

ROCKY MOUNT TOWN COUNCIL**REGULAR MEETING MINUTES**

**July 13, 2020
7:00 p.m.**

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, with Mayor Steven C. Angle presiding.

The following members of Council were present:

- Mayor Steven C. Angle
- Vice Mayor Jon W. Snead
- Council Member Bobby M. Cundiff
- Council Member J. Tyler Lee
- Council Member Mark H. Newbill
- Council Member Billie W. Stockton

Council Member Robert L. Moyer was not present due to illness.

The following staff members were also present:

- Allan Arrington, Lt. of Investigations
- John T. Boitnott, Town Attorney
- Tim Burton, Waste Water Treatment Superintendent
- Ken Criner, Chief of Police
- Rebecca H. Dillon, Town Clerk/Executive Administrative Assistant
- C. James Ervin, Town Manager
- Ed “Jeff” Gauldin, Water Superintendent
- Jessica Heckman, Town Planner/Planning Administrator
- Mark Lovern, Lt. of Patrol
- Shawn Richardson, Sergeant of Investigations
- Brian Schofield, Public Works Superintendent
- Elizabeth “Beth” Simms Campos, Economic Dev. Cultural Placemaking
- Linda P. Woody, Finance Director

1. Roll Call

The Town Clerk called each member of the Rocky Mount Town Council by name to account that each one was present.

2. Pledge of Allegiance

Mayor Angle led in saying the Pledge of Allegiance.

3. Approval of Agenda

Prior to the meeting, Council had received the agenda for review and consideration of approval. Two additional items were placed on the Diaz for Council's consideration but were of the same in nature as agenda item 10.4, so the agenda did not need to be amended. Mayor Angle asked if he could receive a motion to approve the agenda as presented.

Town Manager Ervin asked to introduce a staff member under special items.

Motion: To approve the agenda as presented

Moved: Vice Mayor Snead

Seconded: Council Member Lee

Ayes: (5): Vice Mayor Snead, Council Member Cundiff, Council Member Lee, Council Member Newbill, Council Member Stockton

Approved (5 to 0)

4. Special Items (None at this time)

Town Manager Ervin shared Mr. Gauldin would be moving on to become the Director of Public Works in Martinsville. In the interim, Mr. Kevin Adkins who is already the Water Treatment Plant Lead Operator, will be stepping up as Acting Water Treatment Plant Superintendent to run the water plant for the Town upon Mr. Gauldin's departure. Mr. Adkins has been with the Town many years. Mr. Adkins came to the Water Treatment Plant from the Public Works Department where he was second in command at that time.

5. Public Hearing (None at this time)

6. Approval of Draft Minutes

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

6.1. June 8, 2020 – Regular Meeting Minutes

Motion: To approve the draft minutes for June 8, 2020 as presented.

Moved: Council Member Stockton

Seconded: Council Member Newbill

Ayes: (5): Vice Mayor Snead, Council Member Cundiff, Council Member Lee, Council Member Newbill, Council Member Stockton

Result: Approved (5 to 0)

6.2. June 23, 2020 – Special Called Meeting

Motion: To approve the draft minutes for June 23, 2020 as presented.

Moved: Council Member Stockton

Seconded: Council Member Newbill

Ayes: (5): Vice Mayor Snead, Council Member Cundiff, Council Member Lee, Council Member Newbill, Council Member Stockton

Result: Approved (5 to 0)

6.3 June 25, 2020 - Reorganizational Meeting

Motion: To approve the draft minutes for June 25, 2020 as presented.

Moved: Council Member Stockton

Seconded: Council Member Newbill

Ayes: (5): Vice Mayor Snead, Council Member Cundiff, Council Member Lee, Council Member Newbill, Council Member Stockton

Result: Approved (5 to 0)

7. Approval of Consent Agenda

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

7.1 Miscellaneous Action (none at this time)

7.2 Miscellaneous Resolutions/Proclamations (none at this time)

7.3 Departmental Monthly Reports

7.3.1 Community Development Department

7.3.2 Finance Department

7.3.3 Fire Department

7.3.4 Police Department

7.3.5 Public Works Department

7.3.6 Wastewater Department

7.3.7 Water Department

Motion: To approve the consent agenda as presented.

