

**SMITHFIELD TOWN COUNCIL AGENDA**  
**March 3<sup>rd</sup>, 2015 at 7:30 p.m.**  
**Held at Smithfield Center, 220 N. Church Street**



**A. INFORMATIONAL SECTION:**

1. Manager's Report
  - a. February Activity Report

**B. UPCOMING MEETINGS AND ACTIVITIES:**

- |          |   |                                                                                                                                                                 |
|----------|---|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| March 3  | - | 7:30 p.m. – Town Council Meeting                                                                                                                                |
| March 10 | - | 4:00 p.m. – Pinewood Heights Management Team Meeting                                                                                                            |
| March 10 | - | 6:30 p.m. – Smithfield Planning Commission Meeting                                                                                                              |
| March 17 | - | 6:30 p.m. – Board of Historic and Architectural Review                                                                                                          |
| March 23 | - | 4:00 p.m. – Town Council Committee Meetings (Consecutive)<br>Police Committee<br>Water and Sewer Committee<br>Finance Committee                                 |
| March 24 | - | 4:00 p.m. – Town Council Committee Meetings (Consecutive)<br>Parks and Recreation 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 and include your preferred method of contact. 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. APWA Accreditation Presentation by Diane Linderman

**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.

**E. Summary of Consent Agenda Items**

- a. Water and Sewer Committee Chair, Vice Mayor Andrew Gregory
- b. Finance Committee Chair, Randy Pack
- c. Parks and Recreational Committee Chair, Connie Chapman
- d. Public Works Committee Chair, Mr. Michael Smith
- e. Public Buildings and Welfare Committee Chair, Dr. Milton Cook

**CONSENT AGENDA ITEMS**

**C1. Accept Proposal from Kimley-Horne and Associates for Reverse Osmosis Water Treatment Discharge Evaluation**

Water and Sewer Committee Chair, Vice Mayor Andrew Gregory

**C2. Invoices Over \$10,000 Requiring Council Authorization**

Finance Committee Chair, Randy Pack

- a. REW Corporation \$13,820.60

**C3. Resolution to Refinance two Bonds with PNC Bank**

Finance Committee Chair, Randy Pack

**TAB # 1**

**C4. Motion to Authorize the use of Clontz Park for the Annual Fireworks Display, Friday, July 3<sup>rd</sup>, 2015**

Parks and Recreation Committee Chair, Connie Chapman

**C5. Authorization to Approve Girl Scouts Project Application to Install Wood Duck Boxes in Windsor Castle Park**

Parks and Recreation Committee Chair, Connie Chapman

**C6. Motion to Renew Landscaping Contract with Southern Shores Lawn and Landscape for One Additional Year.**

Public Works Committee Chair, Michael Smith

**C7. Motion to Renew Mowing Contract with Southern Shores Lawn and Landscaping for One Additional Year**

Public Works Committee Chair, Michael Smith

**C8. Authorize the Town Manager to Purchase the old Isle of Wight Volunteer Rescue Squad Building between Isle of Wight County and the Town of Smithfield in Accordance with the Agreement**

Public Buildings and Welfare Committee Chair, Dr. Milton Cook

## **ACTION SECTION**

1. **PUBLIC HEARING: Pinewood Heights Relocation Project – Phase III Application Submittal**
  - a. Staff Presentation by Michael Dodson of Community Planning Partners
  - b. Open Public Hearing
  - c. Close Public Hearing
  - d. Consideration by Public Buildings and Welfare Committee Chair, Dr. Milton Cook
  
2. **Motion to Approve the following Documents in Regards to the Pinewood Heights Relocation Project Phase III Application Submittal to the Virginia Department of Housing and Community Development** **TAB # 2**
  - a. **Resolution to Submit Application to DHCD**
  - b. **Residential Anti-Displacement and Relocation Assistance Plan**
  - c. **Fair Housing Certification**
  - d. **Local Business and Employment Plan**
  - e. **Non-Discrimination Policy**
  - f. **Section 504 Grievance Procedure**
  
3. **Motion to Authorize the Town Manager to Enter into a Contract to Purchase Approximately 20 acres from Howard Little Farm, LLC and others and a Contract to Purchase Approximately 81.5 acres from Howard Little Farm, LLC and others**
  
4. **Motion to Approve the Town Council Meeting Minutes of February 3<sup>rd</sup>, 2015**  
Mr. William H. Riddick, III, Town Attorney
  
5. **New Business:**
  
6. **Old Business:**
  
7. **Closed Session:**
  
8. **Adjournment**

February 27, 2015

**TO: SMITHFIELD TOWN COUNCIL**

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

**SUBJECT: MONTHLY ACTIVITY REPORT – FEBRUARY 2015**

**TOWN MANAGER'S OFFICE:**

- a. Conducted exit interview with former Smithfield Center employee and pre-employment interview with new Smithfield Police Department Officer
- b. Met with Sonja, Councilman Smith and Dawson Moody on refuse and recycling contract renewals
- c. Attended: Smithfield 2020, Smithfield Volunteer Fire Department Annual Banquet, Pinewood Heights Management Team, VLGMA Winter Conference in Staunton, Spoke at/to Smithfield Rotary Club, Mr. Bowman's Funeral Service in Richmond, and Intergovernmental Relations Committee meeting.
- d. Worked with staff to prepare for and address town services in association with several significant winter weather events this month.

**TOWN CLERK'S OFFICE:**

- a. Transcribed and proofed the monthly minutes from Town Council, Planning Commission and Board of Historic and Architectural Review.
- b. Attended Pinewood Heights Management Team Meeting February 10<sup>th</sup>.
- c. Prepared February Town Council Committee Agenda and March Town Council Agenda
- d. Attended Leadership IOW field trip to Richmond General Assembly, February 11<sup>th</sup>.
- e. Attended Town Council Committee meetings on February 23<sup>rd</sup> and 24<sup>th</sup> and prepared summary reports of the committee.
- f. Attended Intergovernmental Relations Committee to take minutes, February 25<sup>th</sup>.

## **TREASURER'S OFFICE:**

- a. Took a vacation day on February 6.
- b. Met with Sonja Eubank, Jessie Snead, and Andy Snyder of Draper Aden on February 10 to discuss the sewer consent order and its potential budget impact for 2016.
- c. Prepared January 2015 financial statements and bank reconciliations.
- d. Worked with BMS Direct and Lawson Headley to mail delinquent real estate and personal property notices.
- e. Finalized the 2014 audit report with Robinson Farmer Cox.
- f. Finalized Virginia Department of Fire Programs Annual Report for FY2014 and submitted disbursement agreement for 2015 funding.

## **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 and repair broken water meters, 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. Completed air release valve inspections and some repairs are ongoing.
    - b. Cleaned main sewer lines in Morris Creek pump station basin, Main St pump station basin, Lakeside pump station basin and Jersey Park pump basin.
    - c. Cleaned sewer laterals at the following address
      1. 113 Underwood Lane
      2. 300 Moonefield Dr
    - D. Lewis Construction did sewer main line repair 200 Block of Main St.
  2. **Sewer Pump Station Repairs and Maintenance:**
    - a. Weekly and daily checks on all 27 pump stations.
    - b. Performed the following scheduled maintenance at all pump station
      - Cleaning of wet -wells
      - Alarms testing
      - Sump pump cleaning
      - Check Valve cleaning and repair
      - Generator checks / Godwin pump checks
      - Control Panel / Flow monitor checks
      - Fence and Grounds
      - Inspected Structure

- Inspect and clean pumps
- Level system check
- Test limit switches
- Bar screen cleaning
- Rain gauge
- c. Installed new check valve at Main St. pump station.
- d. Installed pump and rebuilt check valve at Lakeside pump station -waiting on more parts to complete check valve.
- e. REW installing antennas at Riverside and Jordan pump station.

### Water Line Repairs and Maintenance

- f. Repaired water leak at 612 Wildwood Cr.
- g. Replaced water valve on Boone Ct.

### 3. Well Repairs and Maintenance

- a. All wells except 8A and 10 (at RO Plant) are off now that RO plant is running. Upgrades to well houses have been completed to keep wells in operating condition in case of an emergency. Emergency wells are flushed once a month.

### 4. Water Treatment Plant

- a. Daily lab analysis and reports for VDH, HRSD, DEQ and ITT.
- b. Plant operators replaced cartridge filters on RO skid per preventative maintenance schedule.
- c. Plant staff installed bacteriological monitoring station at 208 West St.
- d. Operators repaired leak on 2<sup>nd</sup> stage permeate header.

### 5. Safety

- a. Monthly truck inspections.
- b. Monthly playground inspections.
- c. All Public Works employees attended Lockout Tag-Out training.

### 6. Windsor Castle Park

- a. Cleaned off and repaired walking trails as needed. Trash cans, recycle bins, information stands and doggie bags are emptied, cleaned or refilled as needed on Mondays and Fridays.
- b. A general inspection of the park is conducted weekly to ensure that all park amenities are in good condition and are not in need of maintenance or repair. This inspection includes walking of the trails to inspect all pedestrian bridges, overlooks, and to identify possible problems with the trails. In addition

inspections are made to the kayak launch and fishing pier to identify possible maintenance issues.

- c. Efforts are being made to find a means of treating all wooden bridges and walkways that will be environmentally friendly and comply with EPA regulations; this will hopefully increase the longevity of these structures and reduce maintenance issues.

## 7. Fog/Backflow Programs

- A. Fog inspections on FSE and monitoring of grease disposal is ongoing with a good level of compliance and cooperation from local businesses.
- B. Backflow test reports are being submitted by residents and business with a good level of cooperation from the public.

## Miscellaneous

- a. Grounds crews picked- up trash along Great Springs Rd., Battery Park Rd., Rte. 10 Bypass, John Rolfe Dr. Main St. /258 and Waterworks Rd and other areas.
- b. Minor repairs at Town Hall and Town Buildings.
- c. Grounds crew removing brush along sewer force main in town limits.
- d. Crews worked on snow removal throughout Town.

## **PLANNING AND ZONING:**

- Joseph Reish attended a Floodplain Manager training course in Norfolk, VA.

