

# SMITHFIELD TOWN COUNCIL AGENDA



**Monday, July 2<sup>nd</sup>, 2012 at 7:30 p.m.**  
**Held at Smithfield Center, 220 N. Church Street**

**Swearing in of New Town Council Members will be at 7:00 and Pictures of the Newly formed Council will be taken**

## **A. INFORMATIONAL SECTION:**

1. **Election of Mayor and Vice Mayor Positions**
2. Manager's Report
  - a. June Activity Report
  - b. Introduce New Police Officers Wayne Hill and Samuel Johnson

## **B. UPCOMING MEETINGS AND ACTIVITIES:**

- |         |   |  |
|---------|---|--|
| July 2  | - | 7:30 p.m. – Town Council Meeting   |
| July 4  | - | Town Administrative Offices Closed in Observance of Independence Day   |
| July 7  | - | 7:00 p.m. Virginia Symphony Orchestra at Windsor Castle Park   |
| July 10 | - | 4:00 p.m. Pinewood Heights Management Team Meeting   |
| July 10 | - | 6:00 p.m. Pinewood Heights Neighborhood Meeting  |
| July 10 | - | 7:30 p.m. – Planning Commission Meeting  |
| July 17 | - | 7:30 p.m. – Board of Historic and Architectural Review   |
| July 23 | - | 4:00 p.m. – Town Council Committee Meetings (Consecutive)<br>Police Committee<br>Water and Sewer Committee<br>Finance Committee                            |
| July 24 | - | 4:00 p.m. – Town Council Committee Meetings (Consecutive)<br>Fire and Rescue Committee<br>Public Works Committee<br>Public Buildings and Welfare Committee |

NOTE: All of the above public meetings will be held at the Smithfield Center, unless otherwise noted.

## **C. Public Comments:**

The public is invited to speak to Council on any matters, except scheduled public hearing(s). There will be a separate sign up sheet for public hearings. For public comments please use the appropriate sign-up sheet. Comments are limited to five (5) minutes per person. Any required response(s) from the Town will be provided in writing following the meeting.

- A. Briefing by Mr. Al Casteen, Isle of Wight County Board of Supervisors, Smithfield District
- B. Proclamation in Support of “National Night Out” on August 7<sup>th</sup> **TAB # 1**

## **D. Council Comments**

**NOTICE OF INTENT TO COMPLY WITH THE AMERICANS WITH DISABILITIES ACT.** Reasonable efforts will be made to provide assistance or special arrangements to qualified individuals with disabilities in order to participate in or attend Town Council Meetings. ADA compliant hearing devices are available for use upon request. Please call (757) 356-9939 at least 24 hours prior to the meeting date so that proper arrangements may be made.

## CONSENT AGENDA ITEMS

- C1. **Ordinance to Set Forth Local Guidelines for Urban Archery Season**  
Police Committee Chair, Mrs. Denise N. Tynes **TAB # 2**
- C2. **Invoices Over \$10,000 Requiring Council's Consideration:**  
Finance Committee Member, Andrew Gregory
- |    |  |              |
|----|--|--------------|
| a. | Excel Paving Corporation                             | \$205,330.67 |
| b. | Excel Paving Corporation                             | \$173,277.99 |
| c. | Draper Aden Associates                               | \$ 38,038.50 |
| d. | REW Corporation                                      | \$ 72,037.00 |
| e. | Caldwell Tanks                                       | \$ 24,996.41 |
| f. | AVES (Pinewood Heights Demolitions)                  | \$ 17,750.00 |
| g. | Isle of Wight Rescue Squad (4 <sup>th</sup> quarter) | \$ 18,750.00 |
| h. | Beach Ford (Budgeted Public Works Truck)             | \$ 24,974.72 |
- TAB # 3**
- C3. **Motion to Adopt Appropriation Resolution to Carry Forward and Restrict Funds Appropriated in Fiscal Year 2011 / 2012**  
Finance Committee Member, Andrew C. Gregory **TAB # 4**
- C4. **Motion to Adopt Appropriation Resolution for Funds for Fiscal Year 2012 / 2013, Effective July 1<sup>st</sup> 2012**  
Finance Committee Member, Andrew C. Gregory **TAB # 5**
- C5. **Motion to Accept the ICMA Amendments to the Administrative Services Agreement**  
Finance Committee Member, Andrew Gregory
- C6. **Motion to Accept Deed for Lot 112 in the Pinewood Heights Relocation Project**  
William H. Riddick, III, Town Attorney **TAB # 6**
- C7. **Motion to Approve Escrow Agreement with Napolitano Homes for the Proposed Boundary Line Adjustment**  
Public Buildings and Welfare Committee Chair, Dr. Cook **FORTHCOMING**
- C8. **Motion to Authorize the Extension of Negotiation Period until September 15, 2012 for the Windsor Castle Proposal**  
Public Buildings and Welfare Committee Chair, Dr. Cook
- C9. **Motion to Reappoint Lesley Greer to Serve as Town Clerk**  
Mayor

## ACTION SECTION

1. **Motion to Approve the Recommendation from Nominating Committee to Fill the Expiring Term of Clem Batten to the Board of Zoning Appeals**  
Nominating Committee Chair, Dr. Cook
2. **Appointment of Town Council Members to Committees**  
Mayor
3. **Appoint Town Council Member to Serve on the Smithfield Planning Commission**  
Mayor

4. **Motion to Approve the Town Council Minutes for the Meetings of June 5<sup>th</sup>**  
Town Attorney, William H. Riddick, III
  
5. **Old Business:**
  - a. **Sale of Property at 385 South Church to Bob Livengood**  
William H. Riddick, III, town Attorney
  
6. **New Business:**
  - a. **Request to Open New Line of Credit at Farmers Bank to Assist with the South Church Street Streetscape Project until Reimbursements are Received**  
Ellen D. Minga, Town Treasurer
  
7. **Closed Session**
  
8. **Adjournment**

June 29, 2012

**TO: SMITHFIELD TOWN COUNCIL**

**FROM: PETER M. STEPHENSON, AICP, ICMA-CM  
TOWN MANAGER**

**SUBJECT: MONTHLY ACTIVITY REPORT – June 2012**

**TOWN MANAGER'S OFFICE:**

- a. Attended the following meetings: Smithfield 2020, Chamber business appreciation luncheon, VA Department of General Services, Quinn consulting, Monday Morning Moan, new council member orientation, IOW Emergency Communication Center board, IOW County Administrator, and reporter Allison Williams
- b. Volunteered at Westside Elementary School Career Day and Field Day
- c. Attended one day only of VLGMA summer conference in Virginia Beach
- d. Utilized three and a half days of vacation leave and one-half day of sick leave this month
- e. Submitted all final grant reporting forms to Obici Healthcare Foundation. Special thanks to Amy Henry, Mary Mitchell, and Gina Ippolito
- f. Completed staff annual performance evaluations

**TOWN CLERK'S OFFICE:**

- a. Transcribed and proofed the monthly minutes for Town Council, Planning Commission and Board of Historic and Architectural Review.
- b. Swore in New Police Officer, Wayne Hill, June 6<sup>th</sup>.
- c. Attended Windsor Castle Foundation Board Meeting on June 7<sup>th</sup>.
- d. Swore in New Police Officer, Samuel Johnson, June 18<sup>th</sup>.
- e. Prepared June Town Council Committee Agenda, June Continued Town Council Meeting Agenda and July town Council Agenda
- f. Attended Town Council Committee meetings on June 25<sup>th</sup> and 26<sup>th</sup> and prepared summary reports of the committees.
- g. Attended Town Council Continued meeting on June 25<sup>th</sup>.
- h. Swore in New Police Officer, Joshua Adams, June 27<sup>th</sup>.

## **TREASURER'S OFFICE:**

- a. Met with Public Works employees (Sonja, Jessie, Meredith, Jeff) on May 6 regarding ongoing concerns with the inventory system.
- b. Met with Sandra Bailey from Department of General Services, Peter Stephenson, Comarth Saunders, Matthew Rogers, and Bill Hopkins on June 8 to discuss the state voyager card program for fuel purchases.
- c. Prepared monthly financial statements and cash balances report for finance committee meeting on June 25.
- d. Reviewed Smithfield on the Move expenses for final grant reporting.
- e. Attended meeting in Richmond on June 28 regarding the establishment of a VaCo/VML Virginia Investment Pool.
- f. Began preparations for preliminary audit work in July.

## **PUBLIC WORKS:**

- Staff performs the following duties on a monthly basis:  
Miss Utility marking, read meters for billing and to transfer property owners, cut offs and cut-ons, check pump stations daily, install and repair street signs, replace broken meters and install new ones, take a minimum of 8 water samples and have them tested, flush water lines, repair radio or touch pads after each reading if needed, maintenance on town owned buildings.
1. **Sewer Line Repairs and Maintenance:**
    - a. Continued work on manhole inspections and ARV - both 50% complete.
    - b. 217 Main St. adjusted the sewer clean out for the Taste Of Smithfield.
    - c. 107 Smithfield Blvd.- called in for a clogged sewer line used sewer machine to unclog the line .
  2. **Sewer Pump Station Repairs and Maintenance:**
    - a. Weekly and daily checks on all 27 pump stations.
    - b. Performed scheduled maintenance on Godwin bypass pumps, pump station pumps, gen sets and alarms.
    - c. Morris Creek pump station- pulled and cleaned pumps for blockages.
    - d. Wellington pump station- replaced ground fault electrical switch in dry well for the sump pump.
    - e. James St. pump station - rebuilt check valve on pump #2.
    - f. Main St. pump station- finished grouting wet well.
  3. **Water Line Repairs and Maintenance:**
    - a. Repaired a broken waterline at 704 South Church St. Cable company bored through line causing it to leak. New pipe and valve was installed.

- b. Repaired backflow device at 516 Main St. This device was repaired to ensure that the potential of any backflow into the town's water system would be eliminated.
- c. Delivered 2011 CCR reports to apartment complexes.

4. Well Repairs and Maintenance

- a. All wells are off now that plant is running. Upgrades to well houses are being planned to keep wells in operating condition in case of an emergency.

5. Water Treatment Plant

- a. Daily lab analysis, sampling and reports for VDH, HRSD, DEQ and ITT.
- b. HVAC service techs continued repairs to electrical room AC.
- c. Plant Operators installed spacers in 3<sup>rd</sup> stage of RO skid.
- d. Plant operators cleaned 2<sup>nd</sup> and 3<sup>rd</sup> stage of RO skid.
- e. A conference call between town staff and engineers was held to determine orifice plates were needed in the 1<sup>st</sup> stage to alleviate hydraulic issues in RO system.
- f. Town staff gave tour of RO plant to new councilman Mr. Randy Pack and Mr. Mike Smith.

6. Safety

- a. Monthly truck inspections.
- b. All Public Works employees attended Heat Stress/Awareness training.
- c. Monthly playground inspections.

7. Miscellaneous

- a. Clean off and repaired walking trails at the Windsor Castle Park twice a week by grounds crew or as needed. Trash cans, recycle bins, information stands and doggie bags are emptied, cleaned or refilled as needed on Mondays and Fridays.
- b. Grounds crew- grass cutting for the season and trash pick up to keep the Town clean Great Springs Rd., Battery Park Rd., Rte 10 Bypass, John Rolfe Dr. Main St./258 and Waterworks Rd.
- c. Minor repairs at Town Hall and Town Buildings.

