

**SMITHFIELD TOWN COUNCIL AGENDA**  
**November 4<sup>th</sup>, 2014 at 7:30 p.m.**  
**Held at Smithfield Center, 220 N. Church Street**



**A. INFORMATIONAL SECTION:**

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

**B. UPCOMING MEETINGS AND ACTIVITIES:**

- |                  |   |   |
|------------------|---|---|
| November 4       | - | 7:30 p.m. – Town Council Meeting  |
| November 11      | - | Town Administrative Offices Closed in Observance of Veterans Day  |
| November 12      | - | 4:00 p.m. Pinewood Heights Management Team Meeting  |
| November 12      | - | 7:30 p.m. – Smithfield Planning Commission Meeting  |
| November 17      | - | 4:00 p.m. – Town Council Committee Meetings (Consecutive)<br>Police Committee<br>Water and Sewer Committee<br>Finance Committee                                 |
| November 18      | - | 4:00 p.m. – Town Council Committee Meetings (Consecutive)<br>Parks and Recreation Committee<br>Public Works Committee<br>Public Buildings and Welfare Committee |
| November 18      | - | 7:30 p.m. – Board of Historic and Architectural Review  |
| November 27 & 28 | - | Town Administrative Office Closed in Observance of the Thanksgiving Holiday   |

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. Briefing by Mr. Al Casteen, Isle of Wight County Board of Supervisors, Smithfield District

**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. Police Committee Chair, Mrs. Denise Tynes
  - b. Finance Committee Chair, Randy Pack
  - c. Public Works Committee Chair, Mr. Michael Smith

## **CONSENT AGENDA ITEMS**

- C1. **Resolution for Street Closure Extension Request for Special Evening Farmers Market, Friday, December 12<sup>th</sup>, 2014.** **TAB # 1**  
Police Committee Chair, Denise N. Tynes
- C2. **Resolution to Authorize Street Closure for BOB Fest 8K Race on January 17, 2015 from 8:00 a.m. to 11:00 a.m.** **TAB # 2**  
Police Committee Chair, Denise N. Tynes
- C3. **Invoices Over \$10,000 Requiring Council Authorization**  
Finance Committee Chair, Randy Pack
 

a.	Caldwell Tanks Inc.	\$25,823.29
b.	Virginia Resource Authority (VRA)	\$12,140.57
c.	Sungard- Public Sector	\$20,313.66
- C4. **Motion to Approve Holiday Work Schedule for Christmas and New Years**  
Finance Committee Chair, Randy Pack
- C5. **Motion to Accept Proposal from Blair Brothers, Inc. for Street Paving along Battery Park Road and Ridgeland Drive**  
Public Works Committee Chair, Michael G. Smith

## **ACTION SECTION**

- 1. **Public Hearing: Special Use Permit for Home Daycare**
  - a. Staff Presentation by the Director of Planning, Engineering and Public Works, William T. Hopkins, III
  - b. Public Hearing Open
  - c. Public Hearing Closed
  - d. Consideration by Public Buildings and Welfare Committee Chair, Dr. Milton Cook

2. **Motion to Ratify Contract for Vacant Lot and Boat Slip Located at 3 Main Street in the Amount of \$50,000**  
Public Buildings and Welfare Committee Chair, Dr. Cook
3. **Motion to Approve the Town Council Meeting Minutes of October 8<sup>th</sup>, 2014**  
Mr. William H. Riddick, III, Town Attorney
4. **New Business:**
5. **Old Business:**
6. **Closed Session:**
7. **Adjournment**

October 31, 2014

**TO: SMITHFIELD TOWN COUNCIL**

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

**SUBJECT: MONTHLY ACTIVITY REPORT – OCTOBER 2014**

**TOWN MANAGER'S OFFICE:**

- a. Attended VML annual conference, held this year in Roanoke, along with Mayor Williams, Vice Mayor Gregory, Councilwoman Tynes, and Councilman Randy Pack.
- b. Conducted annual town employee in service training day.
- c. Attended: Hampton Roads Criminal Justice Training Academy Executive Committee meeting, funeral service for York County Administrator James "Mac" McReynolds, DAR tree planting ceremony, meeting with local NAACP chapter representatives, VML Insurance Programs Investment Committee conference call, and Leadership IOW planning meeting.

**TOWN CLERK'S OFFICE:**

- a. Transcribed and proofed the monthly minutes from Town Council, Planning Commission and Board of Historic and Architectural Review.
- b. Participated in employee training day at the Smithfield Center on October 9th.
- c. Traveled to VA Beach with Mayor Williams, William Saunders, Peter Stephenson, and Ellen Minga on October 14th for a Fair Housing Standards workshop that was postponed due to scheduling issues.
- d. Prepared October Town Council Committee Agenda and November Town Council Agenda
- e. Attended Town Council Committee meetings on October 27<sup>th</sup> and 28<sup>th</sup> and prepared summary reports of the committee.
- f. Prepared and mailed out Fall Newsletters to town residents.

## **TREASURER'S OFFICE:**

- a. Worked with Michael Dodson of Community Planning Partners and Elizabeth Boehringer of VDHCD on compliance audit for Pinewood Heights Phase II MY1 on October 7, 2014.
- b. Participated in employee training day at the Smithfield Center on October 9.
- c. Worked with Michael Dodson of Community Planning Partners and Elizabeth Boehringer of VDHCD on compliance audit for Pinewood Heights Phase II MY1 on October 7, 2014.
- d. Participated in employee training day at the Smithfield Center on October 9.
- e. Traveled to VA Beach with Mayor Williams, William Saunders, Peter Stephenson, and Lesley King on October 14 and again on October 16 for a Fair Housing Standards workshop that was postponed due to unforeseen scheduling/personnel issues.
- f. Met with Peter Stephenson and Bill Riddick on October 17 to discuss outstanding items for the treasurer's department such as delinquent real estate accounts.
- g. Attended the first annual meeting for the Virginia Investment Pool (VML-VACO) in Richmond on October 24. Was re-elected as a board member for the 2015 calendar year.
- h. Prepared bank reconciliations and financial statements to present cash balances and financial reports to the Town Council at the October 27 finance committee meeting.
- i. Mailed annual real estate tax bills. The personal property file was completed on October 31 and sent to the printer for processing.
- j. Filed annual unclaimed property report on October 31.
- k. Met with Peter Stephenson and Bill Riddick on October 17 to discuss outstanding items for the treasurer's department such as delinquent real estate accounts.
- l. Attended the first annual meeting for the Virginia Investment Pool (VML-VACO) in Richmond on October 24. Was re-elected as a board member for the 2015 calendar year.
- m. Prepared bank reconciliations and financial statements to present cash balances and financial reports to the Town Council at the October 27 finance committee meeting.
- n. Mailed annual real estate tax bills. The personal property file was completed on October 31 and sent to the printer for processing.
- o. Filed annual unclaimed property report on October 31.

## **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. Lewis construction repaired sewer lateral at 424 Kendall Haven.
- b. Cleaned sewer lines in various areas around town.

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. 6 inch Godwin pumps set up on standby at Lakeside pump station, Golf Course pump station and at Moonefield pump station.
- d. Pulled and clean pump at Bradford Mews and Plaza pump station.
- e. REW installing limit switches at pump stations.
- f. James St pump station down to 1 pump - bad check valve needs rebuilt, waiting on parts.
- g. Golf Course pump station is on bypass pump due to bad transducer.

3. Water Line Repairs and Maintenance

- a. Relocated water meter at 306 Wainwright.
- b. Repaired water leak at 219 Azalea Dr.

4. Well Repairs and Maintenance

- a. All wells except 8A and 10 A (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.

5. Water Treatment Plant

- a. Daily lab analysis and reports for VDH, HRSD, DEQ and ITT.
- b. Quarterly nitrification samples were pulled for HRSD.
- c. RO Plant security system cameras were installed.
- d. Third round of Bio-Assay Testing samples were pulled by Kimley-Horn.
- e. RO Plant staff cleaned the 2<sup>nd</sup> and 3<sup>rd</sup> stages of RO system.

6. Safety

- a. Monthly truck inspections.
- b. Monthly playground inspections.
- c. All Public Works employees attended Annual Employee Training.

7. 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 monthly 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.

8. 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. Staff worked Downtown Trick or Treat, Town and Country Days and Aiken Fest.

## **PLANNING AND ZONING:**

- Bill Hopkins attended the Plan Virginia Conference in Richmond, Va.
1. Planning Commission – October 14, 2014
    - A. Child Care as a Home Occupation Ordinance Amendment – Recommended for Approval.
    - B. Discussion of Town Boundary Expansion – No action taken.
  2. Rezoning Applications under review
    - A. None
  3. Special Use Permit Applications under review
    - B. 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 – October 21, 2014
    - No meeting held.
  7. Board of Historic & Architectural Review – October 21, 2014
    - A. Proposed Detached Sign – 223 Washington Street – Non-Contributing – Charlie White, VFW, applicants. – Approved.
    - B. Proposed Garden Shed – 221 Cary Street - Contributing – Linda S. Spady, applicant. – Approved.
    - C. Proposed Wall Sign – 25 Main Street – Contributing – Lee Duncan, applicant. – Approved.

- D. Proposed Wall Sign – 215 Main Street – Non-Contributing – Jessica Casper, applicant. – Approved.
- E. Proposed Roof Change – 223 Cedar Street - Contributing – Stuart & Bonnie Resor, applicants. – Approved.

## **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 in control of the Bank due to financial concerns by the Developer. 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 sinkholes around existing drop inlet at the back of the property of 202 Murifield, also repaired storm drain pipe entering the structure. Contractor also repaired several sections of damaged curb and gutter on Murifield and Turnberry.
- 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.
- 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. continues construction of the Cypress Parkway extension, which will complete the Parkway loop. Contractor installed all E & S controls as required by the approved site plans and the Town. Contr. continued excavation down to roadway subgrade within designated R/W area between Sta. 94 + 50 to Sta. 104 + 50. Contractor continued and completed installation of sanitary sewer within project site. Contractor also started and completed installation of water main and laterals, tested same, throughout project. Contractor also started and completed installation of storm drain pipe and drop inlets required on project site.