### 1. Planning Commission – February 10, 2015

- A. \*\*\*Public Hearing\*\*\* Comprehensive Plan Amendment – Future Land Use and Growth Area Map – Town of Smithfield, applicant – Tabled until March meeting.
- B. Pierceville Subdivision Conceptual Plan – No action taken.
- C. Approval of the December 9, 2014 meeting minutes – Approved.

### 2. Rezoning Applications under review

- A. None

### 3. Special Use Permit Applications under review

- A. None

### 4. Subdivision and Site Plans under review

- A. O'Reilly Auto Parts
  - B. Cypress Creek, Phase 7 B&C
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)
6. Board of Zoning Appeals – February 17, 2015
- No meeting held.
7. Board of Historic & Architectural Review – February 17, 2015
- No meeting held.

## **ENGINEERING**

- A. Church Square, Phase I, contractor has installed E & S controls as required by the Town and the approved site plans. Homes are under construction as per market demand.
- C. Lakeview Cove is now under new ownership. All E & S controls have been installed previously by the contractor as per the approved site plans and required by the Town.
- D. Blair Brother's Contractors repaired outfall ditch area off of Lane Crescent near the BMP pond. Contractor also installed asphalt patch in areas on Hill Street, Battery Park Road, Redpoint Dr. & Beale Ave.
- E. Erosion & Sedimentation control field inspections were performed and appropriate reports filed on the following active projects: Harvest Fellowship Church, Moody Properties, Dollar General (Main St.) & Cypress Creek Parkway extension. Also Erosion & Sedimentation control field inspections for single family dwellings were performed at 13 locations throughout the Town and required reports were filed.
- F. Field inspections were held this month involving the Smithfield Lake Dam. No structural deficiencies were found at this time.
- G. Cypress Creek Development; Contractor C. A. Barrs Constr., all work on project has now been completed except installation of roadway asphalt surface. Contractor anticipates the installation of the asphalt surface early Spring 2015.

February 27, 2015

TO: SMITHFIELD TOWN COUNCIL

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

SUBJECT: INFORMATIONAL REPORT FOR THE POLICE COMMITTEE MEETING  
HELD ON MONDAY, FEBRUARY 23<sup>RD</sup>, 2015

The Police Committee met Monday, February 23<sup>rd</sup>, 2015 at 4:00 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee members attending were: Ms. Connie Chapman, Mrs. Denise N. Tynes, and Mr. Andrew Gregory, Vice Mayor. Other Council members present were Mr. Randy Pack, Dr. Milton Cook, Mr. Michael G. Smith, and T. Carter Williams, Mayor. Staff members present were Mr. Peter M. Stephenson, Town Manager; Ms. Lesley G. King, Town Clerk; Ms. Ellen Minga, Town Treasurer; Mr. Alonzo Howell, Deputy Chief of Police; and Mr. Jessie Snead, Superintendent of Public Works. Also in attendance was Mr. Jamie Weist of Kimley-Horn and Associates. The media was represented by Ms. Abby Proch of The Smithfield Times.

Police Committee Chair, Denise Tynes called the meeting to order.

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

1. Operational Updates – Mrs. Tynes mentioned that Chief Bowman was unable to attend today's committee meeting due to his father's death. His father's service was held today in Richmond. She asked that town staff and council to keep his family in their thoughts and prayers. Deputy Chief Howell was present and stated that he was happy to report that during the recent inclement weather there was not a significant increase in vehicular accidents. There were no injuries reported from the four accidents that did occur due to the snowy roads. Deputy Chief Howell also reported that in regards to operations on Friday, February 20<sup>th</sup> a conditional offer was made to a young man for employment. He is in the process of completing his physical today. Once the town receives that report back that everything is okay the police department will be back up to full staff. This young man comes to the town from Hampton University and has four years of experience. Deputy Chief Howell stated that tomorrow morning, February 24<sup>th</sup> the town will host an accreditation conference here at the Smithfield Center. Members from all over the state will be here. Chief Bowman, the Town Manager and I will be here to greet them and show off the town. Dr. Cook asked when the Police Departments re-

accreditation will begin. Deputy Chief Howell stated that it will begin in 2016. He explained that they have had mock assessments for the first two years of the accreditation and we will be holding another mock assessment to make sure our records are intact. We are due for re-accreditation in March 2016. Deputy Chief Howell stated that he is happy to report that as far as crime goes the town has not had a huge crime wave. Mrs. Tynes stated that she had just heard from another Council member that their vehicle was broken into on the property here at the Smithfield Center several weeks ago. Deputy Chief Howell stated that they were able to make an arrest and thanked Mr. Pack and Mr. Stephenson for their assistance. He stated that there had been a series of vehicle break-ins in this corridor of town and it has been determined that the individual arrested may be linked to the other vehicle break-ins as well.

The meeting adjourned at 4:07 p.m.

February 27, 2015

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, FEBRUARY 23<sup>rd</sup>, 2015

The Water & Sewer Committee held a meeting on Monday, February 23<sup>rd</sup>, 2015 at 4:07 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee members attending were: Vice Mayor Gregory, Chair; Mrs. Denise Tynes, and Mr. Michael G. Smith. Other Council members present were Ms. Connie Chapman, Mr. Randy Pack, Dr. Milton Cook and Mr. T. Carter Williams, Mayor. Staff members present were Mr. Peter M. Stephenson, Town Manager; Ms. Lesley G. King, Town Clerk; Ms. Ellen Minga, Town Treasurer; Mr. William H. Riddick, III, Town Attorney; and Mr. Jessie Snead, Superintendent of Public Works. Also in attendance was Mr. Jamie Weist of Kimley-Horn and Associates. The media was represented by Ms. Abby Proch of The Smithfield Times.

Water and Sewer Committee Chair, Vice Mayor Gregory called the meeting to order.

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

1. Kimley-Horn Associates Proposal in Regards to the Reverse Osmosis Water Treatment Discharge - Vice Mayor Gregory stated that Mr. Weist of Kimley-Horn and Associates is present talk about the RO Plant efficiency and the next steps in regards to discharging concentrate into Cypress Creek. Mr. Weist stated that the recent bioassay test showed that most of the shrimp made it but not all of them and for that reason the town will need to go through an individual permit process. It is a little bit more time consuming but it is still doable. He stated that they have talked with the Department of Environmental Quality (DEQ) and they feel strongly that the town should be able to get a permit to discharge the concentrate into the creek. The next step in the process is to have the level of phosphorus in the discharge reduced. He explained that they have talked with Avista which provides the town with a scaling inhibitor that goes on the reverse osmosis membrane to keep them from forming any scaling on the membranes. One of the things that the scaling inhibitor can cause is increased levels of phosphorus in the towns concentrate discharge. Mr. Weist stated that they contacted Avista and told them that part of the town's problem is being created by their scaling inhibitor that the town is buying from them. Mr. Weist stated that Kimley-Horn will work with Avista to go through the

next steps of testing to figure out a treatment process that will be an effective way to reduce phosphorus levels to the acceptable levels for DEQ. Avista has agreed to do all the lab work and analysis work on their side at no cost to the town. Included in the committee packet is a proposal to get the equipment, do the testing, develop a testing protocol and come up with the different hypotheses to reducing the phosphorus levels. The testing will identify all the treatment processes available to the town to be able to remove the phosphorus. It will serve as the basis of design for the treatment plant upgrade that will be required in order to construct a treatment system that is necessary to reduce the phosphorus to discharge the concentrate. It will also give the town all the backup data when we submit the individual permit application to DEQ they will be able to review and approve the concentrate discharge. Mr. Weist stated that Kimley-Horn and Associates is confident that they will be able to identify a treatment process. Vice Mayor Gregory asked what the timeline would be for completing the necessary testing. Mr. Weist estimated that it will be approximately two to three months. Mr. Weist stated that once all the bench testing and analysis work has been completed they will be coming back to the town to talk about writing a permit to submit to DEQ based on the results of the testing. Mr. Smith asked if there will be regular reports and testing that will need to be done by town staff. Mr. Weist replied that there would be regular testing once the plant has been upgraded and the town is treating the concentrate discharge to reduce the levels of phosphorus. The plant operators will be required to report the levels every month. Mr. Weist mentioned that the bioassay test that was done was testing the toxicity levels in the creek as it relates to shrimp and minnows. The phosphorus removal is a Chesapeake Bay requirement through DEQ. Dr. Cook asked what will happen to the phosphorus that is settled out of the discharge. Mr. Weist stated that it will be a solid that will be dried and the town will need to dispose of it. Mr. Weist stated that part of the design and analysis is designing the treatment system and how to dispose of the phosphorus that is removed. It is possible that it could be sold to a fertilizer manufacture like Southern States and they could further process it into something that could be sold. Mr. Weist stated that there are a lot of options out there for disposing of the settled phosphorus. Dr. Cook mentioned that if the town gave it away it would still save the town from the disposal fee. Mr. Weist stated that was correct. Committee recommends approval of the proposal and will forward to Town Council for consideration.

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

1. Operational Update – Mr. Snead reported that the waterline under the Cypress Creek Bridge at the Smithfield Station has another leak. He stated that he has contacted the contractor and they are going to try to put in an expansion joint to give a little more time before the entire pipe is replaced in a year or two. The Town Manager explained that the town is in our second year of our Capital Improvement Plan (CIP) of what the town estimates the cost will be to completely replace the pipe a year and a half from now. Staff is hopeful that the expansion joint will buy us some time. At this time the leak is

intermittent. At times it is leaking very little and at other times it is leaking at a pretty good pace. Mr. Snead stated that he can cut the water off on either side but if the pipe is cut off it will freeze and the town will have more than the one leak. Vice Mayor Gregory asked how expensive the expansion joint is. Mr. Snead replied that it is approximately three thousand dollars plus installation cost. Vice Mayor Gregory thanked Mr. Snead and his staff for a job well done on cleaning the town's roadways during the recent snow event. Mr. Snead stated that unfortunately the two days after the snow there was not a whole lot that they could do because of the freezing temperatures everything was frozen. Committee thanked Mr. Snead for the update.

The meeting adjourned at 4:20 p.m.