Moved: Council Member Newbill

Seconded: Council Member Stockton

Ayes: (5): Vice Mayor Snead, Council Member Cundiff, Council Member Lee, Council Member Newbill, Council Member Stockton

Result: Approved (5 to 0)

8. Hearing of Citizens

Mayor Angle asked for each person to come forward and state their name and address for the record, before speaking, as he called their names from the list. For this meeting, signing in with name and address was a requirement of being allowed to address Council.

Mr. Mark Wagner had phoned the Town Manager's Office earlier in the day and asked to speak at the meeting but when called; was not present.

1. Gary Lynch, 5676 Old Franklin Turnpike, Glade Hill, VA: Mr. Lynch, as a vendor from the Rocky Mount Farmers Market, shared with Council his unhappiness with the Harvester Outdoors shows since moving into the Farmers Market space. Mr. Lynch suggested that perhaps another venue could have been used instead of the farmers being moved out of their rental table space to allow for setup of the concerts. Mr. Lynch expressed the confusion shared among the farmers since the stage was erected and in particular how difficult the farmers were finding it to social distance from one another. Mr. Lynch concluded by asking since the state of Virginia was in Phase 3 at this time, was there a reason why the Harvester Performance Center itself could not host its own shows?
2. Ms. Amanda Holland, 8357 Snow Creek Road, Penhook, VA: Ms. Holland owns Holland Customer Signs and comes to the Farmers Market to sell her signs. Ms. Holland spoke of the fence, the large stage and praised Market Manager, Mr. Paul Caulley for arriving early and moving tables, to accommodate the farmers and vendors. Ms. Holland spoke about how the space that the farmers now have inside the market is limited and how it would be difficult for a possible buyer that may be handicapped to be able to navigate the market area. Ms. Holland did not like the "Harvester Outdoor" fence that was erected around the market area and asked that with Virginia currently in Phase 3 of Governor Northam's COVID-19 restrictions, why couldn't the Harvester's customers attend shows inside the Harvester now? With plenty of other locations in the community for the Harvester to use, why upset the Farmer's Market, and divide the community as well as creating an eyesore with the fence? Ms. Holland stated she was hard pressed to understand with the Harvester Performance Center taking such a loss this year, how creating the "Harvester Outdoors" and setting up within the Farmers Market would help the venue especially

given the projected loss that each act to perform brings with it. Ms. Holland stressed that the purpose of the Farmers Market is to give the local area farmers a place to come to sell their fruits, vegetables, breads, etc. Ms. Holland's hope was that her speaking would give way to the process being given much more thought before the Town would allow the music venue to be given use of the farmers Market in the future in the same or a similar way as it appears to not be beneficial to the Town but rather was detrimental.

3. Bridgette Craighead, 33 Holleyfield Road, Rocky Mount, VA: "Chalk About It" was created to bring people together in the community, spread love, and allow for the children to experience something fun. Before holding the "Chalk About It" event on July 4th, Ms. Craighead stated she did ask for permission to hold such an event. At no time was she told that the drawings/words could not stay on the Angle Bridge but for only a limited time. Ms. Craighead pointed out that the chalk being used on the bridge was washable with the first rain unlike the graffiti that was previously painted on the bridge and still remains there today. For the Town to only allow the chalk to remain on Angle Bridge for 72 hours, Ms. Craighead stated that the removal of the chalk from the bridge in the referenced time frame was racially motivated and asked the citizens of the Town of Rocky Mount and Franklin County to open up their eyes to the racial problems in the Town of Rocky Mount and Franklin County that needs to be corrected.
4. Angie Bengé, 405 Orchard Avenue, Rocky Mount, VA: Mrs. Bengé and her family moved here 5 yrs ago. Mrs. Bengé bakes cakes and goes to the Farmer's Market. She expressed disappointment in the fencing at the Farmers Market and to the Town for allowing the vendors and farmers to be pushed out of the Farmers Market. Mrs. Bengé shared with Council that she would like to see the Harvester take some other avenue by way of allowing performances so not to involve the Farmers Market with the Harvester shows.

Mayor Angle shared a few comments with Council and the audience such as the Confederate Solider Monument of Jubal Early stationed on the front lawn of the Franklin County Court House. The monument does not belong to the Town of Rocky Mount.; the monument belongs to the Franklin County as does the property the monument sits on. Mayor Angle wished to be clear; the Town of Rocky Mount has no jurisdiction over the monument or statue which means the Town has no say in what does or does not happen with the monument or statue if anything does in the future.

