members of the Economic Development Authority had expressed an interest in a more open communication and the sharing of more ideas and initiatives. To begin this process, staff proposed a dinner meeting or retreat between Council, the Planning Commission and the EDA. The proposed meeting would be an informal gathering with brief remarks to be shared by the Mayor, the Commission and the Board Chair. It is hoped that such a meeting or retreat would facilitate communication between all three of the groups. Mr. Ervin asked if Council would be in favor of such a meeting or retreat and if so, what date would be suitable to the Council members?

**Discussion: None**

**Motion: To approve the dinner meeting/retreat between Council, the Commission and the EDA.**

**Motion By: Council Member Snead**

**Second: Council Member Newbill**

**Motion Discussion: None**

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

**Nays: None**

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

2. POW MIA Remembrance Ceremony

Mr. Kenneth C. Barron, Jr., 1005 Sawmill Road, Ferrum, Va. as the Commander of VFW Post 10840 presented to Council that he was seeking to hold an event at the Veterans' Memorial Park on September 20th at 10:00 a.m. The event would be to honor and remember those still unaccounted for as comrades which are 79 MIA's in Franklin County and 1,347 MIA's in the state of Virginia. The Rocky Mount Police Department has reviewed the request and will support the event in regard of traffic. Mr. Barron asked Council to also support the discharging of firearms blanks prior to playing Taps and for traffic control assistance in case the event draws a larger than expected crowd since this is the first time this event has been held at the Veterans' Memorial Park in Rocky Mount.

**Discussion: None**

**Motion: To approve the MIA/POW Ceremony at the Veterans' Memorial Park on September 20, 2019 at 10:00 a.m.**

**Motion By: Council Member Newbill**

**Second: Vice Mayor Stockton**

**Motion Discussion: None**

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

**Nays: None**

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

There were plans to discharge firearm blanks prior to playing Taps. Council gave permission for a discharge of firearm blanks to be fired and asked Lt. Alan Arrington of the Rocky Mount Police Department to notify Franklin County's 911 Dispatch of the discharge being planned prior to the discharge being released.

### 3. Review and Consideration of Rocky Mount Police Department Lease Vehicles

The Rocky Mount Police Department had a vehicle, Car 9, which was in an accident that broke the motor mounts. The vehicle was repaired but still giving problems and the repair costs continue to go up. Mr. Ervin stated that in order for the Police Department to keep the platoons equipped and functioning, the Town needed to replace the vehicle. A new police vehicle was said to cost \$34,821. Mr. Ervin proposed to Council to purchase three via a lease agreement. It would be a lease payment of \$22,372.50 for three vehicles for five years. Staff recommended leveraging the Town's leasing to address the Police Department's aging vehicles rather than addressing a single breakdown prone vehicle.

Mr. Ervin stated that he was the President of VML/VACo Finance but in no way had control on their lending policies or rates and further stated that the rate for each borrow was obtained through an open market process.

<b>Roll Call Vote</b>				
	Present	Yes	No	No
Council Member Mark H. Newbill	yes	√		
Council Member Robert L. Moyer	yes			√
Vice Mayor Billie W. Stockton	yes	√		
Council Member Bobby M. Cundiff	yes			√
Council Member Gregory B. Walker	yes	√		
Council Member Jon W. Snead	yes	√		
Mayor Steven C. Angle	yes	√		

**Discussion:** None

**Motion:** To approve the lease purchase of 3 vehicles for the Rocky Mount Police Department according to the lease agreement presented plus a closing cost of \$3,500.

**Motion By:** Council Member Newbill

**Second:** Council Member Snead

**Motion Discussion:** None

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

**Nays: Cundiff, Moyer**

**Action: Approved the motion on a vote of 5 to 2 in favor of the borrow.**

4. Review and Consideration of Homecoming Parade

The Franklin County High School would like to hold their annual Franklin County Homecoming Parade on Thursday, September 26, 2019. The parade will begin at approximately 4:30 p.m. with the same route as last year's parade. The event was approved by the Rocky Mount Police Department.

**Discussion: None**

**Motion: To approve the parade as presented.**

**Motion By: Council Member Snead**

**Second: Council Member Moyer**

**Motion Discussion: None**

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

**Nays: None**

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

5. Review and Consideration of Emergency Services Christmas Parade

The Franklin County Department of Public Safety requested permission to host an Emergency Services Christmas Parade in Town on Saturday, December 7, 2019 at 6:00 p.m. The parade would begin at the Franklin County Middle School parking lot and end at the Ply Gem (Old Lane Company) parking lot. Public Safety Director, William B. Ferguson is the parade coordinator. Permission was obtained from Franklin County Public Schools Transportation Department and the Rocky Mount Police Department have reviewed and approved the event.

After discussion by Council Members who had concern for the safety of the children and the level of confusion to the public, Mayor Angle suggested taking back to Mr. Billy Ferguson to perhaps pick an alternate date as there will be several other events taking place the same weekend in the Town.

**COMMITTEE REPORTS**

None at this time

**REFERRALS TO PLANNING**

None at this time

## **OTHER MATTERS AND CONCERNS**

Mr. Ervin was on Rise n' Shine today.

Council Member Moyer asked Mr. Hankins for the status of the Memorial on North Main Street. Mr. Hankins replied that the contractor had had a busy year and although the contractor was trying to work the Town into his schedule to lay the bricks, Mr. Hankins did not have a firm date yet to give out as to when the contractor would start.

Mention was made by Council Members of how nice the rock facing looked on the wall recently covered on North Main Street.

## **CLOSED MEETING AND ACTION**

Enter Closed Meeting

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

**Time: 8:15 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. (Economic & Cultural Development Position)**

**Motion By: Vice Mayor Stockton**

**Second: Council Member Cundiff**

**Motion Discussion: None**

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

**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:** 8:55 p.m.

**Motion By:** Council Member Snead

**Second:** Vice Mayor Stockton

**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