February 27, 2015

TO: SMITHFIELD TOWN COUNCIL

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

SUBJECT: INFORMATIONAL REPORT FOR THE FINANCE COMMITTEE MEETING  
HELD ON MONDAY, FEBRUARY 23<sup>RD</sup>, 2015

The Finance Committee held a meeting on Monday, February 23<sup>rd</sup>, 2015 at 4:20 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee members attending were: Mr. Randy Pack, Chair; Dr. Milton Cook, and Mr. Andrew Gregory, Vice Mayor. Other Council members present were: Mr. Michael G. Smith, Ms. Connie Chapman, Mrs. Denise Tynes, and Mr. T. Carter Williams, Mayor. Staff members present were: Mr. Peter M. Stephenson, Town Manager; Ms. Lesley G. King, Town Clerk; Ms. Ellen D. Minga, Town Treasurer; and Mr. William H. Riddick, III, Town Attorney. The media was represented by Ms. Abby Proch of The Smithfield Times.

Committee Chair, Mr. Randy Pack called the meeting to order.

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

1. Invoices Over \$10,000 Requiring Council's Authorization:

a. REW Corporation \$13, 820.00

Mr. Pack stated that this invoice was to have two antenna poles installed at the Jordan Avenue and Riverside Drive Pump Stations to improve communications. He asked staff if the antennas were up and working. The Town Manager stated that was correct. Committee recommends payment of invoice.

2. VML / VACo Bond Refinancing Bids – Ms. Minga stated that included in the packet were the two most favorable bids for possible refinancing of the bonds that were discussed at last month's committee meeting. The bid from PNC bank is a little different and a little more risky from what the town has done in the past. For the 2005 bond PNC is offering a term of seven years with an amortization period of ten years. The total debt service saving if the town went with PNC financing would be \$394,625 and the net present value savings would be \$361,985. Carter Bank has debt service saving of \$346,621 and a net present value savings of \$313,302. Carter is about \$48,000 less in

savings. Ms. Minga explained that the average annual debt service savings through PNC for years one through seven would be \$38,135 and \$25,708 thereafter. The average annual debt service savings through Carter for years one through seven is \$33,736 and \$21,498 thereafter. The break-even rate for years eight through ten would have to go up to 5.32% for the PNC loan to be at the same level as Carter. A PNC loan is recommended as the better refinancing. Ms. Minga asked for committee's thought on going with a PNC loan. Ms. Minga also stated depending on the feedback from committee today they could start working on the paperwork because it would need to come back to Town Council for approval. Discussion was held on whether a public hearing was needed because it is a refinance not a new bond. The Town Attorney stated that he would get clarification on this. Ms. Minga stated that her recommendation is to refinance both bonds with PNC. Committee agreed and would recommend to Town Council to adopt a resolution to move forward with the bond refinancing's.

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

1. January Financial Statements and Graphs – Ms. Minga reported that overall the financial statements are looking pretty good. She stated that there were a few things that she would like to point out. Cigarette Tax was running lower than expected compared to last year. Transient Occupancy Tax is also running lower because the town has one business that remains delinquent. Meals Tax on the other hand is \$63,000 higher than this same time last year. She explained that this is most likely a result of growth and the elimination of the meals tax discount for businesses. It may be the end of the fiscal year before she knows if these revenue adjustments will offset the new expenses of funding the museum. Ms. Minga explained that the town has some money that is contributed to TRIAD's grant each year. In the past TRIAD grant funds have went through Isle of Wight County but this year they were passed through to the town directly since Isle of Wight has decided to scale back on their participation. Initially, the town cut a check to the TRIAD group. Then the TRIAD group called and asked if they could order supplies for the conference through the town's tax exempt status. Ms. Minga stated that she verified with the auditor's that this was okay as long as the bill was paid through the town. The TRIAD group has given the town's money back to pay for these supplies. The financial statements will show additional expenses on the expense side; however it will be offset with the revenue received from the TRIAD group. Ms. Minga also mentioned that under Capital the town has the purchase of the land located at 3 Main Street. The issue with the boat slip was resolved and the town also owns one boat slip at that location. Ms. Minga stated that looking at utilities sewer consumption is higher than it was last year but lower than it was the year before that. It is recovering a little bit. The town has already met budget for connection fees and availability fees so that looks pretty promising for development. Ms. Minga stated that she continues to work on finding out why the water consumption spiked in November as requested by committee and will

report back to when she finishes researching it. She reported that the town has received two of the four quarterly payments for the Highway Fund from the State. Ms. Minga explained the additional HRSD analysis from October 2012 through December 2014 that was included in the supplemental posting. She stated that the only two that did not match was the September and December 2014. The amounts between the two month were flip flopped so the December reading may have been a true-up from the meter reading in September that was off significantly. Ms. Minga stated that at this time consumption is a little bit higher than it was in fiscal year 2013 and 2014. Mayor Williams asked where 301 and 302 Jericho Road were. The Town Manager replied that was Windsor Castle. Mayor Williams asked if the town had requested Canada Land Surveying to do some surveying at the park. The Town Manager explained that Mr. Hopkins had asked Canada Land Surveying to do some surveying work because when the concept plan was done by Landmark Design Group the town used what was on the GIS. He stated that with the five acre lease that the town has with the winery it was draw up without the land being surveyed out. From a topographical stand point the town wanted to have more accurate information and detail. The Town Manager stated that additional charges for Windsor Castle will come up for the asbestos and lead paint testing that was done on all of the buildings / structures. Mr. Pack thanked Ms. Minga for the updates.

2. January Cash Balances – Ms. Minga reported that the cash balances are looking good with the exception of the Sewer Fund. She stated that the town continues to slowly pay back the General Fund for the intercompany debt that it owes. She explained that some of the issue may be alleviated next fiscal year. She has had met with Mr. Andy Snyder of Draper Aden Associates to do preliminary talk for budget purposes and where we go from here with the consent order. Things have changed a little bit because the town is looking at more find and fix now where in the beginning it was basically a lot of studying that was being done. In the future a lot of the town's sewer maintenance fees will fall under the sewer compliance order rather than coming out of operating expenses. The Town Manager explained that the town will still have to do the flow monitoring but instead of doing them at the stations that we were doing them at the town will be able to monitor at the terminals where the town connects to HRSD as part of the MOM Program. Where items can be charged is shifting now that the town is under the new consent order from HRSD. The sewer compliance fee will never go away; however the purpose of the fee is changing a little bit from the basic study that was done. Vice Mayor Gregory asked for Ms. Minga to explain intercompany balances and where they come from. Ms. Minga stated that intercompany balances come from the General Fund in the form of salaries, benefits such as VRS, insurance and a portion of the fuel charges for the Public Works trucks. Ms. Minga stated that the large debt in sewer did not come in the last year or so. It was been there for many years. She stated that the Water Fund used to be the same way but it is now out of the hole. Ms. Minga reported that the statement from Regions Bank shows the town's market value did go up to \$503,363.64. This is an increase of \$2,132.46 in unrealized gain. Next month Regions Bank should start showing our interest as well by locality. – Water = \$367,498.56; Water Debt Service = \$1,006,816.75;

Water Capital Escrow Availability Fees = \$368,425.05; Water Treatment Plant Escrow = \$111,680.23; Water Deposit Account = \$100,929.13; Water Development Escrow = \$87,543.10; **Subtotal Water = \$2,042,892.82.** Sewer = \$(130,511.46); Sewer Development Escrow = \$341,101.01; Sewer Capital Escrow Availability Fees = \$880,168.84; Sewer Compliance = \$912,975.23; **Subtotal Sewer = \$2,003,733.62.** **Highway = \$255,055.27.** General Fund = \$3,733,371.74; Payroll = \$109,506.57; Money Market General Fund Town Bank = \$2,186.43; Business Super NOW-General Fund = \$33,112.55; Money Market General Fund Farmers Bank = \$289,630.15; General Fund Capital Escrow = \$214,679.59; Certificate of Deposit = \$526,038.10; Certificate of Deposit Police Dept = \$36,702.78; Special Project Account (Pinewood) = \$19,963.52; Pinewood Heights Escrow = \$47,437.07; SNAP Program = \$2,306.75; Museum Account = \$97,673.64; **Subtotal General Fund = \$5,112,608.89. TOTAL ALL FUNDS = \$9,414,240.60.**

3. Closed Session: Acquisition of Real Property – Vice Mayor Gregory made a motion to go into closed for discussion on the acquisition of real property and matters requiring legal advice. Mrs. Denise Tynes seconded the motion. Motion passed.

*In Closed Session @ 4:50 p.m.*

*Out of Closed Session @ 5:46 p.m.*

A motion was made and seconded to come back into open session.

The meeting adjourned at 5:47 p.m.

February 27, 2015

TO: SMITHFIELD TOWN COUNCIL

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

SUBJECT: INFORMATIONAL REPORT FOR THE PARKS AND RECREATION  
COMMITTEE MEETING HELD ON TUESDAY, FEBRUARY 24<sup>TH</sup>, 2015

The Parks and Recreation Committee held a meeting on Tuesday, February 24<sup>th</sup>, 2015 at 4:00 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee members attending were: Ms. Connie Chapman, Chair; and Mr. Randy Pack. Other Council members present were: Mr. Michael G. Smith, Dr. Milton Cook, and Mr. T. Carter Williams, Mayor. Staff members present were Mr. Peter M. Stephenson, Town Manager; Ms. Lesley G. King, Town Clerk; Ms. Amy Musick, Smithfield Center Director; and Ms. Sonja Eubank, Office Manager of Public Works; Also in attendance were Mr. Ron Pack of the Smithfield Station; Ms. Natasha Huff and Ms. Michelle Weiss of the Smithfield Winery; and Mr. Dawson and Mrs. Lacey Moody of All Virginia Environmental Solutions (AVES). The media was represented by Ms. Abby Proch of The Smithfield Times.

Committee Chair, Connie Chapman called the meeting to order.

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

1. Isle of Wight County's Request to Use Clontz Park for the Annual Fireworks Display, Friday, July 3<sup>rd</sup>, 2015 – Ms. Chapman stated that Isle of Wight County Parks and Recreation is requesting the use of Clontz Park for the annual fireworks display. The County has contracted with American Fireworks Company to provide the display at 9:50 p.m. They are requesting that if the town agrees to the fireworks display as they have for many years that the entrance of the park be unlocked by 8:00 a.m. so that the shooting crew may have ample time to setup. The County has also been in contact with emergency services representatives to request their services at Clontz Park during the fireworks display. Mr. Pack asked if staff would verify the time of the show. He felt that 9:50 was much later than it has been in the past years. Since committees staff has spoken with the Isle of Wight Events Coordinator in regards to the time of the fireworks display and she explained that last year at 9:30 p.m. it was not quite dark enough for the American Fireworks Company to set off the display so she changed the time for this year's display. Committee recommends approval of request.