**PLANNING AND ZONING:**

1. Planning Commission – 06/12/12

- A. Chesapeake Bay Preservation Exception – House addition – 64 Dashiell Drive– Lou Codega, applicant – Approved.
2. Rezoning Applications under review
  - A. None
3. Special Use Permit Applications under review
  - B. None
4. Subdivision and Site Plans under review
  - A. McDonald’s Restaurant
5. Subdivision and Commercial Sites Under Construction and Inspection
  - A. Church Square, Phase I (95% complete)
  - B. Smithfield Manor Townhomes (Formerly Halstead Landing) (75% complete)
  - C. Lakeview Cove Condos (75% complete)
  - D. YMCA (85% complete)
  - E. Smithfield Foods Test Kitchen (95% complete)
  - F. True Value (95% complete)
  - G. Main Street Baptist Church (15% complete)
  - H. Taste of Smithfield (85%)
6. Board of Zoning Appeals 06/19/12
  - No meeting held.
7. Board of Historic & Architectural Review 06/19/12
  - A. Extension of Certificate of Appropriateness – 200 Washington St. – No designation – Ken Coleman, applicant – Approved
  - B. Proposed Fence – 232 James St. – Contributing – John & Samantha Fitzgerald, applicants – Approved
  - C. Proposed Siding Change – 228 Grace St. – Contributing – Jane Hansen, applicants – Denied

## **ENGINEERING:**

- A. Church Square, Phase I, contractor has installed E & S controls as required by the Town and the approved site plans. No homes are under construction at this time.
- C. Lakeview Cove, contractor Wolf Constr. has installed all E & S controls as per the approved site plans and required by the Town. No condominiums are under construction at this time.
- C. South Church Street Streetscape Project, Contractor completed directional bore installation of Verizon & Charter Cable conduit system from the Verizon Build. to Smithfield Sta. parking lot. Contractor has completed sidewalk brick installation from Luter Dr. to Cedar St. Contractor has now lifted and opened the detour from Cedar St. to Luter Drive. Contractor has begun Landscaping from Luter Drive to Cedar Street. Contractor has completed approx. 85% of sidewalk brick installation on both sides of project from Cedar Street to Smithfield Station parking lot. Dom. Va. Power has installed streetlight poles, pulled wire from pull boxes to lights. They have also completed making final tie-in from their junction boxes to residences.
- D. Blair Bro.'s Contr. started and completed ditch regrading and adding additional rip-rap to access road leading to James Street pump station. Contractor also repaired existing concrete flume on Barclay Crescent. Performed asphalt patch repair near intersection of Hill Street and South Mason Street. Cleaned out storm drain pipe and existing rock check dams at 15 Dashiell Drive.

June 29, 2012

TO: SMITHFIELD TOWN COUNCIL

FROM: PETER M. STEPHENSON, AICP, ICMA-CM  
TOWN MANAGER

SUBJECT: INFORMATIONAL REPORT FOR THE POLICE COMMITTEE MEETING  
HELD ON MONDAY, JUNE 25<sup>th</sup>, 2012

The Police Committee met Monday, June 25<sup>th</sup>, 2012 at 4:00 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee members attending were: Mrs. Denise N. Tynes, Chair; Ms. Constance Chapman and Mr. Andrew C. Gregory. Other Council members present were Mr. T. Carter Williams, Vice Mayor; Dr. Milton Cook, Mr. John L. Graham, and Mr. David M. Hare, Mayor. Staff members present were: Mr. Peter M. Stephenson, Town Manager; Ms. Lesley J. Greer, Town Clerk; Ms. Ellen Minga, Town Treasurer; Mr. William T. Hopkins, III, Director of Planning Engineering and Public Works; Mr. William H. Riddick, III, Town Attorney; Ms. Comarth Saunders, Financial Analyst; Mr. Steve Bowman, Smithfield Police Chief; Mr. Alonzo Howell, Deputy Police Chief; Mr. Jessie Snead, Superintendent of Public Works; and Mr. Jack Reed, Waterworks Operator. Also in attendance were Mr. Randy Pack, Town Council Elect, Mr. Michael G. Smith, Town Council Elect. The media was represented by Ms. Kelly Barlow of The Smithfield Times.

Committee Chairman, Denise N. Tynes called the meeting to order.

**A. MATTERS DISCUSSED BY COMMITTEE WHICH WAS PLACED ON THE COUNCIL'S CONTINUED MEETING AGENDA.**

1. Authorization to Purchase new Police Vehicle to Replace Vehicle that was Totaled While Assisting with Mutual Aid the Isle of Wight Sheriff's Office – Chief Bowman stated that they received a check from Virginia Municipal League in the amount of \$17,675.00 for the police vehicle that was totaled. This leaves a residual amount needed to replace the vehicle in the amount of \$9,009.70. He would like to ask for consideration from committee to allocate this amount for the replacement vehicle. The wrecked vehicle received a large check due to the low mileage it had on it. Chief Bowman explained that the equipment was salvaged from the wrecked vehicle but there was a fee to remove the equipment from the old vehicle and install in the new vehicle. Committee recommends approval of purchasing a replacement vehicle.

**B. MATTERS DISCUSSED BY COMMITTEE WHICH WILL BE ON THE COUNCIL'S AGENDA.**

1. FYI – Urban Archery Guidelines – The Town Manager reported that in March Council authorized me to submit a letter to the Virginia Department of Game and Inland Fisheries to extend the Archery season. That was done and the next thing they need from us is any specific guidelines that the Town of Smithfield will require like other jurisdictions have. These recommended guidelines are beyond an FYI and would require action by ordinance at the July 2<sup>nd</sup> meeting to enforce. Mr. Gregory asked for bullet number four of the recommended guidelines be worded differently for clarification. Currently it is confusing and contradicting. It reads: “No person may discharge a bow within 100 yards of any dwelling, building, street, sidewalk, alley way, public land, or public place within town limits. Bows may be discharged within 100 yards of any dwelling only with the written permission of the landowners to be carried by the hunter as noted above”. Everyone agreed that clarification would need to be made. Vice Mayor Williams stated that the 100 yard written permission would be great in a more rural area, however in a neighborhood with houses much closer he feels 100 yards is too much. Discussion was held on reducing the 100 yard permission. The Town Attorney stated that this does not come into play until September so we have time to work on more defined guidelines. The Town Manager explained that even though it will not need to be enforced until September the Virginia Department of Game and Inland Fisheries needs these guidelines from the town as soon as possible to add Smithfield to their publication of participation and guidelines. Committee directed the Town Attorney and staff to work on revising the guidelines in particularly the length of space requiring written permission.

**C. MATTERS DISCUSSED BY COMMITTEE WHICH WILL NOT BE ON THE COUNCIL'S AGENDA.**

1. Operational Updates – Chief Bowman reported that today the department was notified by the Isle of Wight Sheriff's Office of a public safety announcement. It was read to committee. There have been two incidents of wild animals behaving aggressively toward humans at Windsor Castle Park this month. On June 14<sup>th</sup> a raccoon approached a couple on the trail and was beaten off with a walking stick. On June 23<sup>rd</sup> a fox near the trails entrance of the park at Sykes Court attacked a man and was fended off as well. There were no injuries to the persons involved in either incident. The animals were picked up by Animal Control and are being tested for rabies by the Health Department. Once the results have been determined it will be made public. The public is asked to be cautious at Windsor Castle Park and notify animal control for any specious behavior. Mrs. Tynes asked if staff would post signs at the entrance of the park to make the public aware. The Town Manager stated that he would look into posting signs at the park. Chief Bowman stated that Olden Days is coming up and they are operationally set for this event. He hopes a good time will be had by all in a safe and orderly manner. The town fireworks event is also coming up on July 3<sup>rd</sup>. This event will be handled as well. Chief Bowman did mention that the Smithfield Center is rented that night so they will need to be very diplomatic on how we handle the customers at the Smithfield Center verses those that wish to park there for the fireworks display. Chief Bowman mentioned that there was

an over turned vehicle accident in front of Tractor Supply earlier today. However there were no serious injuries thanks to seatbelts. Chief Bowman also reported that the Mobile Command Unit is scheduled to be here on Friday. Plans to schedule an open house for the Police Department will be forthcoming in the near future. Chief Bowman stated that they continue to work on filling their last vacancy. The possible candidate is from Regent University and has served as a campus police officer. Ms. Minga asked if payment for the Mobile Command Unit was expected at time of delivery. Chief Bowman stated that payment did not need to be made at time of delivery.

2. Continued Discussion on Town Wide Speed Limit Analysis – Chief Bowman stated that committee received two documents. One was from him to the Town Attorney outlining his understanding as far as the request. The second is a response from the Town Attorney who indicated that what I interpreted in the State Code was accurate. However due to the fact these streets that we are discussing are primarily town streets the town has a right to regulate the speed limits. The bottom line is the ball is back in committee's court to what you ultimately want to do. Mrs. Tynes stated that she has noticed that in some neighborhoods we have more children playing in the streets than we have in the past and suggested lowering the speed limit in those neighborhoods where we have residential housing. Mayor Hare asked if we have any idea how many signs would need to be changed and if the town is responsible for that cost. Chief Bowman stated that he did not know. The Town Manager stated that any new signage would be a highway expense. Mr. Graham mentioned that we should look at it on a case by case basis. The 25 mph speed limit may be appropriate for some areas but not all. The Town Manager stated that the original request came from the Smithfield Boulevard and Barclay Crescent area. Discussion was held on which areas in town meet the requirement of a 25 mph residential zone. Ms. Chapman asked Chief Bowman from enforcement prospective would it be easier to have a town wide 25 mph speed limit in residential areas. Chief Bowman stated that the more consistent that you have an application of a law the easier it is to enforce. Dr. Cook asked what streets can we as a council not change. The Town Attorney stated that they would have to meet the definition of residential. The Town Manager stated that roads such as South Church Street VDOT has control over and the town can only make recommendations to them. The Town Attorney stated that the speed limit of 30 mph does not meet any of today's regulations it was grandfathered in many years ago. Any new signs today in residential areas would be 25 mph. The Town Manager stated that at this point our main objective was to let you know what the law is and what the town has control over. He suggested that if committee would like they can work on drafting a map to indicate what the current speed limits are throughout the town's residential neighborhoods and bring back to committee with a recommendation of which streets should be reduced to 25 mph. Committee Agreed.

3. Proposed Overtime Policy for Smithfield Police Department – Chief Bowman stated that as requested from a previous discussion pertaining to the issue of overtime for the police department he has drafted a policy to set forth how overtime will be managed. It is very direct and it requires checks and balances for the police department. A day to day running total will be kept of any overtime that would be expended and the circumstances it would be expended. It primarily lays out the fact that it is not intended to

be a vehicle in which to increase the officer's base salary. It is a procedure upon which in certain circumstances the officer would have to work more than their allotted hours. Currently officers must work more than eleven hours of overtime before they go into an overtime status. This policy would level the playing field of all the employees that receive time and a half pay after their allotted shift. Chief Bowman stated that he will insure council that if Town Council does agree to adopt the budget with the overtime in it that these guidelines will be strictly enforced. If the Town Manager and Town Council feel at the end of the day it is not being managed in the approved way then it is on my back. Chief Bowman stated that staff has created a spreadsheet to calculate by the hourly rate and by the authorization of exactly what the overtime will be. Chief Bowman stated that he feels that the number of hours expended for tourism oriented events will be somewhat of a surprise. Chief Bowman stated that the question came up about using the officers that are already on shift for these extra events. He stated that does work sometimes but not always. Mrs. Tynes stated that during our budget work session the police department was asked to a draft overtime policy. Mrs. Tynes stated that she feels this item should be continued at the Finance Committee for consideration. Mr. Graham asked for clarification of the drafted policy. The same policy used today with the exception that currently the police department do not get monetary pay for the first eleven hours of overtime. They only get compensatory time. Chief Bowman stated that under the Fair Labor Standards Act that is correct, however the town currently pays the officers at a straight rate for the first eleven hours of overtime, then it goes to time and a half. Other employees within the town work an hour over and they automatically get time and a half. This item will continue under Finance Committee.

The meeting adjourned at 4:31 p.m.