October 31, 2014

TO: SMITHFIELD TOWN COUNCIL

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

SUBJECT: INFORMATIONAL REPORT FOR THE POLICE COMMITTEE MEETING  
HELD ON MONDAY, OCTOBER 27<sup>TH</sup>, 2014

The Police Committee met Monday, October 27<sup>th</sup>, 2014 at 4:00 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee members attending were: Mrs. Denise N. Tynes, Chair; Ms. Connie Chapman, 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; Mr. William T. Hopkins, III, Director of Planning Engineering and Public Works; Ms. Lesley G. King, Town Clerk; Ms. Ellen Minga, Town Treasurer; Mr. Steven Bowman, Chief of Police; Mr. Matt Rogers, Lieutenant; Mr. William H. Riddick, III, Town Attorney; Ms. Amy Musick, Smithfield Center Director; Mr. Jessie Snead, Superintendent of Public Works; and Ms. Judy Winslow, Director of Tourism. Also in attendance were Ms. Beverly Walkup of Isle of Wight County Planning Department; and Mr. Rick Bodson. The media was represented by Ms. Abby Proch of the Smithfield Times.

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

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

1. Extend Street Closure for Special Evening Farmers Market, December 12<sup>th</sup>, 2014 to Include the 300 Block of Main Street – Mrs. Tynes stated that this is for an extended street closure for the special evening Farmers Market, Friday, December 12<sup>th</sup>. The extension will include the 300 block of Main Street. This was a first time event last year and it was very well attended. Ms. Tynes asked if anyone had any comments or concerns. Ms. Musick stated that this item had to back before committee because it was decided to close more of Main Street due to the large number of attendance last year. Ms. Musick stated that she is in the process of making a street map that all events will use to mark the streets/blocks that will be closed for events. Committee recommends approval of extended street closure.

2. Street Closure Request for BOB Fest, Saturday, January 17<sup>th</sup> from 8 a.m. to 11:00 a.m. – Mrs. Tynes explained that this street closure will be for the runners that are participating in the BOB Fest 8k Race. This is an event that occurs every year and the course route remains the same. Committee recommends approval of street closure.

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

1. Operational Updates – Chief Bowman mentioned that Deputy Chief Howell who is normally here at committees is attending the International Association of Chiefs of Police Conference in Florida. Chief Bowman reported that under operational updates Beale Park concession stand was broken into again. He stated that both Suffolk and Windsor have had very similar events so they interfaced with their partners at the Suffolk Police Department, Windsor Police Department and the Isle of Wight Sheriff’s Office and were able to identify the suspects. These charges will likely go before the Grand Jury to seek indictments for them. Since the arrest has been made Crime Prevention Specialist Kurt Beach has been to Beale Park to discuss some security upgrades to the concession stand.

Chief Bowman also stated that they had received a phone call from Mr. Clint Walters of Westside Elementary School concerned about the traffic flow in the morning and afternoon when children that are not riding the buses are being dropped off and picked up from school. Chief Bowman stated that the design of the parking lot does not work well with traffic flow. Starting today the Smithfield Police Department will be actively assisting with directing traffic to ensure that safety is maintained during these times. Chief Bowman reported that if an officer is not there then they are on another call somewhere else.

Chief Bowman stated that he had met this afternoon with Mr. Snead and Mr. Hopkins to discuss closing the intersection of South Church Street and Main Street on Wednesday, October 29<sup>th</sup> or Thursday, October 30<sup>th</sup> after 9:00 p.m. for approximately two to three hours. Public Works will be doing some sewer line inspections. Chief Bowman stated that they have tried working this intersection before without closing the road and it is too dangerous in this intersection to have a police officer direct traffic around the open manhole covers. Chief Bowman stated that due to the timing of being able to publish the closure he as Chief of Police will authorize the closure at the intersection of South Church Street and Cedar Street and detour traffic around the work zone. The intersection will also be closed at Church Street and Main Street so that traffic coming from the North Church Street must turn right onto Main Street so that they do not proceed through the intersection. The street will only be closed long enough to accomplish this work. Chief Bowman stated that Mr. Snead has stated that after they do the work and analyze the work there may be a follow-up closure for the same timeframe. The Town Manager asked for Mr. Snead to explain what type of work is being done. Mr. Snead stated that Tri-State Utilities will be cleaning and inspecting the sewer lines to determine if these pipes can be lined. Mr. Snead stated that they will be cleaning the

lines from manhole to manhole from Institute Street to South Church Street. Mr. Hopkins stated that this budgeted work that has already been approved.

Ms. Chapman stated that she had a comment in regards to a situation at the YMCA on Friday. She explained that a woman visiting from California came to the YMCA to swim. While there she experienced transient global amnesia. She was wandering around the parking lot very disoriented and staff at the YMCA was unable to figure who she was visiting with in town so they called the Smithfield Police Department. Chief Bowman responded and was very instrumental in finding out who she was staying with here in town. Ms. Chapman stated that the woman appeared to be a little embarrassed about the situation but everyone tried to reassure her. The woman who was very emotional then walked over to Chief Bowman and asked if she could talk to him for a minute and Chief Bowman replied that she could talk to him for an hour. Ms. Chapman stated that comment struck her as very compassionate and concerned and she is very proud to call him our Chief of Police. The Town Manager reminded everyone of Safe Trick or Treating coming up on Friday, October 31<sup>st</sup>. Some of the streets downtown will be closed temporarily for safety reasons during trick or treating hours.

The meeting adjourned at 4:12 p.m.

October 31, 2014

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, OCTOBER 27<sup>TH</sup>, 2014

The Water & Sewer Committee held a meeting on Monday, October 27<sup>th</sup>, 2014 at 4:12 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee members attending were: Vice Mayor Gregory, Chair; Mrs. Denise N. 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; Mr. William T. Hopkins, III, Director of Planning, Engineering and Public Works; Ms. Lesley G. King, Town Clerk; Ms. Ellen Minga, Town Treasurer; Mr. William H. Riddick, III, Town Attorney; Mr. Jessie Snead, Superintendent of Public Works; and Ms. Judy Winslow, Director of Tourism. Also in attendance were Ms. Beverly Walkup of Isle of Wight County Planning Department; and Mr. Rick Bodson. The media was represented by Ms. Abby Proch of the Smithfield Times.

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

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

1. Operational Updates – Mr. Hopkins reported that the bypass pump at Main Street has been installed; however it is not yet operational. There is still some additional piping that has to be done. The installation of this bypass pump will be a big relief to the Public Works staff. This area has always been a big concern because if there was ever a sewer overflow at this location it is right next to the river. Mr. Hopkins also reported that four of the six SCADA system antennas have been installed on the pump stations. All seem to be working as expected. The last two will be installed a little differently by using poles rather than towers. Mr. Smith asked if the pump that was installed at Main Street will get exercised. Mr. Snead stated that staff will exercise the pump once or twice a month with a full load. Dr. Cook asked if the town had another line break on Mason Street today. Mr. Snead replied no. Staff was looking with Tri-State Utilities at the pipes that they will inspecting tomorrow night. Mr. Snead mentioned that there are two more fixes to do on

Mason Street; however they are water lines not sewer. These will be done before that street is repaved.

2. Additional Item Discussed: Regional Groundwater Meetings – The Town Manager stated that he and Mr. Hopkins have been attending and keeping abreast some of the regional groundwater meetings that have been taking place. He stated that he, Mr. Hopkins, Mr. Jack Reed and Mr. Riddick also met with the Department of Environmental Quality (DEQ) in Richmond at their request. Out of the fourteen permittees in Hampton Roads four groundwater permits were issued permits for a ten year period. The four that were issued permits or conditional permits last year were the Town of Smithfield, Smithfield Packing, City of Norfolk, and Colonial Williamsburg. The other ten in Hampton Roads have been targeted for a 57% reduction in permitted capacity. Discussion has been held to determine if there is there a way as a region for the remaining ten to work together to get a deal. Some of these very large permits will have to be scaled back. The Town Manager stated that we are very blessed that Smithfield received its permit last year; however an observation well nest must be constructed here in Smithfield and another in Southampton County within the next two years. Smithfield Packing has identified a site in Southampton County to put that well nest on and the Town of Smithfield has a cost sharing agreement with Smithfield Packing for the construction of the well nest. At this time DEQ has been satisfied with the town's progress. Vice Mayor Gregory asked if DEQ is looking at just municipalities cutting back on the permits or they looking at corporations as well. The Town Manager stated that they are looking a large corporations like former International Paper (IP) and areas over on the peninsula like West Point. The Town Manager stated another thing that we support and there will be legislation sought to close some of the loop holes where people get large irrigation wells from the Health Department and it is not regulated. We have a few here in town where people are putting in irrigation wells to keep from buying water from the town. DEQ is taking a look at everything to be fair to everyone.

The meeting adjourned at 4:21 p.m.

October 31, 2014

TO: SMITHFIELD TOWN COUNCIL

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

SUBJECT: INFORMATIONAL REPORT FOR THE FINANCE COMMITTEE MEETING  
HELD ON MONDAY, OCTOBER 27<sup>TH</sup>, 2014

The Finance Committee held a meeting on Monday, October 27<sup>th</sup>, 2014 at 4:21 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 N. Tynes, and Mr. T. Carter Williams, Mayor. Staff members present were: Mr. Peter M. Stephenson, Town Manager; Mr. William T. Hopkins, III, Director of Planning, Engineering and Public Works; Ms. Lesley G. King, Town Clerk; Ms. Ellen D. Minga, Town Treasurer; Mr. William H. Riddick, III, Town Attorney; and Ms. Judy Winslow, Director of Tourism. Also in attendance were Ms. Beverly Walkup of Isle of Wight Planning Department and Mr. Rick Bodson. 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. Caldwell Tanks \$25,823.29

This is the town's quarterly invoice for maintenance on the town's water tanks. Committee recommended approval of invoice.

b. Virginia Resource Authority (VRA) \$12,140.57

Ms. Minga explained that this loan was taken out years ago for the James Street pump station and it is reimbursed one hundred percent by Smithfield Foods. Committee recommends approval of invoice.

c. Sungard – Public Sector \$20,313.66

This invoice is for the Smithfield Police Department. It is for the huge maintenance account that the town has for their OSSI system. This payment is not something that we have a choice in paying or not because the Police Department has to have this software for records management purposes. After some discussion on the

possibility of reducing the cost of future invoices by reducing the number of work stations that are licensed committee recommended approval of invoice.