2. Presentation by Girl Scout, Ashlynn Newberry, for Application to Put Wood Duck Boxes in Windsor Castle Park – Miss Ashlynn Newberry was present and stated that she is working on her Gold Award project for Girl Scouts. She hopes that the project that she has selected to propose putting wood duck boxes in the marshlands at Windsor Castle Park will help with the wood duck population. She explained that she would build approximately fifteen houses. The Virginia Master Naturalist has agreed to help maintain the boxes even after all have been placed in the marshland at the park. Ashlynn stated that she plans to educate the public about the houses and document her findings through her facebook page and going to different civic leagues to give presentations. Ms. Chapman asked if she builds these boxes by herself. Ashlynn replied that she builds them with her dad's help. Ms. Chapman asked if a Girl Scout Gold Award was equivalent to a Boy Scouts Eagle project. Ashlynn stated that was correct. Mr. Pack asked if she knows where she will be placing them. Ashlynn explained that they would be in the marshlands away from the trails. Ms. Musick stated that town staff had checked with the Wetlands Board to see if they were okay with us doing this and they stated that this was acceptable. Ms. Chapman asked Ashlynn how long she would be responsible for the maintenance of the wood duck boxes. Virginia Master Naturalist will continue to assist in the maintenance of the boxes as part of their community service hours. If approved the boxes would be installed between March and May of this year. Ashlynn introduced Ms. Beth Aberth who is on the Virginia Master Naturalist Board as her mentor for her Gold Award. Ms. Chapman asked why she selected this project. Ashlynn stated that she has a love for nature and wanted to do something about the marshlands because she personally wants to go in this field of work. It is something that she loves and hopes others will enjoy it as well. Committee recommends approval of the Girl Scout Project to install wood duck boxes in the marshlands at Windsor Castle Park. They thanked Ashlynn for her presentation.

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

1. Operational Update – Ms. Musick reported that since the last committee meeting the Smithfield Center has held a couple of open to the public events including the CASA Gala, the Furball Gala, and the Sweetheart Banquet. Upcoming this Sunday is the Special Occasions Show. The Special Occasion Show is a bridal show that Smithfield Center hosts with all the centers featured vendors in attendance. It is an open to the public event. On March 5<sup>th</sup> the Post Legislative Breakfast will be held at the Smithfield Center and on Saturday March 14<sup>th</sup> the Isle of Wight Gala. The Chamber Trade Show will be on March 18<sup>th</sup>. Ms. Musick stated that there was nothing to report for kayak rentals. The Eco-Counter report was included in the packet for the last two months. Committee thanked Ms. Musick for the update.

The meeting adjourned at 4:12 p.m.

February 27, 2015

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, FEBRUARY 24<sup>TH</sup>, 2015

The Public Works Committee held a meeting on Tuesday, February 24<sup>th</sup>, 2015 at 4:12 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee members attending were: Mr. Michael G. Smith, Chair; and Dr. Milton Cook. Other Council members present were: Ms. Connie Chapman, Mr. Randy Pack, and Mr. T. Carter Williams, Mayor. Staff members present were: Mr. Peter M. Stephenson, Town Manager; Ms. Lesley G. King, Town Clerk; Mr. William H. Riddick, III, Town Attorney; and Ms. Sonja Eubank, Office Manager for Public Works. Also in attendance were Mr. Ron Pack of the Smithfield Station; Ms. Natasha Huff and Ms. Michelle Weiss of the Smithfield Winery; and Mr. Dawson and Mrs. Lacey Moody of All Virginia Environmental Solutions (AVES). The media was represented by Ms. Abby Proch of The Smithfield Times.

Committee Chair, Mr. Michael G. Smith called the meeting to order.

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

1. Renewal of Landscaping and Mowing Contract with Southern Shores Lawn and Landscaping for One Additional Year - The Town Manager stated that the town's current mowing contract with Southern Shores Lawn and Landscape expires March 7<sup>th</sup>, 2015 and the town's current landscaping contract with Southern Shores Lawn and Landscape expires April 12<sup>th</sup>, 2015. The town reserves the right to renew these contracts for another year if staff has been satisfied with their work. Mr. Hopkins had met with Mr. Rudy of Southern Shores Lawn and Landscape back in November to review how things went last year and all of the concerns that staff had have been addressed. Staff's recommendation is to renew these two contracts with Southern Shores Lawn and Landscape for another year. Terms will remain the same as last year. Committee will forward to Town Council for consideration.

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

1. Continued Discussion on Refuse and Recycling Contract with All Virginia Environmental Solutions (AVES) – The Town Manager reported that since the last committee meeting Mr. Smith, Ms. Eubank and I met with Mr. Moody to talk about the council's concerns and complaints that the town has been receiving as it relates to refuse and recycling collections. They also talked about communication between town staff and their staff at AVES. Ms. Eubank met with Ms. Lacey Moody yesterday in regards to getting the necessary reports required by the town. Ms. Eubank stated that there was some confusion on what reports the town needed and at this time all the reports are up to date. Mr. Dawson Moody was present for any questions or comments from committee. Mr. Moody stated that they run late a lot of times because of the number of necessary trips that they have to make to Franklin to empty their trucks during recycling collections. Sometimes the Franklin plant is closed when they get there and they cannot empty the trucks until the next day. Discussion was held on the process for handling complaints. AVES will be notified by phone of all complaints received at the town. The town will follow up that call with a monthly log of complaints by e-mail. AVES has agreed to do the same when they receive complaints. The Town Manager stated that at this time the contract is good through June 30<sup>th</sup>, 2015 and the town has until the end of April to do anything any different. If nothing is done it will be automatically renewed for another two years with the same terms. Mr. Pack asked if the fuel fee is reduced when gas prices come down. Mr. Moody stated that the contract has a base fee. A fuel surcharge kicks in for every fifty cent increment over the base fee. If fuel prices come back down to the base fee or lower the fuel fee is reduced back to that base fee.

The meeting adjourned at 4:25 p.m.

February 27, 2015

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, FEBRUARY 24<sup>TH</sup>, 2015

The Public Buildings and Welfare Committee held a meeting on Tuesday, February 24<sup>th</sup>, 2015 at 4:25 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee members attending were: Dr. Milton Cook, Chair; Ms. Connie Chapman, and Mr. Michael G. Smith. Other Council members in attendance were Mr. Randy Pack, Mr. Andrew Gregory, Vice Mayor; and Mr. T. Carter Williams, Mayor. Staff members present were Mr. Peter M. Stephenson, Town Manager; Ms. Lesley G. King, Town Clerk; and Mr. William H. Riddick, III, Town Attorney. Also in attendance was Mr. Ron Pack of the Smithfield Station; Ms. Natasha Huff and Ms. Michelle Weiss of the Smithfield Winery. The media was represented by Ms. Abby Proch of The Smithfield Times.

Committee Chairman, Dr. Milton Cook called the meeting to order.

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

1. Pinewood Heights Relocation Project Update – Phase II and III Application Submittal - The Town Manager stated that the monthly report from Mr. Dodson of Community Planning Partners was included in the committee packet. At this time the town has closed on 54 Carver Avenue and the new replacement home for 53 Carver Avenue will be started soon. The Town Manager stated that the big item for the Town Council meeting is related to Phase III application submittal to the Virginia Department of Housing and Community Development (DHCD). The following documents will need to be adopted by Council including a resolution authorizing the Town Manager to submit the application to DHCD; Residential and Anti-Displacement and Relocation Assistance Plan; Fair Housing Certification; Local Business and Employment Plan; Non-Discrimination Policy; and Section 504 Grievance Procedure. All of these documents are housekeeping items as the town as done them before for the previous two phases of the Pinewood Heights Relocation project. Mayor Williams stated that we have two potential

problems in the Pinewood Heights neighborhood that need to be addressed. He stated that even though the houses that become vacant are boarded up individuals are still getting in them. He asked that staff work on getting the utilities disconnected as soon as possible so that they can be demolished. This will also keep people from asking to move into them on a temporary basis. The Town Manager stated that Mr. Saunders is working on getting the utilities disconnected and the town will have several for Mr. Moody to demolish very soon. Dr. Cook stated that it has been brought to his attention that these condemned houses that the town has taken the time to empty out are having other individuals move in these houses for a short period of time. The Town Manager stated that back in the fall we have had one family that was placed in a unit that the town had acquired temporarily because they had no place else to go. That family since that time has moved out of that house. Dr. Cook stated that he does not think that the town needs to set a precedent of letting people move back into these houses.

2. Status on the Former Isle of Wight Rescue Squad Building - Dr. Cook stated that this item will be discussed at tomorrow's Intergovernmental meeting with the County. The Town Manager stated that the county will need to hold a public hearing for the disposition of their one half interest. The Town Attorney stated that Council needs to authorize the Town Manager to purchase the county's half of the Old Rescue Squad facility at the price of \$255,000 as determined by the average of the three appraisals. Mr. Smith asked if anyone was renting any part of the building at this time. The Town Manager replied that there was not. Committee asked that after tomorrow's Intergovernmental meeting for staff to schedule a tour of the rescue squad building for council.