June 29, 2012

TO: SMITHFIELD TOWN COUNCIL

FROM: PETER M. STEPHENSON, AICP, ICMA-CM  
TOWN MANAGER

SUBJECT: INFORMATIONAL REPORT FOR THE WATER & SEWER COMMITTEE  
MEETING HELD ON MONDAY, JUNE 25<sup>th</sup>, 2012

The Water & Sewer Committee held a meeting on Monday, June 25<sup>th</sup>, 2012 at 4:31 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee members attending were: Mr. Andrew C. Gregory, Chairman; Mr. John L. Graham, and Mr. T. Carter Williams, Vice Mayor; Other Council members present were Mrs. Denise N. Tynes, Ms. Constance Chapman, Dr. Milton Cook, and Mr. David M. Hare, Mayor. Staff members present were: Mr. Peter M. Stephenson, Town Manager; Mr. William T. Hopkins, III, Director of Planning Engineering and Public Works; Ms. Lesley J. Greer, Town Clerk; Ms. Ellen Minga, Town Treasurer; Mr. William H. Riddick, III, town Attorney; Mr. Steve G. Bowman, Smithfield Police Chief; Mr. Alonzo Howell, Deputy Police Chief; Ms. Comarth Saunders, Financial Analysis; Mr. Jessie Snead, Superintendent of Public Works; and Mr. Jack Reed, Waterworks Operator. Also in attendance were Mr. Randy Pack, Town Council Elect, and Michael G. Smith, Town Council Elect. The media was represented by Ms. Kelly Barlow of The Smithfield Times.

Committee Chairman, Andrew C. Gregory called the meeting to order.

**A. MATTERS DISCUSSED BY COMMITTEE WHICH WILL NOT BE ON THE COUNCIL'S AGENDA**

1. Update on Request to Connect to Town Utilities in Regards to the New Site for the Isle of Wight Rescue Squad Building – Mr. Hopkins reported that he is aware of where the county is proposing to put the new rescue squad building. Mr. Snead and I have met with Mr. Wrightson of Isle of Wight County to discuss connecting to town utilities. Mr. Hopkins stated that they have come to a mutual agreement of where they can connect to town utilities; however they will need to cross the golf course property. The County has met with Mr. Steve Adams, developer of Cypress Creek, to discuss. The town has no objections as far as how to connect but there would need to be a mutual agreement between Isle of Wight County and the owner of the golf course. There is some concern that once the waterline has been put in that the water could be used for future development. The Town Attorney stated that this needs to be a very limited exception. Town Council has a policy that was adopted subsequent to annexation 10 to 12 years ago that said that the council will not extend utilities beyond its boundaries. The Board of Supervisors insisted on that policy. This would be an exception being granted at their request. The Town Attorney stated that if the county's request is granted it needs to be very narrowly crafted to say this is being done for public safety purposes only and it is

not to be used for future development purposes. Mr. Hopkins mentioned that Mr. Wrightson was going to request the Board of Supervisors to bring it up at the next intergovernmental meeting. Vice Mayor Williams asked if they were requesting the tap fee be waived as well. The Town Manager stated that has not been brought up with staff. The Town Attorney mentioned that they purchased a lot more land than they need and they are already looking at other end users so there needs to be a clear understanding that it does not come with water and sewer. Dr. Cook asked if they were requesting sewer connection as well. Vice Mayor Williams stated that Mr. Casteen has said water and sewer. It has already been determined that connecting to the town is the easiest and most cost efficient. The Town Attorney mentioned that the problems you create when you extend utilities beyond boundaries become great because you do not know what is going to happen in the future. Example of that would be Gatling Pointe. The Town Attorney stated that he recommends a very narrow exception for public safety purposes only. Committee asked if the size of line matters. The Town Attorney stated that the size of line is not the issue. If the line is going to a public safety building then you want a large line to the fire hydrant. Mr. Gregory stated that if council restricts the use for public safety only at this point can we change that in the future. The Town Attorney that changes could be made in the future if necessary. This item was for information purposes only at this time.

2. Update on Reverse Osmosis Water Treatment Plant Recovery Rate – The Town Manager stated that he wanted the outgoing council members to know where we are with the RO Plant as you have been involved with this project for several years. This will also help the incoming council members to understand where we are as well. The new council members toured the plant at orientation and met Mr. Jack Reed. He explained that staff continues to make adjustments and continues to evaluate the recovery rate with the design engineers and the suppliers of the membrane technology. Mr. Reed explained that the flow on the third stage is not where it should be. It has been decided that adding orifice plates is the way to go. This will allow more pressure to go to the third stage. An orifice plate is a restrictive plate that goes on the header that allows more pressure to shoot up to the third stage so the flow will improve. This needs to happen because low flow in the third stage is causing scaling of silica and we hope this will alleviate the problem. The Town Manager explained that the silica is a fancy word for sand that is coming out of the well. Mr. Reed stated that unfortunately there is nothing staff can do about the silica. The anti scalents do not work well against this. The orifice plate will help with pushing it through. Staff is confident that this plan will help with the recovery rate. Mr. Gregory asked if other plants such as James City County have had this issue. Mr. Reed stated that this issue is from the water sources the town has. Mr. Reed explained that the engineer mentioned that he has seen silica issues like this before but he has never seen the scalent problem. Staff feels the problem is a hydraulic issue and the orifice plate should make a difference. Committee asked what the town's recovery rate is currently. He stated that we are at 80%. The town should be at a recovery rate of 85%. HRSD discharge rate is going up 9% July 1<sup>st</sup> so staff has been working hard to resolve this issue. The Town Manager stated that he has emphasized with the engineers that we have to be at 85% and the town is not going to accept less than what they said we would be at. They have been very active in helping staff to resolve the problem. Otherwise the system is working very well. At this time the town remains within budget of what was budgeted for HRSD. Mr. Gregory asked how much the town runs the system. Mr. Reed explained it is

run every day however it depends on the weather how long. On a rainy day it is run approximately 12 hours and on a bright sunny Saturday usage goes up and it runs approximately 20 hours. On an average approximately 15 hours a day. Mr. Reed explained that other things they can do to alleviate cost is if you remember the blend valve at the plant. We blend 80% Reverse Osmosis water with 20% well water, however we can open that valve up and blend more of the well water which shorten run times and as a result less water going to HRSD. Mr. Reed stated that he has spoken to Mr. John Alexander at the Health Department to get him to give staff a number to keep the fluoride level at or below because that determines how much well water can be blended. This item was for information purposes only.

The meeting adjourned at 4:48 p.m.

June 29, 2012

TO: SMITHFIELD TOWN COUNCIL

FROM: PETER M. STEPHENSON, AICP, ICMA-CM  
TOWN MANAGER

SUBJECT: INFORMATIONAL REPORT FOR THE FINANCE COMMITTEE MEETING  
HELD ON MONDAY, JUNE 25<sup>th</sup>, 2012

The Finance Committee held a meeting on Monday, June 25th, 2012 at 4:48 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee members attending were: Mr. John L. Graham, Chair; Mr. Andrew C. Gregory, and Dr. Milton Cook. Other Council members present were: Mrs. Denise N. Tynes, Ms. Constance Chapman; Mr. T. Carter Williams, Vice Mayor; and Mr. David M. Hare, Mayor. Staff members present were: Mr. Peter M. Stephenson, Town Manager; Mr. William T. Hopkins, III, Director of Planning Engineering and Public Works; Ms. Lesley J. Greer, Town Clerk; Ms. Ellen D. Minga, Town Treasurer; Mr. William H. Riddick, III, Town Attorney; Ms. Comarth Saunders, Financial Analyst; Mr. Steve G. Bowman, Smithfield Police Chief, and Mr. Alonzo Howell, Deputy Police Chief. Also in attendance were Mr. Randy Pack, Town Council Elect; and Mr. Michael G. Smith, Town Council Elect. The media was represented by Ms. Kelly Barlow of The Smithfield Times.

Councilman John L. Graham called the meeting to order.

**A. MATTERS DISCUSSED BY COMMITTEE WHICH WERE PLACED ON THE COUNCIL'S CONTINUED MEETING AGENDA**

**1. Invoice Over \$10,000 Requiring Council's Authorization to Pay –**

a. GO Bond – Isle of Wight County                      \$ 35,614.94

Committee recommended payment of this invoice.

**2. Amend the Towns Pay and Classification Plan –** The Town Manager explained that the town's pay and classification plan needs to be amended to include the motion made to reclassify Police Captain to Deputy Chief. He also stated that staff has evaluated under the fair labor standards act the check list that has to be met in order to have someone qualified to be exempt from the fair labor standards act in terms of overtime. Given the functions of our Lieutenants at this time it has been determined very clearly that they should be non-exempt positions. It was also made clear when we hired the Financial Analyst that position is non-exempt as well. Deputy Treasurer is a reclassification that Ms. Minga had requested. The new waterworks operator position that

is in the budget staff put that position in at a grade 11 in regards to salaries. This item is housekeeping to bring us up to date on the latest changes to the plan. Committee recommends approval of all amendments.

3. Final Discussion – 2012 / 2013 Budget - This item will be brought before Council tonight at 6:00 p.m. to consider the proposed budget for adoption. The Town Attorney also mentioned that at the July 2<sup>nd</sup> meeting a resolution will need to be adopted to carry appropriated funds forward from FY 2011/2012 to FY 2012/2013. Mr. Graham stated that we should not pay the library contributions until the town gets some kind of representation on their Board. Dr. Cook stated that if we are going to continue to pay the library contribution there needs to be a formal agreement with some rights that the town has. Mr. Graham suggested leaving it in the budget so it is appropriated but do not pay until it has been discussed at Intergovernmental Relations Committee. Ms. Chapman asked if the election expense could be taken out since there are no town elections scheduled this upcoming year. Ms. Minga stated these fees are not specific to just town elections. Mr. Graham asked what the consensus was for the police overtime. Mayor Hare stated that he thinks everyone agrees it is the right thing to do. The question is whether we feel the money is in the budget already with the original proposed budget or do we need to increase the budget to include overtime. He stated that each member needs to make that decision. He personally feels the money is in the budget given the circumstances of the positions that were lost to the county. Discussion was held on whether to adopt the FY 2012 / 2013 budget with or without the police department's overtime. Ms. Minga explained that if we just look at this year's budget \$1,295,000 and if we had kept the same personnel and not lost some of our higher paid personnel plus the 1% VRS we would be looking at a number significantly larger than the \$1,318,000 that is currently budgeted with the overtime. So if there was ever a time to make this change now is the time because you have more people at starting levels. The financial impact of the overtime is not going to be as great. Mr. Gregory stated the question from a budget stand point should we temporarily take it from other budgeted items, approve the overtime and as we see the funds are there we can re implement those items. A lengthy discussion continued on how to approve the overtime policy and which proposed budget to adopt to cover this additional expense. Mr. Graham stated that what he is hearing is that there is a consensus to adopt the overtime policy. So now we have two options. One is that we are going to adopt the policy but we are not going to approve the money to do it in hopes it comes from somewhere else. If it does not come from somewhere else we are going to amend the budget. Secondly if we do adopt the policy with the funding and we are able to find savings then we would still amend the budget to show a decrease. Committee continued to discuss ways to cut the budget throughout all departments. In the end committee agreed to adopt the budget and withhold the charitable contributions until town can better define where the overtime expense will be absorbed. Committee adjourned to move to the 6:00 p.m. Continued Town Council Meeting from June 5<sup>th</sup>.