2. Christmas Holiday Work Schedule – The Town Manager stated that Isle of Wight County and the Town of Windsor follow the states holiday schedule; however the Town of Smithfield does not. What is in the town personnel manual is what we are allowed unless Town Council authorizes additional days. This year the state is allowing three additional days. Isle of Wight and Windsor will get the Friday after Christmas and then the following week it is basically a two day work week for them. The state allows for Wednesday, December 31 thru Friday, January 2 for the News Year holiday. The Town Manager stated that he is not asking for anything additional for Town of Smithfield employees for the week of New Years. Town Offices will only be closed on News Years day. He stated that for the Christmas he would like to respectfully request that you allow town employees the Friday after Christmas off. Mr. Pack asked what time offices close on Christmas Eve. The Town Manager stated that our personnel policy manual states that town offices will close at Noon on Christmas Eve and all day Christmas Day. Mr. Pack asked when staff plans on doing their town Christmas party. The Town Manager replied that at this time we are looking at it for Tuesday, December 23<sup>rd</sup> and one extra hour will be needed for all employees to attend. Discussion was held on what town staff would like to have off and committee decided to recommend to Town Council that town office's be closed two additional days, the Friday after Christmas and the Friday after New Year's. Mr. Pack also stated that this comes up every year and asked that if the Town Manager would like to recommend the Town of Smithfield following the state schedule next year then he could bring that before Town Council for discussion.

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

1. Public Comment – Mr. Bodson stated that for the record he is here as a private citizen and a resident of Gatling Pointe. He stated that he has been asked by the Gatling Pointe Homeowners Association to open a dialog with the Town Council about the potential annexation. Mr. Bodson stated that the Town Council made a commitment to transparency and would encourage council to continue to be transparent during this potential annexation process. Gatling Pointe residents obviously have some concerns and their first reaction is based on soft information rather than facts. The more information that the town can provide to the potential annexed residents the better. He stated that he has made sure that the residents in Gatling Point are aware that the first priority in the precipitating event for this was essentially the Scott Farm. Mr. Bodson stated that he is trying to get updated facts to the Gatling Point Homeowners Associations. Gatling Point South which is the larger of the two subdivisions does not have a very organized homeowners association; however, the Vice President of the Gatling Point Homeowners Association appears to be very organized with approximately 300 e-mails to get information out quickly to residents to keep them in the loop to what is going on. Mr. Bodson stated that someone has already shared with him a rumor of what the Scott Farm development would look like and how it would impact Gatling Pointe South. He

stated that he realizes that the town is not Napolitano Development but whatever information that the town can ask the developer to share would be great. Clarification was made that Gatling Pointe and Gatling Pointe South have two separate homeowner associations and one is more organized than the other for getting information to its residents.

2. September Financial Statements and Graphs – Ms. Minga reported that Real Estate tax bills have been sent out. Personal Property tax bills are still in process and the hope is to have them at the printers by Wednesday and bills will be able to be mailed by the end of next week. The Personal Property Tax Relief that the town adopted at the October 8th meeting for 51% is very close to what it should have been. Water and Sewer does not look that bad. She explained that on the graphs she put in July, August and September consumptions and actual billing compared to the statement where the town is showing only half of August and September because of the way the town accrues and backs things out. She stated that she wanted town council to see a rolling usage. Ms. Minga stated that water and sewer with all the deposits, etc. has been a challenge. Ms. Minga stated that she has been with the town for approximately fifteen years and can count on one hand the number of time she has had to call the police, but she did actually call the police last week for an irate customer. Chief Bowman and Officer Seamster came and handled things really well. They were able to calm the customer down. Ms. Minga stated that it was not somebody that they considered dangerous; however the staff in the treasurer's office could not calm them down. After a certain amount of time somebody else needed to step in. Ms. Minga pointed out that the town has received our first quarter of grant money in regards to Highway funds from the state and it is a little bit higher than last year. At this time it looks like the town will receive approximately \$30,000 more than what was originally budgeted.

3. September Cash Balances – Ms. Minga stated that the VML VACo Investment Pool statement was included in Council's supplemental posting today. She explained that she was in Richmond all day Friday for the first annual VML VACo meeting. There was a lot of new participation and the fund has really grown. Initially, VML VACo was hoping for one hundred fifty million to start it off and it is over three hundred sixty million. Some of the large localities have really stepped up to the plate. Ms. Minga stated that discussion at that meeting was held on the current statements being a little misleading. The statement just shows market value. It does not show that the town is currently making money on this fund. There are no dividends being paid out because they are being reinvested. VML VACo is currently working on a better way to report what kind of income we are actually making. Ms. Minga also reported that it will not show until next month but she has started paying down on the intercompany balances. The Gwaltney Beautification Fund will be eliminated by next month as well. - Water = \$256,597.10; Water Debt Service = \$999,259.24; Water Capital Escrow Availability Fees = \$340,864.61; Water Treatment Plant Escrow = \$111,568.30; Water Deposit Account = \$75,317.15; Water Development Escrow = \$87,455.68; **Subtotal Water = \$1,871,062.08.** Sewer = \$(54,860.74); Sewer Development Escrow = \$340,759.46; Sewer Capital Escrow Availability Fees = \$896,817.69; Sewer Compliance = \$764,535.15; **Subtotal Sewer = \$1,947,251.56. Highway = \$244,112.66.** General Fund

= \$2,824,210.98; Payroll = \$74,939.89; Money Market General Fund Town Bank = \$2,184.24; Business Super NOW-General Fund = \$33,085.10; Money Market General Fund Farmers Bank = \$289,324.87; General Fund Capital Escrow = \$214,464.43; Certificate of Deposit = \$525,971.81; Certificate of Deposit Police Dept = \$36,679.67; Special Project Account (Pinewood) = \$19,953.91; Pinewood Heights Escrow = \$13,028.47; SNAP Program = \$2,757.75; Museum Account = \$90,547.42; **Subtotal General Fund = \$4,127,148.54.** Beautification = \$7,842.50; Money Market Beautification = \$47,829.32; **Subtotal Beautification = \$55,671.82; TOTAL ALL FUNDS = \$8,245,246.66.**

4. Preliminary Discussion – Annexation Cost / Benefit – Mr. Pack stated that at the last town council meeting council went into closed session to discuss how to move forward with this with special legal counsel. At this time Town Council has advised the Smithfield Planning Commission to start reviewing the comprehensive plan and bring back to town council with thoughts of whether the town should look at annexation beginning with the Scott Farm. At this time we are not looking at Gatling Pointe; however the town feels that it is important to look at it to see if it makes financial sense to annex more than the Scott Farm at this time. The Planning Commission will start this process at their November 12<sup>th</sup> meeting. In the meantime, the town has had some request for some information. The thought is there will be some baulking from the Gatling Pointe area because there was previously when the town last annexed. Mr. Pack stated that after seeing the article in the newspaper he has been surprised that he has not heard anyone comment from the Gatling Pointe area. Included in the packet are cost estimates of what additionally it would cost the average homeowner in Gatling Pointe to be a town citizen verses being a county citizen. It is a very basic spreadsheet to give the residents in Gatling Pointe facts to reduce rumors. The average increase per residence would be around \$400. At this time there is not a lot to discuss at town council level because council has tasked the Planning Commission with this matter. Mr. Pack stated that if the town does do an annexation and assuming that this is likely to be a contested annexation we will need to determine what is best for the town and the residents because the town will not be able to annex again for ten years. Ms. Minga stated that her cost estimates do not reflect the impact on current taxpayers or current residents of the Town of Smithfield. One of the areas where tax would go up for current residents is with personal property. Personal property is billed out at 100% and the town is allowed a specific amount that never changes from the state for tax relief act. The larger your tax base gets through annexation or development the tax relief amount is going to cover less. Ms. Minga stated that is why she showed in her estimates a 38% tax relief rather than the 51% that the town currently has. Mr. Pack stated that Town Council remains committed to being open and honest with the public on where we are with this process. Dr. Cook asked if staff would reach out to Napolitano Homes to see if they have a developmental master plan. Staff will contact Napolitano Homes in this regard.

The meeting adjourned at 4:55 p.m.

October 31, 2014

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, OCTOBER 28<sup>TH</sup>, 2014

The Parks and Recreation Committee held a meeting on Tuesday, October 28<sup>th</sup>, 2014 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; Mrs. Denise Tynes, 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; Mr. William T. Hopkins, III, Director of Planning, Engineering and Public Works; Ms. Lesley G. King, Town Clerk; Ms. Amy Musick, Smithfield Center Director; Mr. William Riddick, III, Town Attorney; and Mr. Wayne Griffin, Town Engineer; Also in attendance was Ms. Beverly Walkup of Isle of Wight Planning Department. 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 NOT BE ON THE COUNCIL'S AGENDA.**