For anyone that watches 60 MINUTES that airs on CBS on Sunday evenings; there was recently a segment regarding monuments or statues on the weekly news program that some might find interesting to watch. In regard of the Harvester Outdoors and the Farmers Market, Mayor Angle shared that Mr. Jackson had met with the market manager to attempt to better accommodate the logistics of the market. In regard of the Chalk on Angle Bridge; the Franklin News Post stated that the Angle Bridge was closed for the Chalk event and it was not. Mayor Angle indicated that all calls and complaints were well

taken and he understood that some referred to it as art and some did not however, Mayor Angle shared that he hopes that some common ground can be found to help find a solution for the problems that are out there in our community.

9. Old Business (None at this time)

10. New Business

10.1 Review and Consideration for Franklin County Industrial Park Cox Property Access Roads Phase 2 and Pad 1 Grading

The Industrial Park since being first built, has become the hub for several large businesses however, to access the land that is still available in the park, Phase 2 of the road system in the park needs to be built. Council was given a proposal that one pad be graded along with the construction of the road. Council was given in their meeting packet, an estimate of the projected cost for the access road and an estimated projected cost of grading for Pad 1 in addition to a map of the proposed road and pad. The estimated cost of the roads was \$1.6 million. The estimated cost of grading the pad site was \$.6 million. Town Manager Ervin shared with Council that the Town may be able to obtain an industrial access grant from VDOT for \$650,000. The Tobacco commission may be able to provide assistance as well. If VDOT could assist with \$650,000 and TTC could assist with \$200,000, then the local funds would pay the remaining \$1,350,000 to finish the project which would total \$2,200,000. Council Member Stockton suggested it may be more feasible to wait on making any decisions until more figures could be presented to Council, perhaps at the August Regular Meeting.

10.2 Review and Consideration for the Clarification or Modification of Harvester Performance Center Facility Fee

There is a facility fee collected from ticket sales that 1/2 of is given to the Town. That amount is given to the Town to help offset the cost of running the Harvester. The amount that the Town budgets at this time is \$7,100 each month. Town Manager Ervin explained to Council that from an accounting standpoint, the facility fee was converted to a fixed amount that takes on the appearance of needing to be paid even if there aren't any ticket sales or when the ticket sales are very low like more recently during COVID-19 when the Harvester had to remain closed for a period of time. The intent was that the Town get 1/2 of the facility fee which would some months be more, and some months be less. The fee was not intended to be a fixed, flat rate. The Finance Committee at their recent committee meeting, recommended to modify or clarify the fee being discussed to

reflect what was originally proposed. Vice Mayor Snead when asked by Mayor Angle stated as Chairman of the Finance Committee that he did not have anything further to add as Town Manager Ervin's explanation was on target. No action was needed from Council at this time.

10.3 Probation and Parole Office

The Commonwealth of Virginia, Department of Corrections, sent the Town a notice that the parole office at the North Main Street location intends to move to 155 Grassy Hill Road in Rocky Mount. It was relayed that the possible Grassy Hill Road location would likely be a much better suited property for the Virginia Department of Corrections to lease as office space as the property would have more parking and would not carry any of the issues that the property on North Main Street has had to manage. Mayor Angle asked what the State might do with the now current property, Town Manager Ervin stated that the Department of Corrections did not own the bldg. The consensus of Town Council was not to comment thereby the Department of Corrections would not hold a public hearing regarding the proposed new lease of office space for its Probation and Parole District # 37 office. No action was needed at this time.

10.4 Reset Rocky Mount Small Business Grant Program

The Federal Government created the CARES Act to help the counties. Franklin County will give the Town a percentage of what the County receives from the CARES Act, as long as the Town spends the moneys on areas accounted for and used only on projects within the CARES Act federal guidelines.

Economic & Cultural Placemaking Director, Sims, shared that \$415,000 would be what the Town would receive from the CARES Act. Eligible expenses would be "small business assistance" because the assistance was for small businesses that were drastically cut back and or closed altogether during the shutdown of COVID-19. Ms. Sims had spoken with Bedford, Virginia who received fifty-five \$5,000 grants to help local businesses in Bedford. It is Ms. Sims' hope that the Town of Rocky Mount will experience a quick turnaround. Ms. Sims stated that some businesses needed the funds for training of new people and for rent, as well as other expenses. Applications would be due July 28th and moneys could be in the business owners' hands by August 1st.