**B. MATTERS DISCUSSED BY COMMITTEE WHICH WILL BE ON THE COUNCIL'S AGENDA**

1.	<u>Invoices Over \$10,000 Requiring Council Consideration:</u>	
a.	Excel Paving Corporation	\$205,330.67
b.	Excel paving Corporation	\$173,277.99
c.	Draper Aden Associates	\$ 38,038.50

d.	REW Corporation (proposal approved 12-2011)	\$ 72,037.00
e.	Caldwell Tanks	\$ 24,996.41
f.	AVES (Pinewood Heights Demolitions)	\$ 17,750.00
g.	Isle of Wight Rescue Squad (4 <sup>th</sup> quarter)	\$ 18,750.00

Vice Mayor Williams stated that he had talked with staff about the Caldwell Tanks invoice. He asked what the actual \$24,996.41 was for. The Town Manager explained the new contract with Caldwell Tanks begins this new fiscal year. The amount budgeted each year for the next ten years is \$100,000. Payments will be made quarterly in the amount not to exceed \$25,000. He continued to explain that the original invoices were sent to the town back in the spring and there were a couple of issues with that. One the town wanted to wait for the new fiscal year to start the work and two the invoices were over \$100,000 if you take the totals they had on the original invoices and multiplied by four. The Town Manager had requested new invoices but Caldwell was not able to do that so they sent credit memos. The Town Manager stated that he asked for clarification of when the work will be done and to receive reports of work that is done. A work schedule is also attached to the invoice. Dr. Cook asked what work R.E.W. Corporation is doing. The Town Manager stated that they are doing the electrical meter boxes on the South Church Street project and the alarm systems at the town's pump stations and wells. The invoice today is for labor and materials for the installation of the DVP meters for South Church Street. It includes commercial and residential properties. Ms. Chapman asked if the town is within budget for the demolitions in the Pinewood Heights project. Ms. Minga replied that she had added this invoice to the amended budget so it is included.

2. ICMA Amendment to the Administrative Services Agreement – Ms. Minga stated that this item is basically just housekeeping. The town gives its employees the opportunity to be part of a 457 Deferred Compensation Plan. This is an optional benefit for town employees. Vantage Trust Company, LLC currently serves as the passive directed trustee for this plan. However as of July 31, 2012 they will no longer serve as the passive directed trustee. ICMA-RC has established a relationship with Wilmington Trust to become the new passive directed trustee. Signing this paper work just acknowledges that we approve of the change in trustee. Ms. Minga mentioned that this program is at no cost to the town. Committee recommends approval of amendment.

**C. MATTERS DISCUSSED BY COMMITTEE WHICH WILL NOT BE ON THE COUNCIL'S AGENDA.**

1. April Financial Statements – Mr. Graham asked if anyone had any questions on the April Financial Statement. Mayor Hare stated for clarification purposes in going back to Chief Bowman's comments about the overtime the column all the way to the left is the budgetary impact if we change the police department's overtime policy. Ms. Minga stated that was correct. The budget increased approximately \$34,000. This was based on overtime last fiscal year. It was a very conservative year. We didn't have any catastrophic events that added to the overtime. This fiscal year was not used due to the number of transitions with people leaving. Mayor Hare explained that he attended the monthly Mayor and Chairs meeting last week and sat next to the Mayor of Chesapeake. Discussion of employee raises came up and he stated that employees should get raises but you find it within your existing departmental budget. Mayor Hare stated that is kind of where he stands on this request. The town does not have it in our reserves to absorb this

increase in the overall budget. Ms. Minga mentioned that they did cut their equipment and the upgrades to the evidence room. For this fiscal year the police department does come out to a net zero effect. Mayor Hare asked for clarification on the LODA insurance expense. Ms. Minga explained that the mandatory insurance coverage is unique to the police department. If an officer dies in the line of duty their family member's health insurance will be paid for the rest of their lives. This expense doubled this year however the town has no control over this mandated insurance. Mayor Hare asked if it was still allowed for officers to drive their police cruisers home each day. Chief Bowman stated that they are in the process of evaluating the distance and location these cruisers are taken. He continued to explain that they have some new hires that live in apartment complexes in Newport News where he does not feel it is desirable to have that police vehicle there. These officers are parking them at the police station in Newport News. Vice Mayor Williams stated that the advantage there is if you need them they have the car to get to you wherever you are at. This insures public safety as well. Mr. Graham stated that he was under the impression that with all the changes of senior personnel leaving there would be a bigger savings. At this time there is only a \$10,000 differential. Ms. Minga stated in the end there may be more savings. At this time this year's budget has not been adjusted because of so many going and coming. Staff was not sure how much overtime would be needed due to the department being short staffed. Dr. Cook stated that it is not going to be cheaper to do this anytime in the future so if it is something council is interested in doing then we need to figure out how to make it happen. Dr. Cook stated that when you look at it in his opinion it is the only fair thing to do for the employees. He agrees with Mayor Hare that the money needs to be found somewhere in the existing budget. Ms. Chapman stated that she agrees with Chief Bowman in the fact that if other town employees get time and a half for all overtime then the police department should get it as well. Ms. Minga stated that she feels pretty confident on her numbers for next fiscal year. Ms. Minga stated that included in the salary budget are flat base salaries, overtime, on call pay, and vacation cash outs. Ms. Minga stated that she did not make any adjustment to the 2011/2012 budget as far as salaries because of the large number of variables. Accruals will be done at the end of the fiscal year as well. So even though it looks like we are way under budget we are pretty close once accruals are done. Accruals are calculated based on projection of what vacation will be taken between July 1<sup>st</sup> and August 15<sup>th</sup>. This is very difficult to project. Mr. Graham asked the Town Manager what his recommendation was for the overtime policy. The Town Manager stated that he recommends that the overtime policy be amended in terms to what Chief Bowman proposed and we deal with the budget however we find the resources to do it. The Town Manager stated that not only does the overtime policy differ by department but it differs within the police department because of administrative staff get paid overtime same as other town departments. The officers see this and now that we have a new group we want to be consistent and fair across the board. Mrs. Tynes asked if the police department charges for assistance with events if the events are not town sponsored. Chief Bowman stated that they do that in certain cases where private entities desire supplemental police protection. Chief Bowman stated that when committee says find it within your budget and the officers are working overtime for other department functions why should the police department find those overtime funds in their budget. Chief Bowman stated that these hours that the officers have to work sometimes they do not want to work them. It is situations like on the 3rd of July a lot of people do not want to come out and work fireworks, but they are going to work it because we demand that they do as a matter of public safety. Vice Mayor Williams asked the

Town Manager what time employee's report to work. The Town Manager reported that public works is from 7:00 a.m. to 3:00 p.m. They receive a half hour lunch and two 15 minutes breaks a day. The rest of Town Offices work from 9:00 a.m. to 5:00 p.m. with an hour paid lunch. Paid lunches are a benefit for all employees. Ms. Minga stated that it is always emphasized to the town employees that an hour paid lunch is an extra benefit for all administrative staff.

2. May Cash Balances – Ms. Minga reports that the town has drawn down all the ARRA Funds for last year. The town is still waiting the last draw for the FED formula money which is approximately \$180,000. She explained that we are getting to the point now where some of it is going to be Highway which we have not been heavily billed yet for the highway portion of the South Church Street project. The remainder will come from private funds and escrows. We have dipped pretty heavily in the private funds right now. We know that our last resources are our private funds and the Urban Funds. We are trying to hold off until the very end to use as little Urban Funds as possible. Ms. Minga stated that we are in the time of year where we really do not have a lot of revenue resources. We have eaten into a lot of our reserves and if we are not getting reimbursed for that last \$400,000 from Mr. Luter until the project is finished then that means the town has to front that money as well as fronting the funds we will get reimbursed from the Urban Fund. Ms. Minga stated that there are still some large billings left for the project. Ms. Minga stated that her and the Town Manager have discussed it and have left the budget as it is for this year and once this year has ended and we can see exactly what has been billed for this year we will do a separate budget amendment at one of the fall meetings. We will need to deal with reassessments on real-estate rate then as well. Mr. Gregory asked if it would be possible to utilize the line of credit that has been dedicated to Pinewood Heights. Ms. Minga stated that line of credit has been very specific to the Pinewood Heights Project. She stated that she would have to go back to Towne Bank and ask them if we could amend the request. The Town Manager stated that Mr. Hoeflaak would be present at tomorrow's Public Works with an update on where we are with utilities. It is very hard to get any kind of timeframe from the utility companies. Water = \$361,851.61; Water Debt Service = \$1,450,951.38; Water Capital Escrow Availability Fees = \$264,213.55; Water Development Escrow = \$69,985.87; **Subtotal Water = \$2,147,002.41.** Sewer = \$93,980.76; Sewer Development Escrow = \$321,064.92; Sewer Capital Escrow Availability Fees = \$700,708.24; Sewer Compliance = \$411,401.32; **Subtotal Sewer = \$1,527,155.24.** **Highway = \$184,964.05.** General Fund = \$1,857,755.69; Payroll = \$46,437.34; Money Market General Fund Town Bank = \$2,165.05; Business Super NOW-General Fund = \$32,895.60; Money Market General Fund Farmers Bank = \$286,428.45; General Fund Capital Escrow = \$50,699.51; Certificate of Deposit = \$525,140.97; Certificate of Deposit Police Dept = \$36,377.93; Special Project Account (Pinewood) = \$19,859.79; Pinewood Heights Escrow = \$45,811.87; South Church Street Account = \$248,681.01; **Subtotal General Fund = \$3,152,253.21.** Beautification = \$7,805.95; Money Market Beautification = \$60,962.39; **Subtotal Beautification = \$68,768.34; Rising Star = \$63.49. TOTAL ALL FUNDS = \$7,080,206.74.**

The meeting adjourned at 5:58 p.m.

June 29, 2012

TO: SMITHFIELD TOWN COUNCIL

FROM: PETER M. STEPHENSON, AICP, ICMA-CM  
TOWN MANAGER

SUBJECT: INFORMATIONAL REPORT FOR THE FIRE AND RESCUE COMMITTEE  
MEETING HELD ON TUESDAY, JUNE 26<sup>th</sup>, 2012

The Fire and Rescue Committee held a meeting on Tuesday, June 26<sup>th</sup>, 2012 at 4:02 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee members attending were: Vice Mayor T. Carter Williams, Chair; Ms. Constance Chapman and Mrs. Denise N. Tynes. Other Council members present were: Mr. John L. Graham, and Mr. David M. Hare, Mayor. Staff members present were Mr. Peter M. Stephenson, Town Manager; Mr. William T. Hopkins, III, Director of Planning Engineering and Public Works; Ms. Lesley J. Greer, Town Clerk; and Ms. Ellen D. Minga, Town Treasurer. Also in attendance were Mr. Randy Pack, Town Council Elect; and Mr. Michael G. Smith, Town Council Elect. The media was represented by Ms. Kelly Barlow of The Smithfield Times.

Committee Chairman T. Carter Williams called the meeting to order.

**A. MATTERS DISCUSSED BY COMMITTEE WHICH WILL NOT BE ON THE COUNCIL'S AGENDA.**

1. Operational Updates – Vice Mayor Williams reported that neither Mr. Brian Carroll of the Isle of Wight Rescue Squad or Assistant Chief Hackney of the Smithfield Volunteer Fire Department were available for today's committee meeting. Assistant Chief Hackney did say that he had nothing significant to report and everything was running as normal. Vice Mayor Williams stated that Mr. Carroll indicated to him that no one has contacted them about needing a rescue squad in town for the Olden Days event. Vice Mayor Williams stated that he told them that they were absolutely needed and staff would be in touch. Mr. Carroll also told Vice Mayor Williams that he would be present next month with the plans for the new rescue squad building.

The meeting adjourned at 4:04 p.m.

June 29, 2012

TO: SMITHFIELD TOWN COUNCIL

FROM: PETER M. STEPHENSON, AICP, ICMA-CM  
TOWN MANAGER

SUBJECT: INFORMATIONAL REPORT FOR THE PUBLIC WORKS COMMITTEE  
MEETING HELD ON TUESDAY, JUNE 26<sup>th</sup>, 2012

The Public Works Committee held a meeting on Tuesday, June 26<sup>th</sup>, 2012 at 4:04 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee members attending were: Ms. Constance Chapman, Chair, Dr. Milton Cook, and Mrs. Denise Tynes. Other Council members present were: Mr. John L. Graham, Mr. T. Carter Williams, Vice Mayor; and David M. Hare, Mayor. Staff members present were: Mr. Peter M. Stephenson, Town Manager; Mr. William T. Hopkins, III, Director of Planning, Engineering, and Public Works; Ms. Lesley J. Greer, Town Clerk; Ms. Ellen D. Minga, Town Treasurer; Mr. William H. Riddick, III, Town Attorney; Others in attendance were Mr. Richard Hoeflaak of Excel Paving Corporation; Mr. Randy Pack, Town Council Elect; and Mr. Michael G. Smith, Town Council Elect. The media was represented by Ms. Kelly Barlow of The Smithfield Times.