1. Operational Update – Ms. Musick reported that they are finishing up from a very busy fall season with private events and special events that were open to the public. Bacon Fest was held on September 27<sup>th</sup>, which had great attendance for the first year of holding this event. There were over 2500 people in attendance. The following weekend the town had Aiken Fest at the same site. The next weekend the town had all of its Town and Country Day events throughout the downtown area. Ms. Musick stated that she is still waiting on attendance for these events and will report that when the numbers come in. Homecoming Parade was on October 17<sup>t</sup>, the Isle of Wight Education Foundation Gala, which reported record net income, was on October 18<sup>th</sup> and the Special Occasion Show on October 19<sup>th</sup>. Upcoming events include Ham-o-ween on October 31<sup>st</sup>, Veterans Day Ceremony on Saturday, November 8<sup>th</sup> and Festival of Trees will be our next open to the public event on November 22<sup>nd</sup>. Ms. Chapman stated that kayak rentals did really well during June and July. She asked Ms. Musick how these numbers compare to last year's numbers. Ms. Musick replied that they are down a little bit because we did not do any tours outside normal rentals and we only kept six kayaks at the kayak launch so we

could secure them safely. Now that the town has a kayak rental sales center in place we will have all of your kayaks on location. Ms. Chapman commended Mr. Smith, Mr. Pack and everyone else that assisted with the construction of the kayak rental sales center. It looks very nice. Mayor Williams mentioned that the port-a-potty behind the shed cannot be seen from the trails so people know it is there to be used. Ms. Musick stated that she plans to do signage on the side of the shed to let people know that a restroom is there. Mr. Pack asked if landscaping could be placed around the shed. Ms. Chapman stated that at Bacon Fest she met a gentleman from Bennetts Creek Nursery and he is interested in doing landscaping around the kayak shed at possibly no cost to the town if allowed to put a sign out for his business. She stated that she knows that we have a landscaping contract so she did not want to move forward without finding out the ramifications of this. Mr. Hopkins stated that he did not think that it would be a problem if he wants to donate the landscaping material. Mr. Hopkins asked for Ms. Chapman to give Mr. Sawyer his name and contact information and he would be glad to meet with him to discuss. Mr. Pack stated he understands that this gentleman wants to do landscaping in exchange for a sign being placed at that site and wanted to make sure this is not like PETA wanting a sign at the park. The Town Attorney stated that this is a completely different kind of sign. This would be more like a plaque on a wall acknowledging the donation by Mr. Sawyer. Mr. Hopkins stated that there would most likely be a timeframe on how long the sign would be allowed to stay. Mr. Hopkins did mention that the ground where the kayak shed is located is extremely hard so that may be an issue when landscaping. Dr. Cook asked if the port-a-potty could be painted to blend in with the kayak building or be landscaped around it so that it is not so visible from the Jericho Estates neighborhood. Discussion was held and Ms. Chapman suggested putting up a half wall and landscape around to help it blend in more with its surroundings. Ms. Musick reported that the Eco counter at the park for the first time in history showed the same number of people that went in the park came out. Ms. Chapman stated that for the last item under operational updates she had the opportunity to attend the Annual National Recreation and Parks Association Conference in Charlotte, North Carolina, October 14<sup>th</sup>-16<sup>th</sup>. She mentioned that they had attended a lot of classes specifically geared around playgrounds and natural playground areas. They also went on a couple of tours of natural playgrounds in the area and some pictures were included in your agenda packet. She explained that the natural playground that they toured was nestled in the trees where you really could not see it until you came upon it. They learned a lot about using natural elements versus concrete elements. The conference was very informational and thanked staff for allowing her to attend this conference. Ms. Musick stated that she agrees with Ms. Chapman that it was a great conference. The exhibit room floor was incredible. It was like a giant playground. There was every kind of playground you could imagine. There were not very many like we are gearing up to do though. Ms. Musick stated that her big take away from the conference was that the town really needs to decide whether we are building a nature center or a playground. These two concepts give you two very different images and will set the tone of what our play area will be. Ms. Musick stated that when she talks to the Windsor Castle Park Foundation Board she plans to talk to them about making a nature

center rather than a typical playground. Ms. Musick stated that she would also like to build an inclusive playground that goes beyond what ADA compliance mandates. Building an inclusive playground means it is more than a child being able to wheel their wheelchair up to the playground. After they get there are they able to get on the structure and does it engage them. She stated that she really wants to look at that aspect of the playground and talk to parents of children with disabilities to see what they would like to see in the playground so that it is a great place for everybody. Ms. Chapman stated that of all the classes in two days the one with the largest attendance was for dog parks. The instructor shared lots information on what people spend on their dogs a year attending events held at dog parks. Mrs. Tynes stated that she would like staff to keep in mind when constructing the playground the safety of the children when playing in natural settings. She expressed her concern of things such as snakes and spiders being in some of the natural activity areas and they should be inspected on a regular basis. Ms. Musick stated that changing the way people think about this structure that we are going to build by calling it a nature center rather than playground could help with that. Ms. Musick stated that the nature center that she is envisioning will encourage parents to play with the children. Children may encounter things from a natural setting. The idea of a natural center of activities is to encourage children to get away from electronics and explore what nature has to offer. Ms. Musick stated that town staff would still inspect the nature center regularly. Ms. Chapman stated that it is also the parent's responsibility to inspect an area before allowing their children to play.

2. Additional Item Discussed: Bicycle Rentals - Mrs. Tynes asked if staff had ever thought about bike rentals next to the kayak rentals. Ms. Musick stated that she has thought about bike rentals but was not sure if it would confuse people about bikes on the park trails. She stated that maybe renting them from another site downtown would be better so that it is not in the park. The Town Manager stated that there has been some discussion on purchasing a couple of paddle boards for rental next season. Ms. Chapman stated that now would be a great time to purchase inventory for next season.

The meeting adjourned at 4:21 p.m.

October 31, 2014

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, OCTOBER 28<sup>TH</sup>, 2014

The Public Works Committee held a meeting on Tuesday, October 28<sup>th</sup>, 2014 at 4:21 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee member attending was: Mr. Michael G. Smith, Chair; Dr. Milton Cook and Mrs. Denise Tynes. 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; Mr. William T. Hopkins, III, Director of Planning, Engineering and Public Works; Ms. Lesley G. King, Town Clerk; Mr. William Riddick, Town Attorney; and Mr. Wayne Griffin, Town Engineer. Also in attendance was Ms. Beverly Walkup of Isle of Wight County Planning Department. The media was represented by 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. Proposals from Blair Brothers for Street Paving Along Battery Park Road and Ridgeland Drive – The Town Engineer stated the paving along Battery Park Road would be from the intersection of John Rolfe Drive and Battery Park Road to just past the entrance to the Villas of Smithfield subdivision. Over the years there has been a lot of patching to this area. This area is also three lanes wide so that is one of the reasons the cost is \$158,500.00. The second reason it is so high is because Blair Brothers will mill out the entire section of the road and replace with new asphalt. Mr. Griffin stated that he feels that if he overlays the existing asphalt it will not be the best quality work. Dr. Cook asked if this work is budgeted. Mr. Griffin stated that it will be paid for with Highway Funds. As always he will coordinate with the Town Treasurer for be sure funds are available. Mr. Griffin stated that he hopes depending on wheather conditions this project will be completed by Thanksgiving if Town Council approves his request to pave this portion of Battery Park Road. Mr. Griffin stated that the second proposal is for Ridgeland Drive. Mr. Griffin stated that the Red Point Heights and Pagan Point areas are about the last areas in town where the roads have not been overlaid in the past fifteen

years. The roads now are almost how they were when they were installed. Committee recommends approval of these two street paving projects.

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

1. Public Comments – Dr. Cook stated that he wanted to bring to the attention of town staff the road where you get on the Cypress Creek Bridge in front of the Smithfield Station needs to be repaired. Mr. Hopkins stated that staff has already contacted VDOT and they have been out to survey what needs to be done to fix that bump in the road. Dr. Cook stated that he understands that the road constantly sinks at that location; however the bump has really gotten big and needs to be fixed. Mr. Griffin stated that he had a meeting with VDOT a couple of weeks ago in regards to placement of a historic sign in that area and the bump was discussed at that time. Mr. Griffin stated that VDOT will probably be able to mill out the road at the concrete edge of the bridge and pull it back close to the crosswalk. He does not anticipate VDOT having to come back further than the crosswalk. Mayor Williams asked if the Town Engineer could look at the Mt. Holley Creek Bridge also for the same type of repair. Mr. Griffin stated that he would check into that one as well.

2. Pagan Point Stormwater Drainage Evaluation – The Town Manager stated that included in the packet was a memo that was sent out to the four individuals that voiced their concerns in regards to the flooding that occurred during the recent record rainfall event at the October 8<sup>th</sup> Town Council meeting. He explained that Mayor Williams, town staff and the town's consulting engineer have met on site to discuss and felt it was prudent to proceed with getting updated surveys for this area along with pulling any existing plans and town information to see what we have in that area. Mr. Weist of Kimley Horn Associates will also run a hydraulic analysis on this area. At this time this is a very small amount coming out of Highway Funds to determine what needs to be done. Mrs. Tynes expressed concern that there are other areas in Smithfield that has flooding during significant rainfall events and wants to be sure that the flooding in the Pagan Point area is related to road construction or town infrastructure problems. The Town Manager stated that it was suggested that one of the pipes in that area may have collapsed as well. Town staff will be taking a look at all of this information. Mayor Williams stated that the former property owner at 384 Pagan Road may have covered up what used to be an open ditch after installing an 18 inch pipe to make his yard level. The Town may be able to address some of the flooding in that area by working with the current property owner to open this ditch back up and removing the 18 inch pipe. Mayor Williams asked staff if the town has an easement at this location. Mr. Hopkins stated that the town does have a drainage easement; however it does not follow where the culvert is exactly so it may need to be shifted a little. The Town Manager stated that the survey by Canada Land Surveying will complete a topographical survey of the area to show us where our easements are and where the town may need to enter private property. Mrs. Tynes expressed here concern over people installing things such as fences in easements.

Easements are there for a reason and homeowners should not be allowed to construct things into the easement areas. Mr. Smith stated that at this time the town is waiting for the survey to be completed and all the information to be gathered so the town's consulting engineer can review the data to make a recommendation of any needed system modifications and /or improvements.

The meeting adjourned at 4:37 p.m.

October 31, 2014

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, OCTOBER 28<sup>TH</sup>, 2014.