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

1. Additional Item Discussed: Smithfield Station Franchise Agreement Extension - Dr. Cook explained that Mr. Pack was present to request that the town extend the terms of the franchise agreement that runs parallel to the Cypress Creek Bridge. Mr. Pack stated that back in 1993 adjacent to the Smithfield Station property there was a derelict piece of property that the town purchased. The Smithfield Station entered into a forty year franchise agreement with the town. Their job was to clean up and manage the property while putting it to some economic use. Mr. Pack stated that they have now been in this agreement with the town for twenty-two years. The original franchise agreement says that they must take care of the property. Since the time the agreement began the Smithfield Station has added a couple of bungalow's built and a lighthouse and marina have been added bringing tax revenue to the town. Mr. Pack stated that he would like to

ask the town to extend the agreement. He explained that the reason that he wants to have it extended is because they are in the process now of looking for new financing for the restaurant and as people get involved and due their due diligence they see that they only have eighteen years left on this franchise agreement. When you are looking at a twenty-five or thirty year mortgage that does not work so that is the primary reason to extend the franchise agreement. Mr. Pack stated that the second reason to extend the agreement is because his sons might want to own the Smithfield Station at some point and that would require a transfer of ownership. Mr. Pack stated that he was not sure what the maximum that the agreement can be extended to but would ask today that it be extended back to at least forty years. The Town Attorney stated that he does not know if the laws have changed or not and would need to look into this request. Dr. Cook asked if anyone had any objections to extending this franchise agreement. The Town Attorney stated that this would mostly likely require a public hearing because it is an interest in land. Committee agreed to move forward with scheduling a public hearing.

2. Additional Item Discussed: Land Lease Expansion of Smithfield Winery Vineyards – Ms. Natasha Huff stated that she runs the winery, makes the wine, rides the tractor, and drives a forklift. She stated that they just finished up their flooring and received a brand new 2000 liter tank in today. She stated that they do not have much more left on construction of the new winery on North Church Street. They plan on opening and debuting their sparkling wine on April 11<sup>th</sup> for the Wine and Brew Festival. Dr. Cook asked how many cases of wine they plan to make this year. Ms. Huff stated that she estimates that they will make approximately 750 cases of wine. Their hope is to at least double that next year. Ms. Huff stated that they will be doing their first major harvest this year. The grapes are about five years old now. When they got them they were two year old vines so they are ready to go. Dr. Cook asked that with all the improvements that they have done at the new winery location on North Church Street if everything has been satisfied with the purchase from the town. The Town Manager replied that was correct. Discussion was held on the general public picking the grapes. The Town Manager stated that they are working on an overall signage design for the park. The Town Attorney stated that people that do not know might assume that the grapes belong to the town like the original fruit trees that were planted when the park opened. The Town Attorney suggested for signage to be placed at the foot of the station bridge with information about the vineyard. Dr. Cook stated that Ms. Huff and Ms. Weiss are actually here today because they are doing so well that they would like to expand their operations with planting more grapes and getting more land to grow. Dr. Cook stated that the existing grapes are on two and a half acres. The current lease with the town is five acres. So at this time they have planted on half of the leased property. Discussion has been held on where they might grow to get more acreage. Dr. Cook asked about the results of the soil samples that were done over by the kayak launch. Ms. Huff explained that in terms of the soil samples that were done in the beginning they were done all along Jericho Road and in front of the kayak launch which is not in the historic easement area. The results of the area in front of the kayak launch had very poor

drainage so it is not very conducive to growing the types of grapes that they grow. Ms. Weiss stated that at this time their request is to extend the lease on the property where the existing vineyard sits. In the future they hope to be able to expand down Jericho Road but at this time financially they cannot do that. Ms. Huff stated that the reason for the extension is to grow and create a buffer zone to protect their investment. Ms. Weiss stated that planting a vineyard takes a lot of planning so it would most likely be 2017 before the vineyard would be expanded into the additional acreage. At this time Ms. Huff does most of the maintenance in the area where the brew village sits during the Wine and Brew Festival and allowing them to lease it would take that responsibility off the town. Ultimately the land lease would expand from five acres to seven acres. Mr. Pack clarified the location that they are requesting to expand into. Mr. Pack stated that the location where the Bob Fest is held he feels would be very easy to relocate; however he does not like the idea of giving up the brew fest village area. Ms. Huff stated that they would never plant in the brew fest village area. It would simply be a buffer for them to have some say in protecting their investment. Dr. Cook explained that currently the town has approximately 3,500 people that attend the Annual Wine and Brew Festival. The area that is being used is perfect in size; however ten years from now the town may want to grow this event and we need to consider where we might grow too. Ms. Weiss stated that they have been clear from the beginning that they wanted to plant in the section where the Bob Fest is held. Dr. Cook stated that the Bob Fest can be easily moved and he did not see a problem with them expanding in that area. He is more concerned about the potential to grow the Wine and Brew Festival. Mr. Pack asked if they only want the brew village area as a buffer. Ms. Weiss stated that was correct. She gave an example that seeding and fertilizing the surrounding land could affect their vineyard. They would like to maintain this area so the town is communicating with them when preparing it for an event. She explained that when she envisions that area in the future she sees vines going in all the way down Jericho Road and if that means carving out the vineyard for festivals to grow they are willing to do that. Dr. Cook asked the Town Attorney if a lease could be worded to accommodate what Ms. Huff and Ms. Weiss are asking for. The Town Attorney stated that in his opinion leasing property that they are not going to cultivate does not make sense; but entering into an agreement to maintain the property adjacent to their vineyard does make sense to help protect their investment. Leasing property that the town actively uses now and plans to continue to use for many years to come does not make sense. Mayor Williams mentioned that in the future they may build on the property. Ms. Weiss stated that she did not think that the land could be built on because it is in an historic easement. The Town Attorney stated that it could be built on but the plan is compatible with the vineyards and will enhance what they are doing now. Dr. Cook asked what type of information would be included in an agreement for use of the brew village area. The Town Attorney stated that if he understands it correctly they are concerned about application of chemicals in close proximity to your vineyard. Ms. Huff stated that was correct but also because they plan to be in the business of weddings. Part of their business plan is to offer weddings in the vineyard. The Town Attorney suggested that Ms. Huff and Ms. Weiss work with the Town Manager make a proposal

on what they want and the town can then review it and see how it meshes with the town's long term vision of the property. He stated that the town also needs to touch base with the farmer that has been cultivating the land. Ms. Huff stated that she thinks that there needs to be more communication overall of what is going on. The Town Manager stated that he would be happy to open up the line of communication and talk to them about what their goals are and bring it back to committee at another time. Mr. Pack asked how much space is needed to store all of their equipment. Ms. Huff explained that it depends if she expands this vineyard. If she expands the vineyard she would like to upgrade the tractor which would require a little more space. There was some discussion held in regards to information that committee was not able to publicly disclose at this time. Ms. Weiss and Ms. Huff stated that they have been really good neighbors. They have put a lot of money in developing this property and they are just asking not to be kept in the dark about their investment. Mayor Williams stated that every conversation that has been had the Smithfield Winery is involved in it. There is nothing that is in concrete and the town is aware they are looking for space to expand in. At the same time the town has to look at our interest for the future. Ms. Chapman stated that she respects everything that Ms. Huff and Ms. Weiss are saying and would feel exactly the same way. She explained that committee is limited to what they can disclose at this time but wanted to assure them that the town wants to see the winery succeed and flourish here. Committee again asked the Town Manager to get with the Ms. Huff and Ms. Weiss to find out exactly what they are looking for from the town. Ms. Weiss stated that they came to today's committee to make their request to expand their land lease as we had discussed when the original lease was done. Mrs. Weiss read a portion of the agreement that said "the town acknowledges the tenant may have the need or desire to expand its cultivation of grapes to other farm land within Windsor Castle Park in the future based upon the success of the winery and vineyard. The terms of lease for expansion will be subject to negotiation". She stated that if she thought that she would only be allowed the five acres then she probably would not have started the vineyard there because that is not enough to make wine. Ms. Huff expressed concern that if it is this hard to get the lease expanded in this small area what is it going to be for future growth. Committee asked for the Town Manager to meet with Ms. Huff and Ms. Weiss in regards to agreement for expansion.

Meeting adjourned at 5:26 p.m.

**SMITHFIELD POLICE DEPARTMENT  
MANAGER'S REPORT  
February 2015**

**Committees and Projects:**

01/27 Sexual Assault Response Team/Multidisciplinary Team (SART/MDT) meeting –  
IoW Courthouse – Officer Anderson  
02/03 Town Council – Center – Deputy Chief Howell  
02/04 Department Head – Center – Deputy Chief Howell  
02/04 Safety Committee meeting – Center – Sgt. Miller, Kurt Beach  
02/10 Planning and Zoning Committee meeting – Center – Kurt Beach  
02/10 Windsor Castle Park Foundation meeting – Founders Pointe – Kurt Beach  
02/12 J. Sargeant Reynolds Community College – Accreditation Assessment – Kristi  
Jenkins  
02/18 Department Head – Center – Lt. Rogers  
02/23 Police Committee – Center - Deputy Chief Howell  
02/24 Accreditation meeting – Center – Chief Bowman, Deputy Chief Howell, Lt.  
Rogers, Kristi Jenkins

**Training**

01/26 – 30 Basic Crime Prevention – HRCJTA – Officer Wright (40 hrs.)  
02/02 – 06 Hurricane Preparedness for Decision Makers – Miami, FL – Chief Bowman (40  
hrs.)  
2/2 – 5/29 Basic Law Enforcement Class – HRCJTA – William Wooley (672 hrs.)  
02/05 DUI Training Program – HRCJTA – Officer Wright (8 hrs.)

**In-House Training**

02/11 Color Guard Practice – PD – Sgt. Jones, Sgt. Meier, Officer Bancroft, Officer  
Johnson, Officer Fordham, Officer Wright  
02/24 Boat Training – Boater First Aid – Distress Signals – PD – Lt. Valdez, Sgt. Meier,  
Officer Powell, Officer Adams, Officer Phillips, Officer Bancroft, Officer  
Anderson, Sgt. Miller (3 hrs.)

**Community Relations**

01/31 Ride A long – Officer Johnson  
02/07 Ride A long – Officer Fordham  
02/11 Homework Station – Jersey Park/Woods Edge Apts. – Officer Seamster  
02/15 4-H Camp meeting – Sgt. Miller

## **Investigations:**

**Case#:** 2015-00087  
**Location:** 220 North Church  
**Offense:** Tampering with a Vehicle  
**Disposition:** Cleared by arrest

On 2/6/15 an individual was going through a vehicle in the parking lot of the Smithfield Center. A witness saw the female going through the vehicle and recognized that the car belonged to his brother. The victim followed the suspect to the Bank of America where they met with officers. The suspect was taken into custody and was charged with tampering with the vehicle. No property was stolen.