Committee Chair Constance Chapman called the meeting to order.

**A. MATTERS DISCUSSED BY COMMITTEE WHICH WILL NOT BE ON THE COUNCIL'S AGENDA.**

1. South Church Street Streetscape Project Update with Richard Hoeflaak of Excel Paving Corporation – Mr. Hoeflaak reported that paving is completed and landscaper is on his way to North Carolina to pick up about \$35,000 worth of plants to finish up the landscaping. There are three crews scheduled to be here tomorrow working on top soil. He stated that they will have everything substantially complete by Friday afternoon at 3:00 p.m. Mr. Hoeflaak stated that the only thing left for them is finishing up the residential tie-ins, but that will be done with minimal disruption of traffic. Sidewalks will be 100% complete with the exception of the residential tie ends. Dr. Cook asked if the sidewalks would be clean. Mr. Hoeflaak replied that they would be. He explained currently there is a layer of sand on top which is called sweeping the joints. This has to be done quite a few times before it can be swept clean, however it will be clean before festival on Friday. Stripers will be here tomorrow to place center striping as well as the crosswalks. The remaining residential tie-ins will take approximately two to three more weeks of work but this will be done with very minimal interruption of traffic by Excel

Paving Corporation. Mr. Hoeflaak stated that they need to get a few answers from some of the private residents on where to go back to and what to do to make sure everyone is on the same page. This was not addressed on the original plans. Vice Mayor Williams asked if the trees being planted were guaranteed for a year. Mr. Hoeflaak replied that was correct. Vice Mayor Williams then asked who would be responsible for watering them. Mr. Hoeflaak stated that Excel Paving Corporation's landscaping contractor will be responsible for the first three months; however the town will continue to provide water to the landscaping contractor to water the trees and plants. Vice Mayor Williams asked how they plan to watering the trees. Mr. Hoeflaak stated that it would be done by a tank and it will be done in the parking bays so that it does not affect traffic flow. Water will be gotten from the fire hydrant located at the Reverse Osmosis Water Treatment Plant. Mayor Hare asked Mr. Hoeflaak when they plan on coming back to complete the residential tie-ins. Mr. Hoeflaak replied that their plan is to keep going as they are now. However he was informed this morning that their company's holiday will be Wednesday, Thursday, and Friday of next week. So they will work Monday and Tuesday and then return the following Monday to continue work schedule. Ms. Chapman asked Mr. Hoeflaak if he knew what the blue flag meant on the tree located in front of Main Street Antiques. Mr. Hoeflaak stated that he would call his landscaper as soon as the meeting is over to get that answer. After the meeting it was determined that the ribbon was telling the landscaper what type tree it was and they just forgot to remove after planting. Vice Mayor Williams stated that Mr. Hopkins and Ms. Chapman did an outstanding job of managing the situation at that location. Mr. Pack asked after Friday how much interruptions in traffic will there be. Mr. Hoeflaak stated as far as Excel Paving Corporation there will be very minimal traffic interruption. The Town Manager stated that the bigger question is with the utility companies what type of blockage they will need. The Town Manager asked Mr. Hopkins what the latest update was from Verizon. Mr. Hopkins explained that he had talked to Verizon the day before and they are scheduled to come in on Monday, July 2<sup>nd</sup>. Ms. Chapman asked if they are giving a timeline to complete work. Mr. Hopkins stated that they are saying six to eight weeks. Vice Mayor Williams asked if Charter Communications will be piggy back on Verizon for their work. Mr. Hopkins replied that they were. Mr. Hoeflaak mentioned that it has been a pleasure to work for the Town of Smithfield. It has been a long road and he would like to commend Mr. Hopkins for his public relations job. He stated that you try to make everyone happy with what we do but sometimes there are certain people out there that you cannot make happy. He stated that he has enjoyed the small town atmosphere of the Town of Smithfield.

2. Update on Parking Restrictions along South Mason Street – Mr. Hopkins reported that he and Mr. Griffin looked at how the traffic was handled on South Mason Street before it was used as a detour route for the South Church Street project. After review of this area staff recommends parking restriction signage should be installed as it was prior to the detour. A “No Parking from here to Corner” sign should be installed near the Dominion Virginia pole between the residences of 112 and 116 South Mason Street on the west side. The east side of Mason Street shall remain “No Parking this Side” as it now exists. Committee asked that staff take another look at having no parking at the corner of Main and South Mason because of sight problem when turning on South Mason from

Main Street. It was decided that staff would look at striping off the curb of the first space on South Mason from Main Street as no parking. If there is not enough curb to stripe then a sign will be placed there.

3. Update on Streetlight Proposal from Dominion Virginia Power to Install Streetlights along Battery Park Road from Smithfield Villas to Royal Farms – Mr. Hopkins reported that the Town Engineer has contacted Dominion Virginia Power and they have provided him with drawings. The county's engineering firm had plans that showed all the future sidewalks for that area as part of the trail program. The plan also shows the proposed locations for the streetlights. They are approximately 150 feet apart. The Town Engineer and myself now need to get together to determine what type of lights should be recommended to Town Council. Do we want ones like South Church Street in the Historic District or do we want the ones with the arms sticking out. This item was for information purposes only at this time and will be brought back to committee once all information and cost has been received so that committee can decide whether to proceed with having streetlights installed or not.

4. Review of RFP for Vehicle Maintenance Services and Information on New Vehicle Maintenance Program - The Town Manager reported that the town only received one proposal from the RFP that was issued. That proposal was received from Dave's Service Center. He stated that obviously we were hoping for more competition and interest. The Town Manager also mentioned that he had included in the e-packet information he has received since the RFP was issued on the state's vehicle management control center program. This program outsources vehicle maintenance for a lot of the state agencies. The schedule of work is done at a state negotiated labor rate. The town would be invoiced once a month rather than cutting checks to the many vendors that we use. Ms. Comarth Saunders is checking to see what the state negotiated hourly rate is compared to what Dave's Service Center included in their proposal. The Town Manager stated that Dave's Service Center is one of three vendors in town that are on the State's contract program. The other two are Cofer's Auto and Brown Automotive. Staff is not at this time ready to make a recommendation to committee but did want to give you an update on what staff is working on. Ms. Chapman asked if the RFP could be extended. The Town Manager stated that is also a possibility. Dr. Cook expressed concern that extending an RFP makes it appear that we are begging for proposals. Ms. Minga stated that she feels the state program is very interesting in the fact that they make the arrangements for the maintenance. They make sure the work to be done stays on schedule. They also track when it is time to schedule future work such as brake pads, oil changes, etc. They also keep customized reports per vehicle. Dr. Cook asked about the state motor fuel program. Ms. Minga stated that the town is proceeding with joining the state motor fuel program. Dr. Cook asked if each staff member that drives a town vehicle has a fuel credit card. Ms. Minga replied no. The town has accounts setup at certain stations in town and they have a list of authorized users. The town also does some bulk fuel purchase from S. W. Rawls. This bulk fuel is in a rented tank at 293 Cary Street and it is used mostly by the police department. Ms. Minga stated that the rate the town will be getting from the state is definitely better than what we get now. In addition the town will not have to submit for reimbursement on the fuel tax. Staff will bring this item back to

committee once we have received this additional information and contacted references of other localities or agencies that participate in the state maintenance program.

5. Additional Item Discussed: Sidewalk along South Church Street – Mrs. Tynes mentioned that she had received a request to have the grass removed from the sidewalk along South Church across the street from Royal Farms and True Value. Apparently someone tripped because of the grass between the cracks. The Town Manager stated that it is VDOT's responsibility but the town does assist with maintaining. He will request our public works department to take care of this matter.

The meeting adjourned at 4:37 p.m.

June 29, 2012

TO: SMITHFIELD TOWN COUNCIL

FROM: PETER M. STEPHENSON, AICP, ICMA-CM  
TOWN MANAGER

SUBJECT: INFORMATIONAL REPORT FOR THE PUBLIC BUILDINGS & WELFARE  
COMMITTEE MEETING HELD ON TUESDAY, JUNE 26<sup>th</sup>, 2012

The Public Buildings and Welfare Committee held a meeting on Tuesday, June 26<sup>th</sup>, 2012 at 4:38 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee members attending were: Dr. Milton Cook, Chair; Mr. T. Carter Williams, Vice Mayor; and Mr. John L. Graham. Other Council member present was: Ms. Constance Chapman, Mrs. Denise N. Tynes, and Mr. David M. Hare, Mayor. Staff members present were Mr. Peter M. Stephenson, Town Manager; Mr. William T. Hopkins, II, Director of Planning, Engineering and Public Works; Ms. Lesley J. Greer, Town Clerk; Ms. Ellen D. Minga, Town Treasurer; Mr. William H. Riddick, III, Town Attorney; Mr. Wayne Griffin, Town Engineer; and Ms. Amy Musick, Smithfield Center Director; Others in attendance were Mr. Randy Pack, Town Council Elect; and Mr. Michael G. Smith, Town Council Elect. The media was represented by Ms. Kelly Barlow, The Smithfield Times.

**A. MATTERS DISCUSSED BY COMMITTEE WHICH WILL BE ON THE COUNCIL'S AGENDA.**

1. Additional Item Discussed: Escrow Agreement – The Town Attorney reported that the Escrow Agreement for the boundary line adjustment would need to be on council's agenda for July 2<sup>nd</sup>. The property owner has agreed to pay for the survey and it has all been taken care of. The agreement that everyone subscribed to was that the town got a quote of \$15,000 for outside legal counsel to handle. However the town was not to incur those fees until they put the money up in an escrow. The Town Attorney stated that he has drafted an Escrow Agreement. The Escrow Agreement stated that they are going to deposit money in escrow and the town will pay the bills as they come due. The Town Attorney mentioned that they asked three questions. Since the bills are paid from their money they want to see copies of the invoice which is entirely reasonable. What happens if it exceeds \$15,000? Is there a cap? The answer is no. There is no cap but we can try to get further assurance from Troutman and Sanders. The third question was they do not see any reference as to the time period. The Town Attorney explained that we do not know how long it is going to take. All we can do is initiate the proceedings. This draft Escrow Agreement will be finalized prior to Monday night's meeting so that Council can take action on it.

**B. MATTERS DISCUSSED BY COMMITTEE WHICH WILL NOT BE ON THE COUNCIL'S AGENDA.**

1. Additional Item Discussed: Hot Dog Cart on South Church Street – Dr. Cook stated that this item was brought up a couple of months ago about him setting up an outdoor restaurant on a cart license. He asked if this has been discussed any further at staff level. Mr. Graham stated that he thought it was referred to the Planning Commission. Dr. Cook explained his concern that he has a license to operate as a cart from two spots ago. It was initially granted when he was located at True Value and then he moved to Little's and now he is back on South Church Street at a different location. Mr. Graham stated that he thinks the discussion was more about mobile vendors. Dr. Cook stated that from his opinion he wants brick and mortar businesses that are investing in the town not a mobile restaurant that only pays meals tax. Mr. Graham stated this would apply to any mobile vendor. Dr. Cook pointed out that according to a sign in his truck he is also selling eggs. Committee feels staff needs to talk to this gentleman and also take it to the Planning Commission to deal with mobile vendors as a whole within the town. Ms. Chapman asked if he is subject to the same health inspections as other food establishments. Mr. Pack stated that he falls under the FDA not the Health Department.