The Public Buildings and Welfare Committee held a meeting on Tuesday, October 28<sup>th</sup>, 2014 at 4:37 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, Mrs. Denise Tynes and Mr. T. Carter Williams, Mayor. Staff members present were Mr. Peter M. Stephenson, Town Manager; Mr. William T. Hopkins, III, Director of Planning, Engineering and Public Works; Ms. Lesley G. King, Town Clerk; Mr. William Riddick, III, Town Attorney; and Mr. Wayne A. Griffin, Town Engineer. Also in attendance was Ms. Beverly Walkup of Isle of Wight County Planning Department. 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. Pre-Public Hearing Discussion: Special Use Permit for Home Daycare – Mr. Hopkins reported that back in September the Planning Commission met to discuss the number of children allowed in a home daycare. Currently, up to five children are permitted within the Town of Smithfield by right. At the October 14<sup>th</sup> Planning Commission meeting a public hearing was held based on the recommendation by the Planning Commission to allow home daycares six to eleven children by special use permit. Mr. Hopkins stated that the Planning Commission passed the motion by a vote of three to two in favor of the special use permit. Mr. Hopkins stated that this recommendation involves the Community Conservation (C-C), Neighborhood Residential (N-R), Suburban Residential (S-R), and the Downtown Neighborhood Residential (DN-R). Under General Regulations permitted home occupations refers to a home care provider as babysitting for not more than five children. Planning Commissions recommends amending the General Regulations to say “child day care provider means babysitting for not more than five children; however a Special Use Permit may be an

option for six to eleven children in some zoning districts”. Also under General Regulations prohibited home occupation includes day care providers babysitting for more than five children. Planning Commission is recommending that be removed. Mr. Hopkins stated that the rest of the amendments are for the four neighborhood districts adding under permitted uses by Special Use Permit child day care as a home occupation for six to eleven children. The Town Attorney stated that initially the special use permit was supposed to allow for six to twelve children; however there are other provisions in the zoning ordinance that limits the square footage that can be devoted to a home occupation. Planning Commission decided not to change that and stay within the square footage that the town already has so that is why it was reduced from twelve children to eleven children. The zoning amendments only affect the residential districts in the town. The couple that prompted this discussion is asking the town to amend the zoning ordinance to allow home daycare by applying for a special use permit. The Town Attorney stated that the great thing with a special use permit is that if you approve a special use permit the Town Council can put in place conditions and those conditions follow the permit. If the applicant does not abide by the conditions then the special use permit can be revoked. Mayor Williams expressed his concerns and stated that he is not particularly fond of having any businesses in the Town of Smithfield run out of someone’s house. Discussion was held on how special use permits are advertised so that the adjacent property owners are able to voice their concerns whether it be in favor or against what the applicant wants to do. Mr. Pack stated that he was involved in a lot of the discussion when it first came to Planning Commission and was very skeptical in the beginning. He stated that after working through the issues he found that it was not as bad as you might first think. Once you get more than five children you must then be regulated by the state. There is a whole new set of regulations and the children are actually a little bit safer. The Town Attorney stated that one of the conditions in the special use permit process could be that it is granted but must be licensed by the state. Ms. Chapman stated that if you are state licensed you are subject to unannounced inspections at any time so it is actually a safer environment for daycares that are state licensed. Mr. Smith expressed his concerns that if the town approves home daycare by special use permit allowing six to eleven children that there could be a lot more in the future. Mr. Pack stated that the two Planning Commission members that voted no for approving the special use permit process had the same concerns. The Town Attorney stated that every special use permit application rises and falls on its own and the Town Council can take in consideration the fact that there is already a certain level of traffic there due to another home occupation and asking us to increase that is not in the best interest of the citizens of the Town of Smithfield, therefore your application is denied. The Town Attorney stated that the Public Hearing for this topic has been advertised for November 4<sup>th</sup>; however the Town Council is not required to vote on it if you do not think that you have enough information. It can be continued to another day when you have more information. Mr. Pack stated that at this time Town Council is looking at the right of the homeowner to have a home occupation and how it impacts the immediate

neighbors and the town. Dr. Cook stated that this item will be on the Town Council's agenda as a public hearing for further discussion.

2. Additional Item Discussed: Acquisition of Main Street Property – The Town Manager stated that at the October 8<sup>th</sup> Town Council meeting he was authorized to negotiate a contract on the vacant lot located at 3 Main Street. He stated that the town has received an agreement for the lot and the boat slip in the amount of \$50,000. The Town Attorney has reviewed the contract and comments from the Town Attorney were submitted to Citizens National Bank yesterday. At this time the town is awaiting the paperwork back so that it can be signed. The Town Manager stated that this item will need to be on Town Council's agenda to formally accept the contract. The Town Attorney stated that included in the contract is a study period to do a phase 1 environmental because a dry cleaner was adjacent to this parcel of land. Also a letter was sent to Citizens National Bank stating that Councilman Smith abstained from voting on this topic.

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

1. Pinewood Heights Phase II Update – Multi-Year 1 and Multi-Year 2 – The Town Manager reported that the normal update from Michael Dodson of Community Planning Partners was included in the packet for your review. Also in the packet was the letter with details from the final compliance review for Phase II Multi-Year 1. Ms. Boehringer of the Department of Housing and Community Development came and reviewed all our files. As you can see in the letter the results were very positive. The next Management Team Meeting will be held on November 12<sup>th</sup> at 4:00 p.m. here at the Smithfield Center. Discussion at that meeting will be in regards to Phase II Multi-Year 2. The town will have until around August 2015 to complete Multi-Year 2. The Town Manager stated that staff is also working with Mr. Dodson to put together the planning grant for the next phase that was authorized earlier this year. Lastly, the redevelopment plan that Mr. Weist of Kimley Horn Associates is working on should be ready to come back to Town Council at the November committee meeting with cost estimates for the entire project area. Mr. Smith asked what happens when an offer to purchase is declined. Development will be built around it. The Town Manager stated that when the neighborhood meeting was held in July it looked like everyone there was supportive of the project.

2. Additional Item Discussed: Update on Repairs to Properties in Riverview - It was reported that both the properties in the Riverview area have had satisfactory improvements made to them. Mayor Williams stated that while we are on subject of properties that are in need of repairs he wanted to mention the house located on South Church Street across from the DMV and a house located behind Trinity United Methodist Church. Both of these structures are in need of a lot of repairs.

3. Additional Item Discussed: Old Rescue Squad Facility – Dr. Cook asked what the status was on the old rescue squad building. The Town Attorney stated that the town has an appraisal and the county has an appraisal. The two appraisers are still working on who the third appraiser will be. Dr. Cook asked what the timeframe is for this to be done. The Town Attorney stated that it would be approximately thirty days. The Town Manager stated that the town should be fine as far as the police department's accreditation requirement goes for storage of evidence. He stated that the two appraisers are finished and they are selecting a third appraiser per the 1984 agreement. Once they have the third appraisal it will be the average of all three.

Meeting adjourned at 5:09 p.m.

**SMFD POLICE DEPARTMENT  
MANAGER'S REPORT  
October 2014**

**Committees and Projects:**

10/01 Department Head mtg – Smfd Center – Chief Bowman  
10/08 Town Council mtg – Smfd Center – Chief Bowman, PD  
10/14 TRIAD mtg – IoW Courthouse – Sgt. Miller, Kurt Beach  
10/15 Joint Terrorism Task Force mtg – FBI Headquarters Chesapeake – Deputy Chief Howell  
10/21 Neighborhood Watch/TRIAD – Villas of Smithfield – Officer Phillips, Kurt Beach  
10/21 Crime Line mtg – Smfd Center – Chief Bowman, Sgt. Meier, Kurt Beach, Annette Crocker  
10/23 Emergency Response – Surry Nuclear Station – Sgt. Araujo  
10/23 Security and Safety Assessment – Beale Park – Kurt Beach  
10/23 K9 mtg – Virginia State Police Headquarters, Richmond – Chief Bowman, Deputy Chief Howell  
10/27 Police Committee – Smfd Center – Chief Bowman  
10/28 Department Head – Smfd Center – Lt. Rogers

**Training**

10/06 Crime Prevention Specialist Recert class – Richmond, VA – Officer Seamster, Kurt Beach (40 hrs.)  
10/09 – 10 Human Performance in Force Encounters – HRCJTA – Lt. Valdez, Officer Bancroft (16 hrs.)  
10/20 – 24 General Instructor School – HRCJTA – Officer Phillips (36 hrs.)  
10/20 – 22 FBINAA VA Chapter State Conference – Newport News – Deputy Chief Howell, Lt. Rogers (24 hrs.)  
10/21 – 24 16<sup>th</sup> Annual Gang Conference – Virginia Beach – Officer Wright (32 hrs.)  
10/22 – 24 Accreditation Conference – Virginia Beach – Kristi Jenkins (24 hrs.)  
10/25 – 28 International Association of Chiefs' of Police – Orlando, FL - Deputy Chief Howell (32 hrs.)

**In-House Training**

10/01 - 07 Honor Guard Training – Sgt. Jones, Sgt. Meier, Officer Bancroft, Officer Johnson, Officer Wright

**Community Relations**

10/04 Suffolk Fest Peanut Parade – Suffolk – Motorcycle Units – Sgt. Jones, Officer Phillips  
10/06 Westside Elementary – Motorcycle 2 – Officer Phillips  
10/07 PD Tour – Gavin Buttenbusch – Officer Cook, Officer Phillips  
10/07 – 26 School Zone – Westside Elementary School (WES) – Officer Phillips, Officer Wright, Officer Powell, Sgt. Miller, Officer Fordham, Officer Bancroft, Officer Cook,

10/08 Homework Station – Jersey Park/Woods Edge Apts. – Officer Powell  
10/14 Football Practice – SHS – Sgt. Jones  
10/16 Moonfield Drive – Crime Prevention – Officer Seamster  
10/17 Hardy Elementary School – IoW Museum – Lt. Valdez  
10/17 SHS Homecoming Parade - PD  
10/18 Fall Festival Trick or Trunk – Trinity UMC – Officer Wright  
10/22 Homework Station – Jersey Park/Woods Edge Apts. – Officer Bancroft  
10/23 Smfd Baptist Church Kindergarten – PD – Sgt. Miller, Officer Seamster  
10/25 Kids Bike Safety – Southside Vineyard Community Church – Sgt. Araojo  
10/27 Speaking with children regarding motorcycle – Jersey Park Apts. – Officer Phillips

### **Investigations:**

**Case#:** 2014-00837  
**Location:** Riverview  
**Offense:** Robbery  
**Disposition:** Pending

On 10/4/14 two individuals were in the area of Riverview Park at 3:30 in the morning when two unknown males wearing masks physically assaulted them. They robbed one of the victims of \$15 in cash. Neither of the victims could provide any description of the two offenders. Case is pending.