**Case#:** 2015-00112  
**Location:** 105 Croatan Ct  
**Offense:** Residential Burglary  
**Disposition:** Pending

On 2/2/15 officers received a call from the homeowner who stated that she was not home but a neighbor called and told her that someone was at her home. Officers went to the home and encountered an individual who stated that he was contracted by the bank to change the locks because the home was in foreclosure. On 2/14/15 the homeowner reported a handgun and \$320.00 were missing from the home. There were pry marks made to the door. The locks had not been changed on the first date. Investigators are awaiting verification from the bank as to whether or not they contracted an individual to change the locks or not.

**Case#:** 2015-00125  
**Location:** 131 Main St. (Imagine Arts Studio)  
**Offense:** Commercial Burglary  
**Disposition:** Pending

On 2/23/15 Officers responded to 131 Main Street for an attempted burglary. The business owner noticed that the front door handle had been broken and there were pry marks on the door near the deadbolt. The suspect was unable to pry the door open and did not get inside the business. The building has an alarm which was not set off and nothing was missing or disturbed.

Smithfield Center - February 2015 - Monthly Report

Booking Date	Building Code	Room Code	Group	Event Name	Group City	How did you hear about us	Pricing Plan	Venures	Town Services
2/2/2015	Center	C&D	Sharon Elizabeth Photography	Sharon Elizabeth Photography Classes	Smithfield	Word of Mouth	D.) Resident -Weekday	\$200.00	
2/3/2015	Center	A&B	Town of Smithfield	Town Council	Smithfield	Town Event	h.) Town		
2/3/2015	Center	C&D	Windsor Castle Foundation Board	WCFB Meeting		Town Event	h.) Town		
2/4/2015	Center	MHSu	Ducks Unlimited	Ducks Set	Smithfield	Returning Client	Resident -Weekday		
2/5/2015	Center	MHSu	Ducks Unlimited	Ducks Unlimited	Smithfield	Returning Client	Resident -Weekday	\$960.00	
2/6/2015	Center	MH	Smithfield Fire Department	Smithfield Fire Department Banquet	Smithfield	Recurring Event	g.) Sponsored		
2/7/2015	Town Sites	Main Street	Isle of Wight Chamber of Commerce	Chamber Mardi Gras Run & Festival	Smithfield	Word of Mouth	Resident-Saturday		\$1,070.50
2/8/2015	Center	MHSu	Janice Butler	Sweetheart Banquet	Zuni	Returning Client	Resident-Friday/Sunday	\$1,300.00	
2/10/2015	Center	A&B	Town of Smithfield	Planning Commission	Smithfield	Town Event	h.) Town		
2/10/2015	Center	C&D	Town of Smithfield	Pinewood Public Hearing	Smithfield	Town Event	h.) Town		
2/12/2015	Center	C&D	Virginia Cooperative Extension	Pesticide Certification	Isle of Wight	Word of Mouth	g.) Sponsored		
2/12/2015	Center	MH	Smithfield Farmland	Smithfield New Employee Orientation	Smithfield	Returning Client	D.) Resident -Weekday	\$400.00	
2/14/2015	Center	MHSu	Gimme Shelter	Furball	Smithfield	Returning Client	Non Profit	\$1,902.00	\$205.00
2/15/2015	Center	MH	Smithfield Foods	Smithfield Meeting Set	Smithfield	Returning Client	D.) Resident -Weekday		
2/15/2015	Center	MHSu	Gimme Shelter	Furball Breakdown	Smithfield	Returning Client	Non Profit		
2/16/2015	Center	MHSu	Smithfield Foods	Smithfield Meeting	Smithfield	Returning Client	D.) Resident -Weekday	\$960.00	
2/18/2015	Center	D	Isle of Wight County	County Meeting	Isle of Wight	Returning Client	Half Off (50% off)	\$50.00	
2/18/2015	Center	MH	Town of Smithfield	Staff Meeting	Smithfield	Town Event	h.) Town		
2/20/2015	Town Sites	OTS	Smithfield Skate	Officer Request-at Smtihfield Skate	Smithfield	Word of Mouth	B.) Resident-Fri, Sat, Sun		
2/21/2015	Center	MH	Lisa Evans	Jean Uzzle's 80th Birthday	Smithfield	Word of Mouth	B.) Resident-Fri, Sat, Sun	\$1,220.14	
2/22/2015	Center	MH	Blackwater Regional Library	Black History Month Program		Recurring Event	g.) Sponsored		
2/23/2015	Center	C&D	Town of Smithfield	Committee Meetings	Smithfield	Town Event	h.) Town		
2/24/2015	Center	MH	Town of Smithfield	Police Department Accreditation Quarterly Meeting	Smithfield	Town Event	h.) Town		
2/25/2015	Center	A&B	Smithfield Women's Club	Women's Club set	Smithfield	Returning Client	Non Profit		
2/25/2015	Center	C&D	Town of Smithfield	Intergovernmental Meeting	Smithfield	Town Event	h.) Town		
2/26/2015	Center	Suites	Smithfield Women's Club	Smithfield Women's Club	Smithfield	Returning Client	Non Profit		
2/28/2015	Center	MHSu	Flowers and Goering Wedding and Reception	Flowers and Goering Wedding and Reception	Newport News	Word of Mouth	Nonresident-Saturday	\$1,584.80	

Deposit Totals for February 2015  
 \$11,881.74 - Smithfield Center  
 \$205.00 - Town Services

\$8,576.94    \$1,275.50

## February 2015

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3	4	5	6	7
	8:30 AM - 5:00 PM C&D 9:00 AM Sharon Elizabeth Photography Classes	5:00 PM - 6:30 PM C&D 5:30 PM WCFB Meeting 5:00 PM - 7:00 PM Kitchen 5:00 PM Kitchen Inventory 7:00 PM - 10:00 PM A&B 7:30 PM Town Council	2:00 PM - 4:00 PM Deck 2:00 PM Staff Meeting 6:30 PM - 9:30 PM MHSu 6:30 PM Ducks Set	3:00 PM - 11:00 PM MHSu 5:30 PM Ducks Unlimited	8:30 AM - 5:00 PM C&D 9:00 AM Sharon Elizabeth Photography Classes 3:00 PM - 1:00 AM MH 6:00 PM Smithfield Fire Department Banquet	7:00 AM - 4:00 PM Main Street 9:00 AM Chamber Mardi Gras Run & Festival
8	9	10	11	12	13	14
10:00 AM - 8:00 PM MHSu 3:00 PM Sweetheart Banquet	Amy in at noon	7:00 PM - 10:00 PM A&B 7:30 PM Planning Commission 7:00 PM - 10:00 PM C&D 7:30 PM Pinewood Public Hearing	Hood range and fire inspections with Hiller	7:00 AM - 5:30 PM MH 7:00 AM Smithfield New Employee Orientation 8:00 AM - 5:00 PM C&D 8:30 AM Pesticide Certification	Hold for Furball Amy in at 11 AM	Valentine's Day 9:00 AM - 1:30 AM MHSu 6:00 PM Furball
15	16	17	18	19	20	21
Sat Rate 10:00 AM - 12:00 PM MHSu 10:00 AM Furball Breakdown 2:00 PM - 6:00 PM MH 2:00 PM Smithfield Meeting Set	President's Day -Sat Rate Courtney Off Darianne Off 7:00 AM - 1:00 PM MHSu 10:00 AM Smithfield Meeting	Courtney Off Darianne Off	Courtney Off Darianne Off 12:30 PM - 5:00 PM D 1:00 PM County Meeting 1:30 PM - 4:00 PM MH 2:00 PM Staff Meeting	Courtney Off Darianne Off	Courtney Off Darianne Off 6:30 PM - 11:30 PM OTS 6:30 PM Officer Request-at Smtihfield Skate	Melissa Off 1:00 PM - 9:00 PM MH 4:00 PM Jean Uzzle's 80th Birthday
22	23	24	25	26	27	28
Melissa Off 1:00 PM - 5:00 PM MH 3:00 PM Black History Month Program	3:30 PM - 6:00 PM C&D 4:00 PM Committee Meetings	8:00 AM - 5:00 PM MH 8:00 AM Police Department Accreditation Quarterly Meeting 3:30 PM - 6:00 PM C&D 4:00 PM Committee Meetings	Courtney in at 12 PM 10:00 AM - 2:00 PM A&B 10:00 AM Women's Club set 12:30 PM - 5:00 PM C&D 1:00 PM Intergovernmental Meeting	9:00 AM - 3:00 PM Suites 12:00 PM Smithfield Women's Club	3:00 PM - 4:00 PM Suites 3:00 PM Flowers and Goering Rehearsal 7:00 PM - 11:00 PM OTS 7:00 PM Officer Request-at Smtihfield Skate	10:00 AM - 8:00 PM MHSu 2:00 PM Flowers and Goering Wedding and Reception

## **Smithfield/Isle of Wight Tourism Activity Report – February 2015**

- Director attended BOS meeting 2/4/15 and was excused from attending the Isle of Wight Board of Supervisors Meeting 2/19/15.
- Director unable to attend Smithfield Town Council Meeting 2/3/15.
- Worked on Windsor Castle Park 5<sup>th</sup> Anniversary Gala throughout the month. Meetings 2/11/15,
- CVTA Intern Jackson Ramser worked with staff the first week in February. Assisted with Restaurant Week and attended VACVB.
- Met with Coastal Virginia Magazine 2/3/15. Advertorial running in April edition.
- Monthly Tourism staff meeting held 2/9/15.
- Attended Smithfield 2020 Meeting 2/4/15.
- Hosted Virginia Association of CVB's Winter Quarterly Meeting in Smithfield 2/5-6/15. Excellent meeting! Speakers included Gina Ippolito from SVAE and Will Brunt from Smithfield/Farmland. Meeting was held at Smithfield Station. Reception at WHBC.
- Worked with Student Leadership team from the Chamber on the Run for the Beads event.
- Held IOW County Marketing Committee meeting 2/9/15 and 2/19/15.
- 2014 Annual Report completed.
- Took Chamber Student Leadership Class to Richmond for the General Assembly. Toured the Gov. mansion, met the Governor, went to the Library of Virginia and visited with our local officials. 2/11/15
- SVAE meeting 2/11/15. Follow up from BOB Fest. BOB Fest Check Distribution event held 2/25/15.
- Attended Historic Smithfield Board meeting 2/11/15.
- Attended computer training 2/12/15.