2. Additional Item Discussed: Building Maintenance at 1400 South Church Street – Vice Mayor Williams stated that he helped build this building in 1955. It has not changed a lot since then and has become an eye sore. Dr. Cook stated that this is just one of the many empty buildings we have here in Smithfield. It was expressed that the building needs to be demolished. Mr. Pack stated if you tear it down the lot is too small to put anything back there. Dr. Cook stated that you cannot just take someone else's property. It would have to be a hazard to make me ask the owner to do something. It is their building and if the town does not like the way it looks the town can offer to buy it. Committee asked if we can make the owner paint the building to make it look better. It is not in the historic district so unless they are in violation of the building code the town has no say in how the property looks. The Town Attorney stated that just because it looks bad does not mean it is in violation of the building code. The Town Attorney explained it is okay to own something and not take care of it. If you want to buy something brand new and let it sit forever as long as you are not hurting someone else you can. It is your property and you have the right to do nothing. Mrs. Tynes suggested contacting the owner and discuss the possibility of doing some improvements to make it look better.

3. Additional Item Discussed: Grass Violation - Mrs. Tynes asked staff to give an update to what they are doing at the Smithfield Manor Townhomes. Mr. Hopkins reported that the grass height was in violation of the Town Code. A certified letter has been sent out to the property owner. If the grass is not cut within the seven days allowed the town will have the entire site cut and a lien will be placed on the property. Mr. Hopkins stated that this will not be the first time we have had to cut it this year. Vice Mayor Williams asked the Town Attorney if the town has to go back and cut a second

time can we put this cost on the same lien. The Town Attorney explained that the Memorandum of Liens we prepare and the Town Treasurer signs acts just like a tax lien. It is a notice to a property owner that they have to pay their bills before the property is sold. Mr. Hopkins stated that he has tried to contact the owner but has been unsuccessful.

4. Closed session – Disposition of Real Property – The Town Attorney stated that we need to go into closed session for the purpose of discussing the disposition of real property for public purpose pursuant to Section 2.2-3711.A.3 of the Code of Virginia. Motion was made by Vice Mayor Williams and seconded by Ms. Chapman. Motion passed.

*Close Session In 4:53*

*Close Session Out 5:10*

Meeting Adjourned at 5:10 p.m.

Reporting Period: 6/1/2012 thru 6/27/2012

Total deposits for June 2012 - \$11,924.94

Trx. Type	Date	Invoice No.	Pay Type	Check No.	Group	Event	Res ID	Book ID	Amount
Invoice	6/4/2012	1485			RSVP	RSVP Luncheon	1276		50.00
Invoice	6/4/2012	1486			Boyer and Sisman Wedding and Reception	Boyer and Sisman Wedding and Reception	1772		-50.00
Invoice	6/4/2012	1487			Bracy-Boone Wedding & Reception	Bracy-Boone Wedding & Reception	1879		-350.00
Invoice	6/5/2012	1488			King's Fork High School	Kings Fork High School Prom	1764		150.00
Invoice	6/18/2012	1490			Senior Services of South East Virginia	Senior Services Meeting	1944		450.00
Invoice	6/26/2012	1491			Isle of Wight Schools	Isle of Wight Schools Retirement Banquet	1906		150.00
								Total	400.00
Payment	6/4/2012	1486	Check	Refund	Boyer and Sisman Wedding and Reception	Boyer and Sisman Wedding and Reception	1772		-50.00
Payment	6/4/2012	1487	Check	Refund	Bracy-Boone Wedding & Reception	Bracy-Boone Wedding & Reception	1879		-350.00
Payment	6/11/2012	1485	Check	123479	RSVP	RSVP Luncheon	1276		50.00
Payment	6/25/2012	1490	Check	123625	Senior Services of South East Virginia	Senior Services Meeting	1944		450.00
								Total	100.00
Deposit	6/1/2012		Visa	Visa	Powers and Fincham Wedding and Reception	Powers and Fincham Wedding and Reception	1951		600.00
Deposit	6/1/2012		Master Card	MC	Francis and Cypress Wedding and Reception	Francis and Cypress Wedding and Reception	1786		350.00
		5576 2173 0359 9735 5/14 Ivy Francis 5717 Violsng Court 23462							
Deposit	6/1/2012		Master Card	Master Card	Scott and Smith Wedding and Reception	Scott and Smith Wedding and Reception	1952		600.00
Deposit	6/4/2012		Check	8516	Smithfield Recreation Association	Smithfield Rec Pig Picking	1953		200.00
Deposit	6/5/2012		Discover	Discover	Judith Smith-Stokes 70th Birthday Party	Judith Smith-Stokes 70th Birthday Party	1955		500.00
Deposit	6/5/2012		Visa	Visa	Raiford and Warnick Wedding and Reception	Raiford and Warnick Wedding and Reception	1954		600.00
Deposit	6/8/2012		Visa	Visa	Francis and Cypress Wedding and Reception	Francis and Cypress Wedding and Reception	1786		100.00
Deposit	6/8/2012		Check	16251	Genieve Shelter	Genieve Shelter Walk-A-Thon	1898		25.00
Deposit	6/8/2012		Check	12839	Farm Bureau Insurance Company	Farm Bureau Dinner	1957		300.00
Deposit	6/11/2012		Money Order	MO	Allen and Austin Wedding and Reception	Allen and Austin Wedding and Reception	1918		100.00

Reporting Period: 6/1/2012 thru 6/27/2012

Total deposits for June 2012 - \$11,924.94

Trx. Type	Date	Invoice No.	Pay Type	Check No.	Group	Event	Res ID	Book ID	Amount
Deposit	6/11/2012		Master Card	Master Card	Alston and Heberling Reception	Alston and Heberling Reception	1959		700.00
		5490 3532 1406 9311 exp.03/15 Kevin Alston							
Deposit	6/12/2012		Master Card	MC	Hundley and Batten Wedding and Reception	Hundley and Batten Wedding and Reception	1618		250.00
Deposit	6/13/2012		Visa	Visa	Don Robertson	Robertson Graduation Party	1897		550.00
Deposit	6/14/2012		Visa	Visa	VDOT	VDOT Service Awards	1892		400.00
Deposit	6/19/2012		Visa	Visa	Bower and Meisinger Wedding and Reception	Bower and Meisinger Wedding and Reception	1770		134.00
Deposit	6/19/2012		Check	621	Wilkins-Shaffer Wedding & Reception	Wilkins-Shaffer Wedding & Reception	1964		600.00
Deposit	6/22/2012		Visa	Visa	Small-Cooper Wedding & Reception	Small-Cooper Wedding & Reception	1965		500.00
		4104 8912 4714 1640 exp 10/14 104 Carroll St 23434							
Deposit	6/25/2012		Visa	Visa	Swanson-Roberts Wedding & reception	Swanson-Roberts Wedding & Reception	1966		700.00
Deposit	6/25/2012		Visa	Visa	David-Page Reception	David-Page Reception	1967		700.00
		4325 5390 0008 4746 exp 8/2014 4920 ,23703							
Deposit	6/25/2012		Check	Check	Cordero-Burnett Wedding & Reception	Cordero-Burnett Wedding & Reception	1968		500.00
Deposit	6/25/2012		Check	4387	Holland and Brown Reception	Holland and Brown Reception	1616		700.00
Deposit	6/26/2012		American Express	amex	Burrell-Conner Wedding & Reception	Burrell-Conner Wedding & Reception	1777		731.84
Deposit	6/26/2012		Visa	Visa	Thomas and Wethington Wedding and Reception	Thomas and Waters Wedding and Reception	1474		337.68
Deposit	6/26/2012		Check	1018	Archer and Davenport Wedding and Reception	Archer and Davenport Wedding and Reception	1733		1,081.20
Deposit	6/26/2012		Visa	Visa	Thomas and Wethington Wedding and Reception	Thomas and Waters Wedding and Reception	1474		15.12
Deposit	6/26/2012		Money Order	49167184	Hundley and Batten Wedding and Reception	Hundley and Batten Wedding and Reception	1618		200.00
								Total	11,474.84
								Grand Total	-11,174.84

## June 2012

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
27	28	29	30	31	1	2
<b>Saturday Rate Dye and Kearney Wedding and Reception MH plus Suites 125</b>	<b>Memorial Day -Saturday Rate American Legion Memorial Day Service Memorial Lawn 100 Rain Site -American Legion Memorial Day Service Suites 100</b>	<b>Amy Off Courtney Off</b>	<b>Amy Off Courtney Off 9 AM Insurance Mett. at TH-Herbert, John, Calvin Relay for Life Survivors Banquet MH plus Suites 250</b>	<b>Amy Off Courtney Off Phones 1-5 PM</b>	<b>Kings Fork High School Prom MH plus Suites 400</b>	<b>Belin and Herbaugh Reception MH 65</b>
3	4	5	6	7	8	9
<b>Smithfield Little Theater Anniversary Celebration MH 150</b>		<b>Center Staff Meeting A&amp;B 8 Kitchen Inventory Kitchen 2 Town Council A&amp;B 20</b>		<b>Brock-Barbie Wedding &amp; Reception Deck 10 Chamber Business Appreciation Lunch MH 100 Isle of Wight Schools Retirement Banquet MH 150</b>	<b>Dent and Strozak Reception MH 100 Hansin-Thomas Wedding &amp; Reception Deck 20</b>	<b>Brock-Barbie Wedding &amp; Reception MH plus Suites 180</b>
10	11	12	13	14	15	16
<b>Hansin-Thomas Wedding &amp; Reception MH plus Suites 150</b>	<b>Helen Off Phone Coverage 9A-5P Senior Services Meeting C&amp;D 45</b>	<b>Helen Off Herbert Off Phone Coverage 9A-5P Elections MH 200 Planning Commission A&amp;B 20 Senior Services Meeting C&amp;D 25 Town Council Training A&amp;B 10</b>	<b>Helen Off Phone Coverage 9A-5P Lions District Meeting MH 200 Staff Meeting C&amp;D 12</b>	<b>Helen Off VDOT Service Awards MH 80</b>	<b>Melissa Off Francis and Cypress Rehearsal MH 25</b>	<b>Melissa Off</b>
17	18	19	20	21	22	23
<b>Father's Day Melissa Off Francis and Cypress Wedding and Reception MH 130</b>		<b>BHA&amp;R A&amp;B 15 Crime Line Meeting C&amp;D 15 Schoolhouse Committee C&amp;D 15</b>		<b>Tides Game Day-11:05 AM</b>	<b>Courtney Off</b>	

## June 2012

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
24	25	26	27	28	29	30
<b>Bower and Meisinger Wedding and Reception MH plus Suites 100</b>	<b>Committee Meetings A&amp;B 20</b>	<b>Committee Meetings A&amp;B 20</b>	<b>Staff Meeting A&amp;B 12</b>		<b>Burrell-Conner Rehersal Memorial Lawn 20 Robertson Graduation Party MH 150</b>	<b>Olden Days Smithfield Friends Reunion MH 100</b>

Smithfield Center Discounts - June 2012

Booking Date	Event Name	Room Code	Discount Percent
6/1/2012	Kings Fork High School Prom	MH plus Suites	0.00%
6/2/2012	Smithfield on the Move Walk	Courtyard	100.00%
6/2/2012	Belin and Herbaugh Reception	MH	0.00%
6/3/2012	Smithfield Little Theater Anniversary Celebration	MH	0.00%
6/5/2012	Town Council	A&B	100.00%
6/5/2012	Center Staff Meeting	A&B	100.00%
6/7/2012	Chamber Business Appreciation Lunch	MH	50.00%
6/7/2012	Isle of Wight Schools Retirement Banquet	MH	62.50%
6/8/2012	Dent and Strozak Reception	MH	0.00%
6/9/2012	Brock-Barbie Wedding & Reception	MH plus Suites	0.00%
6/10/2012	Hansin-Thomas Wedding & Reception	MH plus Suites	0.00%
6/11/2012	Senior Services Meeting	C&D	0.00%
6/12/2012	Planning Commission	A&B	100.00%
6/12/2012	Town Council Training	A&B	100.00%
6/12/2012	Senior Services Meeting	C&D	0.00%
6/12/2012	Elections	MH	100.00%
6/13/2012	Staff Meeting	C&D	100.00%
6/13/2012	Lions District Meeting	MH	50.00%
6/14/2012	VDOT Service Awards	MH	0.00%
6/15/2012	Francis and Cypress Rehearsal	MH	0.00%
6/17/2012	Francis and Cypress Wedding and Reception	MH	0.00%
6/19/2012	BHA&R	A&B	100.00%
6/19/2012	Schoolhouse Committee	C&D	100.00%
6/19/2012	Crime Line Meeting	C&D	100.00%
6/23/2012	Miller Vow Renewal	Riverfront	100.00%
6/24/2012	Bower and Meisinger Wedding and Reception	MH plus Suites	0.00%
6/25/2012	Committee Meetings	A&B	100.00%
6/26/2012	Committee Meetings	A&B	100.00%
6/27/2012	Staff Meeting	A&B	100.00%
6/29/2012	Robertson Graduation Party	MH	0.00%
6/30/2012	Smithfield Friends Reunion	MH	0.00%