**Case#:** 2014-0878  
**Location:** Beale Park  
**Offense:** Commercial Burglary  
**Disposition:** Cleared By Arrest

On 10/16/14 officers responded the Beale Park concession stand for a burglary call. The door had been kicked in and \$1,000 had been stolen from the safe. An individual was arrested in Suffolk on similar matters and confessed to breaking in to the concession stand and stealing the money. The case is cleared by arrest.

**Case#:** 2014-00728  
**Location:** Canteberry Lane  
**Offense:** PWID Marijuana  
**Disposition:** Cleared by Arrest

On 10/22/14 an Officer observed a white Ford Focus parked along the curb occupied by three people at 12:30 am. The officer got out with the vehicle to check on their welfare. The officer could smell a strong odor of marijuana coming from the vehicle. The Officer searched the vehicle and found a large amount of marijuana in the vehicle and scales. The driver was arrested for PWID marijuana and transported to WTRJ. Cleared by arrest.

Smithfield Center - Monthly Report - October 2014

Booking Date	Building Code	Room Code	Group	Event Name	Group City	How did you hear about us	Pricing Plan	Discount Percent	Venues	Town Services
10/1/2014	Center	C&D	Smithfield Farmland	Morgan Moore Meeting	Smithfield	Returning Client	C.) Standard-Weekday	0.00%	\$200.00	
10/2/2014	Center	Deck	Sheppard-Jordan Wedding & Reception	Sheppard-Jordan Rehearsal	Hampton	Web-Center Website	Nonresident-Friday/Sunday	0.00%		
10/2/2014	Center	MHSu	Isle of Wight Commission on Aging	Senior Health Fair	Carrollton	Word of Mouth	g.) Sponsored	0.00%	\$50.00	
10/2/2014	WCP	Riverfront	Fortified Fitness	Yoga Classes	Smithfield	Word of Mouth	Resident -Weekday	0.00%		
10/3/2014	Center	MHSu	Sheppard-Jordan Wedding & Reception	Sheppard-Jordan Wedding & Reception	Hampton	Web-Center Website	Nonresident-Friday/Sunday	0.00%	\$2,139.04	
10/3/2014	WCP	Riverfront	Tourism Isle of Wight - Smithfield	Aiken Fest Set	Smithfield	Town Event	h.) Town	100.00%		
10/4/2014	Center	MHSu	Kelly Cheek	Bruce's 70th Birthday Party	Piscataway	Word of Mouth	Nonresident-Saturday	0.00%	\$1,824.00	
10/5/2014	Center	MHSu	Watson and Callis Wedding and Reception	Watson and Callis Wedding and Reception	Chesapeake	Word of Mouth	Nonresident-Friday/Sunday	0.00%	\$1,412.00	
10/6/2014	Center	C&D	Smithfield Foods Executive Offices	Martha Russ Meeting	Smithfield	Returning Client	C.) Standard-Weekday	20.00%	\$1,120.00	
10/7/2014	Center	C&D	Windsor Castle Foundation Board	WCFB Meeting		Town Event	h.) Town	100.00%		
10/8/2014	Center	A&B	Town of Smithfield	Town Council	Smithfield		h.) Town	100.00%		
10/9/2014	Center	MH	Town of Smithfield	Town Training Day	Smithfield	Town Event	h.) Town	100.00%		
10/10/2014	Center	MHSu	Turner and Gills Wedding and Reception	Turner and Gills Wedding and Reception	Poquoson	Word of Mouth	Multiday	0.00%	\$2,480.00	
10/10/2014	WCP	Riverfront	Smithfield Recreation Association	Smithfield Rec Country Q	Smithfield	Returning Client	Resident-Saturday	0.00%		
10/11/2014	Town Sites	Main Street	Toys for Tots	Car Show		Returning Client	Resident-Saturday	0.00%		
10/11/2014	WCP	Courtyard	Fortified Fitness	Exercise Classes	Smithfield	Word of Mouth	Resident -Weekday	0.00%		
10/12/2014	Center	MHSu	Brown and Owens Wedding and Reception	Brown and Owens Wedding and Reception	Newport News	Word of Mouth	Nonresident-Friday/Sunday	0.00%	\$1,636.00	
10/14/2014	Center	A&B	Town of Smithfield	Planning Commission	Smithfield		h.) Town	100.00%		
10/14/2014	Center	C&D	Town of Smithfield	VRWA Workshop	Smithfield	Town Event	h.) Town	100.00%		
10/14/2014	Center	MH	Windsor Castle Foundation Board	WCFB Meeting-Anniversary		Town Event	h.) Town	100.00%		
10/15/2014	Center	C&D	Town of Smithfield	Staff Meeting	Smithfield	Town Event	h.) Town	100.00%		
10/16/2014	Center	C&D	Carrell Blanton Ferris Law Firm	Wills and Trust Public Seminar	Williamsburg	Word of Mouth	C.) Standard-Weekday	0.00%	\$200.00	
10/16/2014	Center	MH	Oaks Vet Clinic	Oaks Equine Banquet	Smithfield	Returning Client	Resident -Weekday	0.00%	\$575.00	
10/17/2014	Center	MHSu	Isle of Wight Public Schools Education Foundation	IOW Schools Gala Set	Smithfield	Word of Mouth	Resident-Friday/Sunday	20.00%	\$1,440.00	
10/18/2014	Center	MHSu	Isle of Wight Public Schools Education Foundation	IOW Schools Gala	Smithfield	Word of Mouth	Resident-Friday/Sunday	0.00%		\$164.00
10/19/2014	Center	MHSu	The Smithfield Center	Fall Special Occasion Show	Smithfield	Town Event	h.) Town	100.00%		
10/21/2014	Center	A&B	Town of Smithfield	BHA&R	Smithfield		h.) Town	100.00%		
10/21/2014	Center	C&D	Schoolhouse Committee	Schoolhouse Meeting		Town Event	h.) Town	100.00%		
10/21/2014	Center	C&D	Town of Smithfield	Crimeline	Smithfield	Town Event	h.) Town	100.00%		
10/22/2014	Center	Deck	Franks and Beacham Reception	Franks and Beacham Rehearsal	Chesapeake	Word of Mouth	Nonresident-Weekday	100.00%		
10/22/2014	Center	MH	Smithfield Music	IOW Music Teacher Reception		Word of Mouth	D.) Resident -Weekday	50.00%	\$200.00	
10/23/2014	Center	MHSu	Franks and Beacham Reception	Franks and Beacham Reception	Chesapeake	Word of Mouth	Nonresident-Weekday	0.00%	\$650.00	
10/24/2014	Center	MHSu	Betty Odom	Chukatuck High Reunion	Suffolk	Returning Client	Nonresident-Friday/Sunday	0.00%	\$1,200.00	
10/25/2014	WCP	Picnic Area	Sentara Obici Kanine Kandystripers	Canine Candystripers -Picnic and Dog Park Use	Suffolk	Returning Client	A.) Standard-Fri, Sat, Sun	0.00%	\$25.00	
10/26/2014	Center	MHSu	Byrd-Sawyer Wedding & Reception	Byrd-Sawyer Reception	Virginia Beach	Word of Mouth	Nonresident-Friday/Sunday	0.00%	\$1,744.40	
10/26/2014	WCP	Riverfront	Byrd-Sawyer Wedding & Reception	Byrd-Sawyer Ceremony	Virginia Beach	Word of Mouth	Nonresident-Friday/Sunday	10.00%		
10/27/2014	Center	C&D	Town of Smithfield	Committee Meetings	Smithfield		h.) Town	100.00%		
10/27/2014	Center	MH	Anthony Negron	Anthony Negron Retirement Rehearsal	Carrollton	Word of Mouth	Resident -Weekday	0.00%		
10/28/2014	Center	MH	Smithfield Farmland	Quarterly Update	Smithfield	Recurring Client	D.) Resident -Weekday	0.00%	\$400.00	
10/30/2014	Center	MH	Anthony Negron	Anthony Negron Retirement Banquet	Carrollton	Word of Mouth	Resident -Weekday	0.00%	\$400.00	

\$17,695.44 \$164.00

Deposit totals for October  
 \$9,639.29 Venue Rental Deposits  
 \$2,518.00 Town Service Deposits

## October 2014

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3	4
			6:30 AM - 10:00 AM C&D 7:30 AM Morgan Moore Meeting	Amy Off 7:00 AM - 3:00 PM MHSu 9:00 AM Senior Health Fair 6:00 PM - 7:00 PM Deck 6:00 PM Sheppard-Jordan Rehearsal	Amy Off 11:00 AM - 9:00 PM Riverfront 12:00 PM Aiken Fest Set 1:00 PM - 12:00 AM MHSu 6:00 PM Sheppard-Jordan Wedding & Reception	Amy Off Courtney Off 11:00 AM - 9:00 PM Riverfront 12:00 PM Aiken Fest 2:00 PM - 10:00 PM MHSu 4:00 PM Bruce's 70th Birthday Party
5	6	7	8	9	10	11
Amy Off Courtney Off Marian Off 1:00 PM - 11:00 PM MHSu 4:00 PM Watson and Callis Wedding and Reception	Amy Off Courtney Off 10:00 AM - 4:00 PM C&D 2:00 PM Martha Russ Meeting	Courtney Off 7:00 AM - 5:00 PM A&B 8:30 AM Benefits Bootcamp 9:00 AM - 5:00 PM C&D,MH 9:00 AM Martha Russ Meeting 5:30 PM - 6:30 PM C&D 5:30 PM WCFB Meeting	Courtney Off 9:00 AM - 5:00 PM C&D,MH 9:00 AM Martha Russ Meeting 5:00 PM - 7:00 PM Kitchen 5:00 PM Kitchen Inventory 7:00 PM - 11:00 PM A&B 7:00 PM Town Council	Courtney Off 8:00 AM - 4:00 PM MH 8:00 AM Town Training Day	Courtney Off Melissa Off 8:00 AM - 9:00 PM Riverfront 9:00 AM Smithfield Rec Country Q 10:00 AM - 6:00 PM MHSu 10:00 AM Turner and Gills Wedding and Reception	Hog Jog, Town & Country Day Courtney Off Melissa Off 6:00 AM - 12:00 PM Town Streets 6:00 AM Hog Jog 7:00 AM - 3:30 PM Main Street 9:00 AM Car Show 8:00 AM - 7:00 PM Riverfront 1:00 PM Smithfield Rec Country Q 11:00 AM - 11:00 PM MHSu 5:00 PM Turner and Gills Wedding and Reception
12	13	14	15	16	17	18
Courtney Off Melissa Off 12:00 PM - 12:00 AM MHSu 5:30 PM Brown and Owens Wedding and Reception	Columbus Day-Closed Amy NRPA	Amy NRPA 7:00 AM - 5:00 PM C&D 8:00 AM VRWA Workshop 3:30 PM - 5:00 PM MH 4:00 PM WCFB Meeting-Anniversary 7:00 PM - 9:00 PM A&B 7:30 PM Planning Commission	Amy NRPA 1:30 PM - 4:00 PM C&D 2:00 PM Staff Meeting	Amy NRPA 9:00 AM - 5:00 PM C&D 10:00 AM Wills and Trust Public Seminar 2:30 PM - 10:30 PM MH 6:30 PM Oaks Equine Banquet	1:00 PM - 9:00 PM MHSu 1:00 PM IOW Schools Gala Set 2:00 PM - 7:00 PM Main Street 2:00 PM Smithfield High Homecoming Parade	2:00 PM - 12:00 AM MHSu 5:30 PM IOW Schools Gala