- Attended Christmas House Tour and Antiques Show meetings 2/13/15 and 2/20/15.
- Had Budget review meeting with IOW County Budget Committee 2/13/15.
- Snow Days 2/17/15 and 2/26/15.
- Interviews held for Docent positions and Farmer's Market Assistant 2/19/15 and 2/24/15.
- Attended welcome reception for new County Emergency Services Director 2/20/15.
- Filmed THE COUNTY BEAT cable TV Show 2/23/15. Tourism is featured on every show to talk about upcoming events and initiatives.
- Attended IOW Lunch & Learn Session on Wellness 2/24/15.
- Attended Intergovernmental Committee meeting 2/25/15.
- Attended Saint Luke's Board meeting 2/25/15.
- Completed Billboard Project of 6 Tourism billboards on Hampton Roads busiest highways during the entire month of February. The billboards featured a campaign to LIKE our FB page and enter for a chance to win a weekend at the Smithfield Station Lighthouse! The electronic billboards will project over 1350 impressions PER DAY during the month!
- Staff Attended County Staff Meeting 2/6/15, 2/9/15 and 2/23/15.
- Attended Smithfield Staff Meeting 2/4/15 and 2/18/15..
- Tourism Facebook postings throughout month.
- 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!

## ZONING PERMITS JANUARY 2015

PERMIT #	CONSTRUCTION TYPE	PROJECT	ADDRESS	CONTRACTOR/ OWNER
6449	POOL ACCESSORY STRUCTURE	ASPEN WOODS	102 HARRISON DRIVE	VEGA
6450	REPLACE ROOF ON COMMERCIAL BUILDING	HISTORIC DISTRICT	100 MAIN STREET	CHAMBER OF COMMERCE
6451	SHED	HISTORIC DISTRICT	131 SYKES COURT	WELLS
6452	SINGLE FAMILY DWELLING	WELLINGTON ESTATES	504 KING COURT	AFFORDABLE HOMES LLC
6453	DETACHED GARAGE	WATERFORD OAKS	906 CANTEBERRY LANE	EVANS

RESOLUTION  
TO REFINANCE THE SEWER TREATMENT PLANT BOND AND THE REVERSE  
OSMOSIS WATER TREATMENT PLANT BOND

WHEREAS, the Town Council has determined that the current interest rate environment may provide an opportunity for the Town to reduce its long term interest expense related to existing bonds issued by the Town for the financing of its now defunct sewer treatment plant and the reverse osmosis water treatment plant; and,

WHEREAS, the Town has solicited a proposal from VML/VACO and has determined that there is an opportunity for the Town to reduce the interest rate related to this indebtedness; and,

WHEREAS, the Town has received a proposal from PNC Bank that offers the most favorable terms for refinancing this debt; and,

WHEREAS, the Town Council and its finance committee have determined that it to be in the best interest of the citizens of the Town to refinance these bond obligations to reduce the long term interest expense to the Town.

NOW, THEREFORE, be it resolved by the Town Council that the Town Manager and the Town's Treasurer are authorized to negotiate with PNC Bank and to do all those things necessary and required to obtain a reduced interest rate and refinance the existing bonds issued by the Town for the financing of its now defunct sewer treatment plant and the reverse osmosis water treatment plant.

Adopted this 3<sup>rd</sup> day of March, 2015.

TOWN COUNCIL OF THE  
TOWN OF SMITHFIELD

By \_\_\_\_\_  
T. Carter Williams, Mayor

ATTEST:

\_\_\_\_\_  
Clerk

TOWN/BONDREFI.RESOLUTION

**RESOLUTION NO. \_\_\_\_\_**

**AUTHORIZING THE PREPARATION AND FILING OF AN APPLICATION  
FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS THROUGH  
THE VIRGINIA SMALL CITIES COMMUNITY DEVELOPMENT  
BLOCK GRANT PROGRAM**

**WHEREAS**, the Town of Smithfield started working with the residents of the Pinewood Heights neighborhood in 1997 to develop a neighborhood redevelopment plan per Title 36 of the Code of Virginia that included property acquisition, residential relocation, clearance, and an approved property reuse plan; and

**WHEREAS**, in 2002, the Town of Smithfield designated the Pinewood Heights neighborhood as its top priority community development need and received a 2002 Planning Grant from the Virginia Department of Housing and Community Development (VDHCD) to address neighborhood needs and develop a comprehensive improvement program for the Pinewood Heights neighborhood residents; and

**WHEREAS**, said study found the Pinewood Heights neighborhood encompasses 17 acres and 82 housing units, with one hundred percent of the housing being substandard; problems with infrastructure throughout the area; and an environmentally unsound area due to its proximity to heavy industry; and

**WHEREAS**, the Town of Smithfield was forced to divide said study area into several phases in order to fund and implement a comprehensive improvement program that addresses 100% of the need in each phase and to address the needs under the amended state redevelopment laws; and

**WHEREAS**, the Town of Smithfield followed its Comprehensive Plan and rezoned the neighborhood area as a I-2 District (Heavy Industrial District) resulting in the neighborhood becoming a nonconforming use per the Town's zoning ordinance; and

**WHEREAS**, the Town of Smithfield successfully implemented a 2006 Community Improvement Grant (CIG) with the assistance of VDHCD by undertaking Phase I of the Pinewood Heights Redevelopment Project; and

**WHEREAS**, the Town of Smithfield is successfully implementing a 2011 Community Improvement Grant (CIG) with the assistance of VDHCD by undertaking Phase II of the Pinewood Heights Redevelopment Project; and

**WHEREAS**, the Town of Smithfield received a FY 2014 Community Development Block Grant (CDBG) Planning Grant from VDHCD to assess Phase III and IV of the Pinewood Heights Redevelopment Project, identify needs that are contributing

to the area's decline, and prepare a Comprehensive Community Development (CCD) program that would address the needs; and

**WHEREAS**, Phase III needs assessments and surveys identified eighteen (18) housing units of which one hundred percent (100%) are deteriorated and dilapidated, with concentrations of blight, deteriorating streets, absence of sidewalks, curb and gutter, and storm drainage improvements contributing to standing water and potential health problems, undersized water and sanitary sewer lines, collectively contributing to a serious concentration of blight; and

**WHEREAS**, the Town conducted door-to-door surveys in the Phase III Neighborhood Project area, held citizen meetings, formed a project management team with stakeholders from the neighborhood, and completed a needs assessment with participation of said neighborhood residents and property owners; and

**WHEREAS**, a CCD Improvement Program has been developed by the Town in cooperation with Phase III Neighborhood residents, property owners, and other stakeholders pursuant to requirements for funding set forth by VDHCD; and

**WHEREAS**, the Smithfield Town Council wishes to apply for CDBG funds to assist in implementing the Pinewood Heights Phase III Redevelopment Project with said project benefiting 16 occupied households (49 persons) of which 16 occupied households (49 persons; 100%) are low-and moderate-income (LMI) persons; and

**WHEREAS**, the implementation of the property acquisition and relocation program will benefit five (5) owner-occupied units (7 persons) of which five (5) are LMI owner-occupied units (7 LMI persons; 100%); eleven (11) tenant-occupied units (42 persons) of which eleven (11) are LMI tenant-occupied units (42 LMI persons; 100%); two (2) vacant units, and two (2) vacant lots for a total of 2.49 acres of industrial-zoned property; and

**WHEREAS**, the Town of Smithfield will demolish the eighteen (18) vacated deteriorating and dilapidated residential units and appurtenances in the Phase II project area resulting in 100% property clearance and removal of the area's blighting influences; and

**WHEREAS**, Providential Credit Care Management, Inc. (PCCMI) has worked with numerous households with improving credit and successfully converted five (5) tenant households into first-time homebuyers in first two phases and has provided a written commitment to assist in working with additional residents in Phase III interested in becoming homeowners or maintaining ownership status by helping them stabilize their financial resources and pre-qualify them for homeownership or refinance with more affordable mortgages; and

**WHEREAS**, Isle of Wight County implements the Section 8 Housing Voucher program serving the Town of Smithfield and has identified three (3) existing clients in

Phase III and has committed to assist three (3) of these households in finding relocation resources and will continue to provide Housing Assistance Payments (HAP); and

**WHEREAS**, Isle of Wight County will provide assistance for three (3) of the displaced low-to moderate-income Section 8 tenant households with an average contribution of \$340 per month for a 42 month period as required by the Uniform Real Property Acquisition and Relocation Policies Act of 1970, as amended, for a total financial commitment of at least \$43,000; and

**WHEREAS**, the at least three rental households currently residing in dilapidated housing are work with PCCMI to repair their credit and move into home ownership. Thus Isle of Wight County and The Southeastern Tidewater Opportunity Project, Inc. (STOP Organization) has committed at least \$43,000 in HOME funds to provide down payment and closing cost assistance so that these households can be become first-time homeowners of a decent, safe, and sanitary dwelling; and

**WHEREAS**, the Town of Smithfield is committing \$1,196,375 in general fund contributions to the Phase II Pinewood Heights Redevelopment Project; and

**WHEREAS**, the Town is applying for a \$1,000,000 CIG from VDHCD for a two-activity CCD project with the application submitted by March 25, 2015, for consideration during the 2015 CDBG funding round; and

**WHEREAS**, the Town of Smithfield has properly advertised and conducted public hearings on February 10, 2015, and March 3, 2015, which addressed the CDBG program and the CDBG project application, thereby meeting citizen participation requirements; and

**WHEREAS**, residents and property owners have continually requested the Town to proceed post haste in resolving the problems identified in the neighborhood and in securing necessary funds to carry out a Comprehensive Community Development project.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Smithfield, Virginia, that:

1. The Town will apply for a FY 2011 CDBG Community Improvement Grant (CIG) in the amount of \$1,000,000 for the Phase II Pinewood Heights Redevelopment Project; and hereby commits a total of \$1,238,275 in Town funds; has obtained commitments from Isle of Wight County and STOP for \$86,000 in non-CDBG funds for a total project cost of \$2,324,375 for the purpose of undertaking a comprehensive community development project to address 100 percent of the identified needs in the neighborhood project area.
2. The Town hereby authorizes the Town Manager, the Town's chief administrative official, to execute and file all appropriate documents necessary

for submission of the Town of Smithfield's 2015 Community Development Block Grant application on March 25, 2015, and to provide such additional information as may be required by the Virginia Department of Housing and Community Development.