100% Discount	14
50% Discount	3
20% Discount	0

## **Smithfield/Isle of Wight Tourism Activity Report – June 2012**

- Director attended the Isle of Wight Board of Supervisors Meeting 6/28/12.
- Director attended Smithfield Town Council Meeting 6/5/12 and continued meeting 6/25/12.
- Monday Morning Moan meeting held for communications planning for S. Church Street Beautification project 6/4, 6/11, 6/18, 6/25. Meeting will be held each Monday morning to allow citizens and merchants to make public comments and to discuss communicating the project issues to all concerned-residents, merchants and visitors.
- Isle of Wight County Fair marketing committee meeting 6/1/12 and 6/6/12. First Fair headline entertainer press release distributed 6/8/12.
- Visitor Center Manager interviews 6/1/12 and 6/5/12. Deborah Marshall hired as new Part Time Visitor Center Manager. Start date was 6/14/12.
- Attended Smithfield on the Move Healthy Challenge Celebration held at Windsor Castle Park Saturday, 6/2/12.
- Attended Smithfield Little Theater's 50<sup>th</sup> Anniversary Celebration Sunday, 6/3/12.
- Smithfield 2020 Meeting 6/6/12. Façade improvement projects, demolition by neglect and porcine statuary has been installed. The "herd" will be christened during the Friday night of Olden Days in the Historic District June 29, 2012. For more info and minutes of Smithfield 2020 meeting, please visit [www.smithfield2020.org](http://www.smithfield2020.org)
- Olden Days Planning Session 6/7/12. OLDEN DAYS held Friday night 6/29/12 and Saturday 6/30/12. 8,000-10,000 expected!
- Attended Business Appreciation Luncheon 6/7/12.
- Welcomed Tim Kaine's wife to the Visitor Center/Art Center @319 for tour 6/7/12.
- Attended Smithfield Music's Aiken & Friends Fest Sponsor Event 6/7/12.
- Attended Op-Sail Parade of Sail 6/8/12.

- Attended CVTA Value of Tourism Committee Meeting 6/12/12.
- Attended New Council Orientation 6/12/12.
- Presented Community Ambassador Award to Ruritan Club at their meeting 6/12/12.
- Held Aikenfest Music Festival marketing planning meeting 6/13/12.
- Attended St. Luke's Board meeting 6/13/12.
- Attended SHDBA meeting 6/14/12.
- Finalized America In Bloom logistics 6/14/12 and 6/15/12. Hosted judges for the AIB contest June 20-23. Excellent visit and showing! Results will be announced in September. A special thanks to public works and all the local residents and merchants for making Smithfield "sparkle" during this event!
- Met with Stephie Broadwater 6/14/12 about 2013 Historic Garden Week which will kick off in Smithfield April 2013.
- Attended County Employee picnic 6/15/12.
- Attended Heritage Day at Saint Luke's Saturday, 6/16/12.
- Farmers Markets held 6/2, 6/9, 6/16, 6/23, 6/30. Excellent attendance! Attended Farmers Market Board Meeting 6/27/12.
- Schoolhouse Museum Board Meeting 6/19/12.
- Did final "Our Town" WLQM interview about Tourism in Isle of Wight County 6/19/12.
- Attended IOW Blood Drive 6/19/12.
- Attended "Taste of Smithfield" practice opening 6/19/12.
- Hosted Coastal Virginia Tourism Alliance meeting 6/12/2012 at Smithfield Station. This organization has received its 501c6. Director is the current Secretary of the organization which encompasses Coastal Virginia CVB's from the Eastern Shore to Williamsburg.
- Attended conference call with Senator Warner about Virginia Tourism 6/20/12.

- Attended Historic Smithfield/Preservation Virginia meeting about the Courthouse of 1750 6/26/12.
- Attended Economic Development Forum about Route 460 6/27/12.
- Attended Smithfield Staff Meeting 6/13/12 and 6/27/12.
- Attended St. Luke's Development Committee Meeting 6/28/12.
- Attended VACVB Executive Board Conference Call 6/29/12.
- Update website events and *Where the Locals Go* event promotion newsletter weekly. This e-newsletter combines tourist events and the Farmer's Market information.
- Weekly individual meetings with staff to address concerns and review projects.

Upcoming Events: See [www.visitsmithfieldisleofwight.com](http://www.visitsmithfieldisleofwight.com) for more details!

**PROCLAMATION**

**SMITHFIELD POLICE DEPARTMENT  
NATIONAL NIGHT OUT 2012**

**WHEREAS**, the National Association of Town Watch (NATW) is sponsoring a unique, nationwide crime, drug, and violence prevention program on Tuesday, August 7<sup>th</sup>, 2012 called “National Night Out”; and

**WHEREAS**, the “29<sup>th</sup> Annual National Night Out” provides a unique opportunity for Smithfield, Virginia to join forces with thousands of other communities across the country in promoting cooperative, police-community crime prevention efforts; and

**WHEREAS**, Community Help in Progress (C.H.I.P.) plays a vital role in assisting the Smithfield Police Department through joint crime, drug and violence prevention efforts in Smithfield and is supporting “National Night Out 2012” locally: and

**WHEREAS**, it is essential that all citizens of Smithfield, Virginia be aware of the importance of crime prevention programs and the impact that their participation can have on reducing crime, drugs and violence in Smithfield: and

**WHEREAS**, police-community partnerships, neighborhood safety, awareness and cooperation are important themes of the “National Night Out” program;

**NOW, THEREFORE WE, THE SMITHFIELD TOWN COUNCIL MEMBERS**, do hereby call upon the citizens of Smithfield to join C.H.I.P. and the National Association of Town Watch in supporting the “29<sup>th</sup> Annual National Night Out” as “NATIONAL NIGHT OUT” in Smithfield, Virginia.

By: \_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

# DRAFT

## AN ORDINANCE TO ESTABLISH AN URBAN ARCHERY SEASON IN THE TOWN OF SMITHFIELD

WHEREAS, the Town Council of the Town of Smithfield has determined that the deer population within the town limits has increased significantly; and,

WHEREAS, the increased size of the deer population may lead to a diseased deer population and has caused significant damage to the properties of the town's citizens; and,

WHEREAS, the large deer population within the town has become a nuisance and a threat to the public safety and general welfare of the town's citizens; and,

WHEREAS, the Town Council has determined that an adoption of an urban archery season in within the town limits would be a prudent and effective measure to reduce the local deer herd.

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Smithfield that an Urban Archers season is hereby authorized from September 1, -October 5, 2012 and from January 7- March 30, 2013; and,

BE IT FURTHER ORDAINED that the Urban Archery season shall be subject to the following rules, regulations, conditions and guidelines which shall be made available to the public:

- Only **antlerless** deer may be taken.
- Hunters must abide by all applicable sections of the Virginia State Code, Virginia Hunting Regulations, and local ordinances. See local restrictions in the next section below.
- Licenses, bag limits, and tagging requirements for the urban archery season are the same as for the other archery seasons in Virginia. Hunter must purchase an archery license to hunt during any special archery season.
- The urban archery season **does not** open new properties to hunting. It is simply an extension of the archery season when only antlerless deer can be taken. As always, hunters must have landowner permission before hunting.
- Lists of properties available for hunting **are not** maintained by the Virginia Department of Game of Inland Fisheries or local governments. To find available properties, visit with or contact local landowners, hunters, [archery clubs](#), or [check stations](#).
- Hunters must obtain permission to hunt from the landowner. Hunters must also obtain permission to pursue or retrieve deer from neighboring landowners. Due to the small size of parcels and proximity of residences, hunters or the landowner should notify adjacent property owners or tenants, as a courtesy, before hunting.
- Crossbows are defined by law as a type of bow and are therefore legal during urban archery season. However, to use a crossbow during any special archery season, hunters must also purchase a crossbow license.

# DRAFT

- The season bag limit for deer cannot be exceeded unless bonus deer permits are purchased.
- Most localities participating in the urban archery season also allow archery hunting during other traditional deer seasons; i.e., early archery season, general firearms season, and late archery season (see below). Antlered deer may be taken during these traditional seasons, provided that the locality of interest allows archery hunting during these seasons. Remember that only antlerless deer may be taken during the urban archery season.
- Bucks that drop antlers prior to the conclusion of the urban archery season are considered "antlerless" and may be legally harvested and tagged with an antlerless-only deer tag.
- Deer must be checked by calling 1-866-GOT-GAME, [online](#), or at a [big game check station](#).
- Hunting is restricted to parcels of private property where written permission has been obtained from the landowner.
- Hunting is prohibited on school or church property.
- Discharge of archery equipment is permitted only for the taking of deer.
- Archery equipment can only be discharged from an elevated tree stand located at least ten (10) feet above the ground.
- Discharge of archery equipment is not permitted within 100 feet of any highway, street, alley, roadway, sidewalk, or designated foot trail.
- Discharge of archery equipment is not permitted within 100 feet of any residence.
- Arrows may not be shot in a manner that would cause them to strike an unintended target.
- Firearms cannot be used or carried while deer hunting.
- In addition to the urban archery season, archery deer hunting is also allowed during the early archery season, the general firearms deer season, and during the late archery season (i.e., from the first Saturday in October through the first Saturday in January).
- Hunters must abide by all other applicable sections of the Virginia State Code and Virginia Hunting Regulations (including bag limits and tagging/checking requirements).

# DRAFT

Adopted this 2<sup>nd</sup> day of June, 2012.

TOWN COUNCIL OF THE  
TOWN OF SMITHFIELD

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Clerk



2717 VIRGINIA BEACH BOULEVARD, VIRGINIA BEACH, VIRGINIA 23452 • PHONE (757) 486-2717 • www.beachford.com



DATE OF SALE 06/27/12 STOCK NO. 2T1155 DEAL NO. 2T1155

PURCHASER'S NAME TOWN OF SMITHFIELD CO-PURCHASER'S NAME

SOC. SECURITY NO. OR TAX ID NO. HOME PHONE (757) 357-3247 BUS. PHONE

HOME ADDRESS 310 INSTITUTE ST CITY SMITHFIELD STATE VA ZIP 23470-1111

COUNTY E-MAIL ADDRESS(ES)

PLEASE ENTER MY ORDER FOR THE FOLLOWING: NEW USED DEMO CUSTOMER NO.

Table with columns: YEAR, MAKE, MODEL, TYPE/DOORS, COLOR, MILEAGE, VIN, IN SERVICE DATE

PRICE INCLUDING FREIGHT, HANDLING & DELIVERY SALE TYPE: 3 END USER F.I.N. #00418

TOTAL PURCHASE PRICE 24,974.72

PROCESSING FEE FOR CONSUMER SERVICES

3% VA. TITLE TAX N/A

DEALER'S BUSINESS LICENSE TAX N/A

PURCHASER'S ON-LINE SYSTEMS FILING FEE \$10.00

LICENSE FEE N/A TITLE FEE N/A

TOTAL DELIVERED PRICE 24,974.72

AS IS SALES ONLY: I UNDERSTAND THAT THIS VEHICLE IS BEING SOLD AS IS WITH ALL FAULTS AND IS NOT COVERED BY ANY DEALER WARRANTY.