Motion: To approve the program

Moved: Council Member Stockton

Seconded: Council Member Lee

Ayes: (5): Vice Mayor Snead, Council Member Cundiff, Council Member Lee, Council Member Newbill, Council Member Stockton

Result: Approved (5 to 0)

The second item was then presented to Council by Ms. Sims. The Town was required to close down the Rocky Mount Farmers Market for the first few weeks of COVID-19. Similar to the small business program would be a Micro Grant that will be available to help vendors of the Farmers Market to setup their booth rental fees and or help the vendors to set up an online sales platform. A need was also recognized to have a part-time staff member at the Farmers Market in addition to the market manager currently who is Mr. Paul Coffey. The part-time staff member would work on Saturday mornings to setup, help with keeping everyone at the market socially distanced, and to make sure that the public restrooms inside the market are clean. Another item that the part-time person could assist with would be to administer the Pandemic EBT cards that were mailed out to 4,600 students of \$350.00 each. Also, assistance could be given with the SNAP token program and Virginia Fresh Match, as well as deep cleaning that could be handled by the part-time person if hired.

The Vice Mayor asked if the part-time position was time sensitive? Town Manager Ervin stated that the Town would like to put something on the table currently that would be of help to the vendors at the Farmers Market. The CARES Act funding will run out at the end of December 2020 therefore the position would only be a temporary one.

Motion: To approve moving forward with the temporary part-time position for the Farmers Market

Moved: Council Member Stockton

Seconded: Council Member Lee

Ayes: (5): Vice Mayor Snead, Council Member Cundiff, Council Member Lee, Council Member Newbill, Council Member Stockton

Result: Approved (5 to 0)

10.5 The Kingdom Run

Town Manager Ervin presented the request to Council for the Rocky Mount Church of God to be allowed to hold their annual Kingdom Run 5K. The event was held in past years beginning and ending at 1360 North Main Street in Rocky Mount. The starting time would be at 8:00 a.m. and go approximately 2 hours. Ms. Jacqueline C. Meador and Ms. Kasi Meredith spoke with the Rocky Mount Police Department who approved the event.

Motion: To approve the Kingdom Run 5K

Moved: Council Member Lee

Seconded: Vice Mayor Snead

Ayes: (5): Vice Mayor Snead, Council Member Cundiff, Council Member Lee, Council Member Newbill, Council Member Stockton

Result: Approved (5 to 0)

10.6 Review and Consideration of Watch Guard In-Car and Body Worn Camera Systems

The Rocky Mount Police Department have been using in-car video and body cameras from L-3 Communications but have been migrating over to Watch Guard by Motorola. In the past, two police vehicles have been fitted with the upgrades each year. Motorola offered for the Police Department to upgrade all of the Police Department equipment and central video relay as a lease. The equipment Motorola wishes to lease the department is priced at \$52,236.61 to allow for a 2.79% interest rate on the lease that would equal the total price of the equipment which was quoted at \$56,689.00. The lease agreement would be a 5-year lease. The agreement for Watch Guard will go into existing Police Department vehicles as well as new vehicles.

In order for the governing body to pass the aforementioned lease agreement, there had to be 5 affirmative votes thus a roll call vote follows.

Motion: To approve the lease agreement as presented.

Motion By: Council Member Newbill

Second: Council Member Stockton

Motion Discussion: None

MEMBERS	ATTENDANCE	VOTE
Jon W. Snead	Present	Yes
Bobby M. Cundiff	Present	Yes
J. Tyler Lee	Present	Yes
Robert L. Moyer	Absent	
Mark H. Newbill	Present	Yes
Billie W. Stockton	Present	Yes

Ayes: 5

Nays: 0

Action: Mayor Angle voted yes which gave the governing body the number of votes necessary to pass the lease agreement. The motion to approve the agreement, including Mayor Angle, was approved on a vote of 6 to 0 in favor of the agreement.

Approved (6 to 0)

11. Committee Reports

11.1 Finance and Human Services Committee Meeting on July 6, 2020

First Item: When the Finance Committee met, the committee discussed extending the moratoriums. Many of the citizens in the Town have been struggling therefore the Town tried to lend aid by putting in a moratorium on utility cutoffs which meant regardless of how far you might get behind on your bill, the Town would leave the customer's water on. The Finance Committee recommended that the moratorium be extended through August 31, 2020, in corporation with the State Corporation Commission's recommendation. When the cutoffs for utility customers do resume, the Town will offer those customers that have fallen behind a 12 equal month catch up option.