TOWN OF SMITHFIELD

\_\_\_\_\_  
T. Carter Williams, Mayor

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Lesley King, Clerk of Council

**RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN  
PINEWOOD HEIGHTS PHASE III REDEVELOPMENT PROJECT  
TOWN OF SMITHFIELD, VIRGINIA**

The Town of Smithfield will replace all occupied and vacant occupiable low/moderate-income dwelling units demolished or converted to a use other than as low/moderate income dwelling unit as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974, as amended. All replacement housing will be provided within three (3) years of the commencement of the demolition or conversion.

Before obligating or expending funds that will directly result in such demolition or conversion, the Town will make public and advise the state that it is undertaking such an activity and will submit to the state, in writing, information that identifies:

- (1) A description of the proposed assisted activity as detailed in the CIG application;
- (2) The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low/moderate-income dwelling units as a direct result of the assisted activity;
- (3) A time schedule for the commencement and completion of the demolition or conversion;
- (4) The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units;
- (5) The source of funding and a time schedule for the provision of replacement dwelling units;
- (6) The basis for concluding that each replacement dwelling unit will remain a low/moderate-income dwelling unit for at least 10 years from the date of initial occupancy; and
- (7) Information demonstrating that any proposed replacement of dwelling units with smaller dwelling units is consistent with the housing needs of low- and moderate-income households in Smithfield.

The Town of Smithfield will provide relocation assistance to each low/moderate-income household displaced by the demolition of housing or by the direct result of assisted activities. Such assistance shall be that provided under Section 104 (d) of the Housing and Community Development Act of 1974, as amended, or the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

The Town of Smithfield's FY 2015 project includes the following activities:

Property Acquisition

- *Property Acquisition of Owner-Occupied Housing*

Six (6) owner-occupied units will be appraised and review appraised to determine Fair Market Value of the individual properties and the properties acquired fee simple in accordance with DHCD and URA requirements.

- *Property Acquisition of Investor-Owned Housing*

Twelve (12) investor-owned units will be appraised and review appraised to determine Fair Market Value of the individual properties and the properties acquired fee simple in accordance with DHCD and URA requirements.

- *Property Acquisition of Vacant Lots*

Two (2) vacant lots will be appraised and review appraised to determine Fair Market Value of the individual properties and the properties acquired fee simple in accordance with DHCD and URA requirements.

Residential Relocation

- *Owner Relocation Assistance*

Six (6) owner-occupied households will be provided permanent relocation assistance consisting of replacement housing payments and moving expense payments.

- *Rental Relocation Assistance*

Twelve (12) tenant-occupied households will be provided permanent relocation assistance consisting of monthly rental assistance and moving expense payments.

Demolition

- *Demolition of Housing Units*

Eighteen (18) substandard units including nine (9) duplex structures will be demolished and cleared.

The activities as planned will result in the displacement of 6 owner-occupied households and 12 tenant-occupied households, which will be provided relocation assistance and moving expenses to mitigate any potential difficulties associated with their moving. The Town of Smithfield will work with the grant management staff, project area residents, and the Department of Housing and Community Development to ensure that any changes in project activities do not cause additional displacement from or conversion of occupiable structures.

In all cases, an occupiable structure will be defined as a dwelling that meets local building codes or a dwelling that can be rehabilitated to meet code for \$25,000 or less.

TOWN OF SMITHFIELD

\_\_\_\_\_  
T Carter Williams, Mayor

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Clerk of Council

**FAIR HOUSING CERTIFICATION  
PINEWOOD HEIGHTS PHASE III REDEVELOPMENT PROJECT  
TOWN OF SMITHFIELD, VIRGINIA**

Compliance with Title VIII of the Civil Rights Act of 1968

**WHEREAS**, the Town of Smithfield has been offered and intends to accept Federal funds authorized under the Housing and Community Development Act of 1974, as amended; and

**WHEREAS**, recipients of funding under the Act are required to take action to affirmatively further fair housing;

**NOW THEREFORE**, the Town of Smithfield agrees to take at least one action to affirmatively further fair housing each grant year, during the life of its project funded with Community Development Block Grant funds. The action taken will be selected from a list provided by the Virginia Department of Housing and Community Development.

TOWN OF SMITHFIELD

\_\_\_\_\_  
T. Carter Williams, Mayor

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Clerk of Council

**LOCAL BUSINESS AND EMPLOYMENT PLAN  
PINWOOD HEIGHTS PHASE II REDEVELOPMENT PROJECT  
TOWN OF SMITHFIELD, VIRGINIA**

- (1) The Town of Smithfield designates as its Local Business and Employment Project Area the boundaries of Isle of Wight County, Virginia.
- (2) The Town of Smithfield, its contractors, and designated third parties shall, in utilizing Community Improvement Grant (CIG) funds, utilize businesses and lower income residents of the Project Area in carrying out all activities, to the greatest extent feasible.
- (3) In awarding contracts for work and for procurement of materials, equipment, or services for the Pinewood Heights Phase III Redevelopment Project using Community Improvement Grant funds, the Town, its contractors, and designated third parties shall take the following steps to utilize businesses which are located in or owned in substantial part by persons residing in the Project Area:
  - (a) The Town of Smithfield shall ascertain what work and procurements are likely to take place through the use of the CIG funds.
  - (b) The Town of Smithfield shall ascertain through various and appropriate sources including advertisement in the *Smithfield Times* the business concerns within the Project Area which are likely to provide materials, equipment, and services which will be utilized in the activities funded through the CIG.
  - (c) The identified business concerns shall be apprised of opportunities to submit bids, quotes, or proposals for work or procurement contracts which utilize CIG funds.
  - (d) To the greatest extent feasible, the identified businesses and any other Project Area business concerns shall be utilized in activities which are funded with the CIG funds.
- (4) In the utilization of trainees or employees for activities funded through the CIG, the Town of Smithfield, its contractors and designated third parties shall take the following steps to utilize low income persons residing in the Project Area:
  - (a) The Town of Smithfield in consultation with its contractors, including design professionals, shall ascertain the types and number of positions for both trainees and employees who are likely to be utilized during the CIG funded project.

- (b) The Town of Smithfield shall advertise through the following source: the *Smithfield Times*, the availability of such positions with information on how to apply.
  - (c) The Town of Smithfield, its contractors and designated third parties shall be required to maintain a record of inquiries and applications of Project Area residents who respond to the advertisements and shall maintain a record of the status of such inquiries and applications.
  - (d) To the greatest extent feasible, the Town of Smithfield, its contractors and designated third parties shall utilize lower income Project Area residents in filling training and employment positions necessary for implementing activities funded with CIG funds.
- (5) In order to ascertain substantial compliance with the above affirmative actions and Section 3 of the Housing and Community Development Act of 1968, the Town of Smithfield shall keep and require to be kept by contractors and designated third parties, listings of all persons employed and all procurements made through the implementation of activities funded by the CIG. Such listings shall be completed and shall be verified by site visits and interviews, cross-checking of payroll reports and invoices, and through audits if necessary.

TOWN OF SMITHFIELD

\_\_\_\_\_  
T. Carter Williams, Mayor

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Clerk of Council

**NON-DISCRIMINATION POLICY  
PINEWOOD HEIGHTS PHASE II REDEVELOPMENT PROJECT  
TOWN OF SMITHFIELD, VIRGINIA**

The Town of Smithfield or any employee thereof will not discriminate against an employee or applicant for employment because of race, age, handicap, creed, religion, color, sex, or national origin. Administrative and Personnel officials will take affirmative action to ensure that this policy shall include, but not be limited, to the following: employment, upgrading, demotion or transfer; rates of pay or other forms of compensation; and selection for training.

TOWN OF SMITHFIELD

\_\_\_\_\_  
T. Carter Williams, Mayor

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Clerk of Council

**SECTION 504 GRIEVANCE PROCEDURE  
PINEWOOD HEIGHTS PHASE III REDEVELOPMENT PROJECT  
TOWN OF SMITHFIELD, VIRGINIA**

The Town of Smithfield has adopted an internal grievance procedure providing for the prompt and equitable resolution of complaints alleging any action prohibited by the Department of Housing and Urban Development's (HUD) 24 CFR 8.53(b) implementing Section 504 of the Rehabilitation Act of 1973, as amended (29 USC 794). Section 504 states, in part, that "no otherwise qualified handicapped individual...shall solely by reason of his handicap, be excluded from the participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving federal financial assistance..."

Complaints should be addressed to: Mr. Peter M. Stephenson, Town Manager, Town of Smithfield, 301 Institute Street, Smithfield, Virginia 23431, Telephone (757) 365-4200, who has been designated to coordinate Section 504 compliance efforts.

1. A complaint should be filed in writing or verbally containing the name and address of the person filing it, and briefly describe the alleged violation of the regulations.
2. A complaint should be filed within 30 days after the complainant becomes aware of the alleged violation. (Processing of allegations of discrimination occurring before this grievance procedure was in place will be considered on a case-by-case basis).
3. An investigation, as may be appropriate, shall follow a filing of a complaint. Peter M. Stephenson, Town Manager, will conduct the investigation. These rules contemplate informal but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint. Under 24 CFR 8.53 (b), the Town of Smithfield need not process complaints from applicants for employment or from applicants for admission to housing.
4. A written determination as to the validity of the complaint and description of resolution, if any, shall be issued by Mr. Peter M. Stephenson, Town Manager, and a copy forwarded to the complainant no later than 30 days after its filing.
5. The Section 504 coordinator shall maintain the files and records of the Town of Smithfield relating to the complaints filed.
6. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for reconsideration should be made within 30 days to Mr. Peter M. Stephenson, Town Manager.
7. The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of a Section 504 complaint with the Department of Housing and Urban Development. Utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies.

8. These rules shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards, and to assure that the Town of Smithfield complies with Section 504 and the HUD regulations.

TOWN OF SMITHFIELD

\_\_\_\_\_  
T. Carter Williams, Mayor

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Clerk of Council