## October 2014

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
19	20	21	22	23	24	25
9:00 AM - 5:00 PM MHSu 2:00 PM Fall Special Occasion Show	Senior Services Ribbon Cutting at 10 AM	8:30 AM - 10:30 AM C&D 9:00 AM Schoolhouse Meeting 11:45 AM - 1:30 PM C&D 12:00 PM Crimeline 7:00 PM - 8:30 PM A&B 7:30 PM BHA&R	Amy in at 10 AM 3:00 PM - 11:00 PM MH 6:00 PM IOW Music Teacher Reception 6:00 PM - 7:00 PM Deck 6:00 PM Franks and Beacham Rehearsal	12:00 PM - 11:00 PM MHSu 4:00 PM Franks and Beacham Reception	1:00 PM - 11:00 PM MHSu 6:00 PM Chuckatuck High Reunion	Sunday Wedding at WC 9:00 AM - 5:00 PM Picnic Area 10:00 AM Canine Candystripers -Picnic and Dog Park Use
26	27	28	29	30	31	
11:00 AM - 10:00 PM MHSu 4:00 PM Byrd-Sawyer Reception 12:00 PM - 7:00 PM Riverfront 3:00 PM Byrd-Sawyer Ceremony	3:00 PM - 4:00 PM MH 3:00 PM Anthony Negron Retirement Rehearsal 3:30 PM - 6:00 PM C&D 4:00 PM Committee Meetings	1:00 PM - 7:00 PM MH 3:30 PM Quarterly Update 3:30 PM - 6:00 PM C&D 4:00 PM Committee Meetings		1:00 PM - 9:00 PM MH 4:00 PM Anthony Negron Retirement Banquet	Halloween	

## **Smithfield/Isle of Wight Tourism Activity Report – October 2014**

- Director attended the Isle of Wight Board of Supervisors Meeting 10/16/14.
- Director attended Smithfield Town Council Meeting 10/8/14.
- Smithfield Farmer's Markets held 10/4/14, 10/11/14, 10/18/14, 10/25/14. Great attendance and sales.
- Monthly Tourism staff meeting held 10/7/14.
- Smithfield 2020 Meeting held 10/8/14. Banner project completed. Hambassador Training, New shops opening.
- Attended VA-1 (Governor's Conference on Tourism) planning meetings 10/8/14 and 10/17/14. Conference will be in November in Northern VA.
- Attended Special Event Committee meeting 10/1/14.
- Director is the Student Leadership Institute facilitator for the Chamber this year. Class held on 10/1/14 (and will be held on the first Wednesday of every month until April)
- Attended County Agenda Review meeting 10/3/14.
- Aiken& Friends Music Fest held 10/4 and 10/5/14. Successful year. Set up 10/3 and 10/4/14.
- Attended monthly one-on-one meeting with County Administrator 10/6/14. Held first Monday of each month.
- Attended Executive Orientation for the Comp Study being conducted by the County 10/7/14. Attended Senior Manager interviews and focus group 10/8/14.
- Compiled and studied IOW Citizen Survey Results. Presented to the BOS 10/16/14.
- Attended Smithfield Eye Grand Opening and Ribbon Cutting 10/7/14.
- Attended SmithfieldVAEvents Board Meeting and Recap for the Bacon, Bourbon & Beach Music Festival 10/8/14. Volunteer appreciation party and check presentation 10/15/14.

- Attended Smithfield Staff Training Day 10/9/14.
- Filmed the County Beat TV Show 10/10/14.
- Town & Country Day held 10/11/14. Very successful day of events (except disappointing turn-out of cars for car show due to potential weather issues.)
- Attended Joint Tourism planning meeting at Bacon's Castle in Surry 10/14/14 and 10/29/14 for joint marketing initiatives with Surry County.
- Attended Windsor Castle Park Anniversary meeting 10/14/14.
- Attended Historic Smithfield Board meeting 10/14/14.
- Attended Coastal Virginia Tourism Alliance (CVTA) meeting 10/15/14. Voted VP for 2014/2015 and will move into seat as President in the next year.
- Staff attended Pre-Application meeting at the County 10/15/14. Discussions begun on doing something with the Stoop Property. Attended additional meetings on Stoop property 10/22/14 and 10/29/14.
- Held Earthquake Drill 10/16/14.
- Attended Open House for the new Central Permitting Office at the County 10/16/14.
- Attended Home-a-Rama Preview Breakfast 10/17/14.
- Attended Senior Leadership Staff Training 10/17/14.
- Attended IOW Education Foundation event 10/18/14.
- Exhibited at the Smithfield Center Special Occasion Show 10/19/14.
- Attended Schoolhouse Museum Board meeting 10/21/14.
- Duesenberg Tour 10/21/14.
- Leadership Team planning meeting 10/21/14 and 10/24/14.
- Set up for Schoolhouse Museum Fundraiser and Dress Rehearsal 10/23/14. Event held Saturday, 10/25/14. Very successful! 130 attendees!
- Attended Council Committees 10/27/14 and 10/28/14.

- Attended Smithfield 2020 Auxiliary signage meeting 10/28/14.
- Attended Historic Saint Luke's Board meeting 10/29/14.
- Attended IOW Wellness Committee Lunch & Learn 10/30/14.
- Safe Trick or Treat held 10/31/14.
- Staff Attended County Staff Meeting 10/20/14.
- Attended Smithfield Staff Meeting 10/1/14 and 10/15/14.
- 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 SEPTEMBER 2014

PERMIT #	CONSTRUCTION TYPE	PROJECT	ADDRESS	CONTRACTOR/ OWNER
6408	SINGLE FAMILY ATTACHED	CHURCH SQUARE	108 RICHMOND AVENUE	ATLANTIC HOMES CHURCH SQUARE LLC
6409	SINGLE FAMILY ATTACHED	CHURCH SQUARE	110 RICHMOND AVENUE	ATLANTIC HOMES CHURCH SQUARE LLC
6410	INGROUND POOL	ASPEN WOODS	102 HARRISON DRIVE	TERRY VEGA
6411	REPLACE EXISTING DECK	SCOTS LANDING	774 LEDFORD LANE	RUSS HOHMANN BUILDERS, INC. LANCE AND CAROL DAVIS
6412	DETACHED GARAGE	CYPRESS CREEK	103 RYDER	JOYNER BROS. CONSTRUCTION J. CAMPBELL
6413	SINGLE FAMILY DWELLING	CYPRESS CREEK	126 ST. ANDREWS	STEPHEN ALEXANDER HOMES CYPRESS CREEK DEV.
6414	INGROUND POOL	WELLINGTON ESTATES	413 SOUTHAMPTON COURT	SUFFOLK POOL BUILDERS, INC. JEREMY HARNACK
6415	GARDEN SHED	HISTORIC DISTRICT	390 SOUTH CHURCH STREET	THERESA ADAMS
6416	DETACHED GARAGE	SCOTS LANDING	907 SMITHFIELD BLVD.	NATALIE STANDLEY
6417	METAL FENCE	WELLINGTON ESTATES	204 SALISBURY COURT	BRIAN NEW AHMAD GLOVER
6418	PRIVACY FENCE	MOONE PLANTATION	121 LANE CRESCENT	PRECISION FENCE COMPANY JASON AND ANNE METZGER
6419	SIGN PERMIT	SMITHFIELD EYE PHYSICIANS & SURGEONS	1807 SOUTH CHURCH STREET	RANDY DRESSLER
6420	SINGLE FAMILY DWELLING	CYPRESS CREEK	108 MUIRFIELD	ROSEWELL HOMES, INC. ERIC T. CLAYTON-AGENT

October 22, 2014

**Memorandum #2014-144**

**TO: Members of the Hampton Roads City Councils  
Members of the Hampton Roads Board of Supervisors**

**BY: Randy Keaton, HRPDC Interim Executive Director**

**RE: 2015 Legislative Agenda**

Attached please find the 2015 HRPDC Legislative Agenda, approved by the Commission at its October 16, 2014 Annual Meeting. The agenda contains 32 legislative priorities for review and consideration by the General Assembly during its 2015 session.

/jc

Attachment

Copy: Commissioners  
HRPDC Legislative Ad-Hoc Committee

## **HAMPTON ROADS PLANNING DISTRICT COMMISSION 2015 LEGISLATIVE AGENDA**

In preparation for the 2015 Session of the Virginia General Assembly, the Hampton Roads Planning District Commission has adopted this 2015 Legislative Agenda. It outlines, based on ongoing HRPDC projects, prior HRPDC legislative positions and work of the region's localities, a series of issues that warrant regional attention during the upcoming legislative session.

### **WATER RESOURCES**

#### **Water Quality Funding**

The HRPDC urges the General Assembly to maintain its commitment to water quality through dedicated and adequate state appropriations to the Water Quality Improvement Fund and to make full and timely payments under point source upgrade contracts with local governments.