Motion: To approve the State Corporation Commission's recommendation to extend the moratorium through August 31, 2020.

Motion By: Council Member Stockton

Second By: Council Member Lee

Ayes: (5): Vice Mayor Snead, Council Member Cundiff, Council Member Lee, Council Member Newbill, Council Member Stockton

Result: Approved (5 to 0)

Second Item: The Finance Committee also discussed during the committee meeting, that the Town should refund the "rent" or one of the facility fees that was paid to the Town from the Harvester during the shutdown. The facility fees were paid even while the venue was closed. Two months of facility fees were submitted to the Town during the time the Harvester was shutdown. The Finance Committee discussed that it was best to stick to the original interpretation of the fee.

Third Item: The Angle Bridge resurfacing was discussed at the committee meeting and the consensus of the committee was to retain a bond from VML VACo Finance to pay for the work to be done. Town Manager Ervin stated that the work needing to be done to Angle Bridge would be a partnership between the Town and VDOT. The Town would also be using left over funds from the South Main Street bridge project. The Town's share for the work to be done would still be over \$530,000. It was the consensus of the committee to look at a bond to finance the resurfacing of Angle Bridge. Town Manager Ervin retained a bond rough perspicacious from VML VACo Finance in the amount of \$540,000. Town Manager Ervin is the President of VML VACo Finance advisory board but does not have any control over the loan decisions or rates that the finance board gives out. The proposal for the Town was to borrow \$54,000 at a stated 15 or 20 year maturity with a 3% proposed interest rate however, the committee decided not to pursue the route of a borrow at this time but would like to wait and see where the Town's budget will be when Council takes a second look at the budget coming up in December. A few items that were brought up at the committee meeting that perhaps the Town may want to look at replacing if the Town decides to pursue a borrow sometime after December would be new restrooms at Mary Elizabeth and Mary Bethune Park. Currently there is no place to wash hands which makes the park restrooms unsafe to open in the parks. Another item the Town should look at would be the

1999 mowing tractor for Public Works. The Town considered renting a mowing tractor, but rent was too high. Another option would be a lease purchase.

Vice Mayor Snead as Chairman of the Finance Committee shared that the committee discussed the bond, and because the budget was just passed in June, the consensus of the committee was to bring the issues mentioned back to Town Council. Town Manager Ervin shared with Council that bathrooms in both Mary Elizabeth and Mary Bethune Parks were locked up at this time due to being improperly fitted with what today's more modern times call for. The porta-potties and hand washing stations will be put in for this summer however, the expense needs to be considered either at this time, or by next Winter, or Spring at the latest, for use by next summer.

Council Member Stockton suggested Council hold off on the bathrooms for the summer until December when the Council may be able to tell much better regarding the budget at that time. Also suggested, was to get actual decision documents together in the meantime as well as to ask VML VACo to get paperwork for the bond issue for the bridge only as the tractor would not be included in the bond.

Final Item: The final item the Finance Committee discussed was the "Chalk About It" event on Angle Bridge on July 4th. It was the consensus of the committee to define the amount of time that an event of chalking would be allowed to stay on a surface in the Town. The amount of time was decided as 72 hours. No additional action was needed at this time.

12. Other Matters, Concerns and Rise 'N Shine Appearances

Town Manager Ervin was on Rise 'N Shine this morning.

No other matters or concerns were stated at this time.

13. Closed Meeting and Action

Mayor Angle read aloud sections.

Enter Closed Meeting

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

Time: 8:20 p.m.

Virginia Code Section:

Section 2.2-3711(A).7 Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such

consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. (Update on Legal Issues with Town Attorney)

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. (Town Manager's Office)

Motion By: Vice Mayor Snead

Second: Council Member Lee

Motion Discussion: None

Ayes: (5): Vice Mayor Snead, Council Member Cundiff, Council Member Lee, Council Member Newbill, and Council Member Stockton

Approved (5 to 0)

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

14. Adjournment

Motion: To adjourn meeting

Motion By: Council Member Newbill

Second: Vice Mayor Snead

Motion Discussion: None

Ayes: (5): Vice Mayor Snead, Council Member Cundiff, Council Member Lee, Council Member Newbill, and Council Member Stockton

Approved (5 to 0)

Action: Meeting was adjourned

Time: 9:15 p.m.

Steven C. Angle, Mayor

ATTEST:

Rebecca H. Dillon, Town Clerk

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