DATE SIGNATURE

ALLOWANCE FOR USED CAR TRADE-IN AS APPRAISED APPROXIMATELY N/A

LESS BALANCE OWING TO-

Notice: This new motor vehicle has accumulated mileage in excess of 750 miles as the result of use as a demonstrator and/or as the result of delivery to a prior prospective purchaser who never took title to it and who returned it.

EQUITY ON TRADE-IN (2) N/A

ADDITIONAL DOWN PAYMENT ON DELIVERY (3) N/A

(4) N/A

TOTAL DOWN PAYMENT (1+2+3+4) N/A

EXTENDED SERVICE CONTRACT INCLUDING

TAX OF N/A

BALANCE DUE ON DELIVERY 24,974.72

SALESPERSON BOB HARRIS

CONTRACTUAL DISCLOSURE STATEMENT (USED VEHICLES ONLY) THE INFORMATION YOU SEE ON THE WINDOW FORM FOR THIS VEHICLE IS PART OF THIS CONTRACT.

UNLESS SPECIFICALLY INDICATED, NO LIABILITY INSURANCE INCLUDED

IF YOU ARE FINANCING THIS VEHICLE PLEASE READ THIS NOTICE. YOU ARE PROPOSING TO ENTER INTO A RETAIL INSTALLMENT SALES CONTRACT WITH THE DEALER.

IF YOU ARE LEASING THIS VEHICLE, PLEASE READ THIS NOTICE. YOU ARE PROPOSING TO ENTER INTO A LEASE WITH THE DEALER THAT THE DEALER WILL TRANSFER TO A LEASE PROVIDER.

The front and back of this Buyers Order, along with other documents signed by Purchaser(s) in connection with this Buyers Order, comprise the entire agreement between the parties affecting this purchase.

APPROPRIATION RESOLUTION TO CARRY FORWARD AND RESTRICT FUNDS  
APPROPRIATED IN FISCAL YEAR 2011-2012

WHEREAS, the Town Council, in its 2011-2012 appropriation resolution, appropriated funds for certain capital improvements and projects which have not been completed; and,

WHEREAS, funds for these capital improvements have been set aside by the Town Council to insure the completion of these capital improvements; and,

WHEREAS, the Town Council deems it necessary to set aside and restrict these funds appropriated in Fiscal Year 2011-2012 to make certain that appropriated funds are available and to segregate said funds from the general fund:

NOW, THEREFORE, BE IT RESOLVED that the following sums of money appropriated for Fiscal Year 2011-2012 and remaining unspent, or as much thereof as may be authorized by law, as may be needed or deemed necessary to defray all expenses and liabilities of the Town are hereby appropriated, set aside and restricted for the completion of certain capital improvement projects, as follows:

**GENERAL FUND**

Streetscape improvements – S. Church Street	\$1,000,000.00
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**SEWER FUND**

Sewer consent order compliance funds	\$100,000.00
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Sewer capital repairs	\$100,000.00
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**HIGHWAY FUND**

S. Church Street sidewalks	\$75,000.00
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Adopted: July 2, 2012

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Mayor

Attest:

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Clerk

APROPRIATION RESOLUTION  
FISCAL YEAR 2012-2013

WHEREAS, in order to provide for the operation of the government of the Town of Smithfield, the Town Council of the Town of Smithfield finds it necessary to appropriate the funds budgeted for fiscal year 2012-2013, beginning July 1, 2012:

NOW, THEREFORE, BE IT RESOLVED that the following sums of money, or as much thereof as may be authorized by law, as may be needed or deemed necessary to defray all expenses and liabilities of the Town are hereby appropriated for the corporate purposes and objects of the Town as hereinbelow specified for the fiscal year commencing on the 1st day of July, 2012, and ending on the 30th day of June, 2013:

**A. From General Corporate Taxes and Revenue:**

Operating expenses:

For general government	\$507,609
For treasurer	411,065
For public safety	2,373,645
For planning, engineering & public works	857,023
For public buildings	101,500
For community development	968,046
For parks, recreation & cultural	636,143
For debt service	<u>58,905</u>
	Total \$5,913,936

Capital outlay:

For public safety	98,000
For parks, recreation & cultural	24,000
For community development	334,300
For road maintenance	<u>986,707</u>
	Total \$1,795,262

**GRAND TOTAL     \$7,709,198**

**Appropriated for the foregoing expenses from the following sources:**

Taxes:

Real Estate	\$1,673,955
Personal Property	822,000
Penalties & interest	32,290
Franchise	139,245
Sales	275,000
Utility	189,500

Meals-4%	776,000
Meals-1%	194,000
Cigarette	130,000
Transient Occupancy	140,000
Short term rental	1,300
Rolling stock	25
Consumption	46,000
Communications	<u>238,000</u>
Total	\$4,657,315

Licenses:

Privilege licenses	314,500
Permits	13,860
Motor vehicles	<u>130,000</u>
Total	\$458,360

Fines	57,000
Revenue from use of money and property	161,605
Other revenue	51,095
Revenue from Commonwealth of Virginia	219,710
Revenue from Federal Government	<u>638,020</u>
Total	\$1,127,430

Other Financing Sources:

Contributions	5,300
Operating Reserves	474,086
Road maintenance	<u>986,707</u>
Total	\$1,466,093

**Grand Total    \$7,709,198**

**B. From Water and Sewer Revenues**

For water operating expenses	\$1,306,354
For sewer operating expenses	601,294
For interest expense-water	134,915
For interest expense-sewer	43,475
For water debt service principal	311,725
For sewer debt service principal	70,550
For water capital expense	21,982
For sewer capital expense	<u>781,982</u>
<b>Grand Total</b>	<b>\$3,272,277</b>

**Appropriated for the foregoing expenses from the following sources:**

Operating revenue:

Charges for services-water	1,552,204
Charges for services-sewer	812,935
Water Debt Service Revenue	403,640
Sewer Compliance Revenue	490,425
Connection fees-water	9,900
Connection fees-sewer	23,700
Application fees-water	5,000
Miscellaneous – water	500
Miscellaneous – sewer	<u>500</u>
Total	\$3,298,804

Non-operating revenue (expenses)

Availability fees-water	40,800
Availability fees-sewer	61,800
Interest revenue-water	5,925
Interest revenue-sewer	3,250
Contribution – capital	<u>20,690</u>
Total	\$132,465

Reserves

Water reserves	(\$242,993)
Sewer reserves	<u>84,001</u>
Total	(\$158,992)

**Grand Total \$3,272,277**

**SUMMARY**

Appropriated from general corporate taxes and revenue	<b>\$7,709,198</b>
Appropriated from water and sewer revenues & reserves	<b><u>\$3,272,277</u></b>
TOTAL:	<b>\$10,981,475</b>

These appropriations shall be effective as of July 1, 2012.

Adopted: July 2, 2012

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Mayor

Attest:

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Clerk

This deed is exempt from recordation taxes pursuant to Virginia Code Section 58.1-811.A.3, as amended.

CONSIDERATION: \$13,000.00

GRANTEE'S ADDRESS: P. O. Box 246  
Smithfield, VA 23431

THIS INSTRUMENT PREPARED BY: WILLIAM H. RIDDICK, III  
RIDDICK BABINEAU, PC  
P. O. BOX 190  
SMITHFIELD, VA 23431

Tax Map # 21A-02-112

***THE EXISTENCE OF TITLE INSURANCE IS UNKNOWN TO THE PREPARER.***

THIS DEED OF BARGAIN AND SALE, made and entered into this 21<sup>st</sup> day of May, 2012, by and between **GARTH A. NICKLE** and **SUSAN M. NICKLE**, husband and wife, Grantors, parties of the first part, and **TOWN OF SMITHFIELD**, a Virginia Municipal Corporation, Grantee, party of the second part,

WITNESSETH:

That for and in consideration of the sum of TEN DOLLARS (\$10.00) cash in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged by the parties of the first part, the said parties of the first part do hereby grant, bargain, sell and convey with GENERAL WARRANTY and ENGLISH COVENANTS OF TITLE unto the Grantee, the following described real estate, to-wit:

All of that certain lot, piece or parcel of land situate, lying and being in the Town of Smithfield, County of Isle of Wight, Virginia, known and designated as Lot Numbered ONE HUNDRED TWELVE (112) as shown on that certain plat entitled, "SUBDIVISION OF PINWOOD HEIGHTS, SECTION TWO, TOWN OF SMITHFIELD, ISLE OF WIGHT COUNTY, VIRGINIA, SCALE: 1" = 50', AUGUST 9, 1974, BALDWIN AND GREGG, LTD., ENGINEERS-SURVEYORS-PLANNERS, PORTSMOUTH, VIRGINIA", recorded in the Clerk's Office of the Circuit Court of Isle of Wight County, Virginia, in Plat Book 7, at page 31, and described with reference to said plat as follows: Beginning at a pin on the Southwest side of the cul-de-sac at the western end of Carver Avenue, at the division line between Lot #112 and Lot #113; thence along the division line between Lot #112 and Lot #113 S. 55° 08' 42" W Rad. 129.42' to a pin, a corner; thence N. 17° 30' 34" W. 09.00 feet to a pin; thence N. 38° 41' 16" E. 100.00 feet to a pin at the division line between lot 112 and lot 111, a corner; thence along the division line between Lot #112 and Lot #111 S. 55° 38' 24" E. Rad. 89.77' to a pin on the western edge of the cul-de-sac at the western end of Carver Avenue, a corner; thence along the western edge of the cul-de-sac at the western end of Carver Avenue R=40.00' L=161.49' for a distance of 41.19 feet to the point of beginning.

Together with all and singular the buildings and improvements, thereon, the rights and privileges, tenements, hereditaments, easements and appurtenances unto the said land

This conveyance is made expressly subject to the restrictions, conditions, rights-of-way, and easements, if any, contained in the instruments constituting the chain of title to the property conveyed herein, and to matters visible upon inspection.

Whenever used herein, the singular shall include the plural, the plural the singular, and the use of any gender shall include all other genders.

WITNESS the following signatures and seals:

*Garth A. Nickle* (SEAL)  
Garth A. Nickle

*Susan M. Nickle* (SEAL)  
Susan M. Nickle

STATE OF VIRGINIA,  
COUNTY OF ISLE OF WIGHT, to-wit:

The foregoing instrument was acknowledged before me this 21<sup>st</sup> day of May, 2012, by Garth A. Nickle and Susan M. Nickle.

My commission expires: 5-31-2016.



*Lori M. Nelms*  
Notary Public

ACCEPTANCE:

The signature of William H. Riddick, III, Town Attorney for the Town of Smithfield, is affixed hereto on behalf of the Town Council of the Town of Smithfield, Virginia solely to evidence the acceptance of this deed by the Town Council at its meeting on 5/2/12, in accordance with Section 15.2-1803 of the Code of Virginia (1950), as amended.

Town Council of the Town of Smithfield

By: *William H. Riddick, III*  
William H. Riddick, III  
Its: Town Attorney

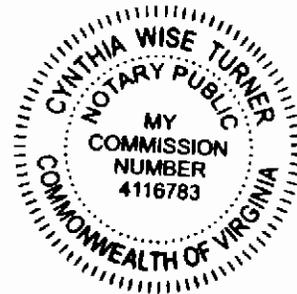
STATE OF VIRGINIA,  
COUNTY OF ISLE OF WIGHT, to-wit:

The foregoing instrument was acknowledged before me this 21<sup>st</sup> day of May, 2012, by  
William H. Riddick, III.

My commission expires: 9/30/14.

Cynthia Wise Turner  
Notary Public

TOWN OF SMFD 12S-0202



↑  
Riddick Babineau, PC  
Post Office Box 190  
Smithfield, VA 23431

INSTRUMENT #12000246  
RECORDED IN THE CLERK'S OFFICE OF  
ISLE OF WIGHT COUNTY ON  
MAY 23, 2012 AT 04:18PM  
\$13.00 GRANTOR TAX WAS PAID AS  
REQUIRED BY SEC 58.1-802 OF THE VA. CODE  
STATE: \$5.50 LOCAL: \$5.00

SHARON M. JONES, CLERK  
RECORDED BY: DJE