#### **Chesapeake Bay Watershed Improvement Plan (WIP) Funding**

The HRPDC urges the General Assembly to increase funding to meet the goals established by Virginia's Chesapeake Bay WIP. HRPDC encourages the General Assembly to approve a third appropriation for the Stormwater Local Assistance Fund and increase the funding to \$50M for FY16. The Fund should set aside up to 10% of the appropriation to support research and innovative BMPs to identify more cost effective methods of meeting the Chesapeake Bay TMDL requirements.

In addition, HRPDC requests that the General Assembly issue a legislative directive to evaluate voluntary water quality programs for effectiveness and to assess whether or not they are adequately funded to meet the WIP goals.

#### **Sea Level Rise & Climate Change**

The HRPDC supports the efforts of the General Assembly study committee regarding climate change and recurring flooding issues and requests that the Governor create a cabinet level position of Resiliency Officer to coordinate efforts relating to sea level rise and climate change.

#### **Uranium Mining**

In September 2012, the HRPDC adopted Resolution 2012-02 reaffirming its opposition to uranium mining and to the lifting of the moratorium on uranium mining. Based on review of the several scientific studies that have been completed and the ongoing work of the state's Uranium Mining Work Group, the HRPDC does not believe that an adequate

regulatory framework to address mining operations and waste disposal is either in place or likely to be developed and funded. The Hampton Roads region is dependent upon water from Lake Gaston as an integral component of the region's water supply. A catastrophic incident associated with uranium mining upstream from Lake Gaston, while of small probability, would result in enormous and unacceptable adverse consequences to this region.

The General Assembly of Virginia is requested to maintain the existing moratorium on uranium mining in Virginia.

### **Virginia Stormwater Management Program**

The HRPDC supports adequate funding to enable local governments to meet ongoing costs associated with local stormwater management programs. The HRPDC believes it will be critical to evaluate the effectiveness of the fee structure in the Virginia Stormwater Management Permit regulations as the chief source of revenue for funding local stormwater management programs.

- Amend Virginia Stormwater Management Law to distribute a maximum of 10% to the statewide stormwater fees revenue to the Virginia Stormwater Management Fund, with 90% remaining with local governments.
- HRPDC supports an amendment to Virginia's Stormwater Management Program that would authorize a local government to fund its VSMP through such sources deemed appropriate by the local governing body without approval from the State Water Control Board.
- Localities have been unable to receive approval for certain innovative stormwater treatment protocols that they believe are less expensive and more effective (oyster reefs, phragmites harvesting, etc.) than those protocols currently allowed. The General Assembly is requested to amend the Code of Virginia to establish a regulatory framework, including timeline and appeals procedures for localities to obtain approval for innovative stormwater treatment protocols to meet TMDL requirements.

### **Well Construction Data**

The HRPDC supports DEQ's proposal that VDH provide well construction data for private wells that require a VDH permit. VDH would be required to provide data for new wells and historic data for wells installed from 1992 to 2014. This information will allow DEQ to more effectively manage the groundwater resource. DEQ only permits groundwater users that withdraw more than 300,000 gal per month which is enough water for a 100 home subdivision. DEQ does not have a good estimate of the number of individual homes and businesses that have wells that use less than 300,000 gal per month.

## **Groundwater Permitting**

The HRPDC supports DEQ's proposal to require groundwater permits for subdivision withdrawals which collectively exceed 300,000 gallons/month. DEQ has proposed significant cuts to municipal and industrial groundwater permits based on concerns that the system is over allocated. DEQ's proposal would provide a mechanism to better manage the resource and closes a loophole that allows a subdivision to install wells at each home to avoid the permit required if one well was installed to serve the whole subdivision.

## **Water Resources Study**

The HRPDC supports the proposed a JLARC study exploring the management of state water resources. The proposed study would address the following 5 areas:

- (1) Extent to which ground and surface water consumption is unsustainable, the impact of any unsustainable consumption, and the risk for overconsumption in the future;
- (2) Effectiveness of the state's permitting process for ground and surface water withdrawals;
- (3) Effectiveness of state and local water resource planning;
- (4) Adequacy of the funding and staff for managing Virginia's water resources; and
- (5) Need for strategies and practices to increase current ground and surface water available for consumption.

## **Lower groundwater permit threshold (300,000 gal per month to 100,000)**

The HRPDC supports lowering the permit threshold for groundwater withdrawal permits from 300,000 gallons per month to 100,000 gallons per month. A withdrawal of 100,000 gallons per month would provide water for approximately 20-30 homes. Requiring a permit for these withdrawals will allow DEQ to track these withdrawals and consider them in the management of the resource.

## **Installation of chloride monitoring network for groundwater**

HRPDC supports the installation of monitoring stations to detect changes in the salinity of groundwater in the Coastal Plain aquifer system. Existing monitoring wells are inadequate to track saltwater intrusion and assess impacts to drinking water wells. DEQ and USGS are currently designing a sentinel monitoring network to install stations in locations that would provide early detection of threats to drinking water wells. The HRPDC recommends that funds be added to DEQ's budget to support the installation of monitoring wells in FY16.

## **Establish land subsidence monitoring program**

Land subsidence contributes to recurrent flooding and the impacts of sea level rise. There are very few measurements of land subsidence in Hampton Roads. The USGS study "Land subsidence and relative sea-level rise in the southern Chesapeake Bay region" reviewed the existing data and estimated that the rate of land subsidence is roughly equal to historic sea level rise. HRPDC recommends that the Commonwealth establish a program to measure or monitor land subsidence with the goal of developing tools to improve future projections of land subsidence in flood prone areas.

## **Agriculture Programs**

The HRPDC supports a well-financed and fully staffed state program to address the problem of non-point source runoff from agricultural operations. The program continue to include cost-share assistance to agriculture and should effectively encourage and incentivize implementation of priority best management practices such as nutrient management planning, use of cover crops, continuous no-till farming, development of forested riparian buffers, livestock stream exclusion and other practices essential to meeting agriculture's share of the Chesapeake Bay TMDL and Virginia Watershed Implementation Plan.

- Specifically, funding should be provided to meet the goals for the agricultural SL-6 practice to exclude livestock from streams. Agricultural practices are the most cost effective method to reduce nutrients and Virginia needs to provide financial support to encourage implementation and minimize costly urban retrofits. Continue to fund SLAF and allocate at least 10% for urban/innovative BMPs.
- Maintain funding for agricultural best management practices in the Chesapeake Bay Watershed
- Increase funding for agricultural best management practices via the Southern Rivers Watershed Enhancement Program.
- Require Soil & Water Conservation Districts to report installation of agricultural BMPs to localities to assist in meeting TMDL requirements.

## **Septic Tanks**

The Chesapeake Bay TMDL establishes limits on the amount of nitrogen, phosphorus, and sediment that can enter the Bay. As part of the effort to meet the nitrogen limits set forth in the TMDL, reductions in the nitrogen load from the onsite sewage system sector must be achieved. Monitoring of septic tank pump out (once per 5 years), as required by the Chesapeake Bay Preservation Act, should be conducted by the Virginia Department of Health not by localities.

The HRPDC supports the following recommendations:

- Seek legislative changes necessary to establish state tax credits for upgrade/replacement of existing conventional systems with nitrogen reducing systems, or connection to existing sewer.
- General Assembly should grant all counties the authority to require hook-ups to existing sewer lines when appropriate.
- Provide additional funding for the cost share program supporting septic tank owners to hook up to sewer systems.
- Amend the Chesapeake Bay Preservation Act to require that regulation and enforcement of septic tank pump out requirements be conducted by the Virginia Department of Health. At a minimum, VDH should develop an annual report identifying septic tank owners that have not complied with pump out requirements. Localities would continue to maintain an inventory and tracking system for septic tank locations.

### **State Fees on Local Government Services (water, sewer, solid waste)**

The HRPDC strongly opposes the imposition of a state fee, tax or surcharge on water, sewer, solid waste or any service provided by a local government or authority to finance the nutrient reductions imposed by the Chesapeake Bay TMDL.

## **EMERGENCY MANAGEMENT**

### **Emergency Management Funding**

Virginia's vulnerability to an increased number and variety of threats, a greater frequency of actual emergency events, and a growing population base, severely strain and threaten to overwhelm the budgets and capacities of local emergency management programs. HRPDC, in agreement with the Virginia Emergency Management Association, supports the establishment of dedicated funding to enable localities to adequately prepare for, respond to and recover from emergencies and disasters.

### **Emergency Planning**

HRPDC, in agreement with the Virginia Emergency Management Association, supports the establishment of minimum criteria as part of the certification requirements for nursing homes, assisted living facilities, adult day care centers, and child daycare centers to include the development of emergency plans, coordination of emergency plans with local emergency management agencies, and provision of alternate power (generators) to support essential facility functions (emergency lighting, medical equipment, communications).

## **State Support for Readily Deployable Assets**

The HRPDC supports efforts to provide liability coverage, hold harmless, and workers compensation to emergency responders. Additionally, the HRPDC supports the use of State resources for sustaining and replacing used/damaged equipment and supplies for the Hampton Roads Medical Metropolitan System Strike Team (HRMMST), Hampton Roads Incident Management Team (HRIMT), and other regional readily deployable assets, without activating the State Mutual Aid agreement and/or obtaining a federal emergency declaration.

## **Alternate Power for Commercial Fueling Sites**

Commercial fueling sites are essential to support major evacuations as well as post-disaster transportation, however, loss of power would disable their pumps. The HRPDC supports legislation to provide incentives for commercial fueling sites located on or adjacent to primary evacuation and transportation routes to acquire generators in order to maintain their ability to pump gas when standard power is lost.

## **Emergency Shelters**

Emergency shelter capacity throughout Virginia is insufficient to meet the demand for shelter space in major disasters. In order for localities to increase current shelter capacity, engineering assessments of current and proposed hurricane shelters need to be conducted to determine their wind rating, and additional staff and essential supplies must be acquired to support new shelters. The HRPDC supports legislation to provide funding to localities to enable them to conduct engineering assessments and acquire resources necessary to increase current shelter capacity.

## **Flooding & Sea Level Rise**

Flooding and Sea Level Rise pose a substantial risk to the Commonwealth of Virginia. The geographic extent of the impact, and the potential and perpetual loss of land and revenue, touch the entire coast of the Commonwealth and beyond. The breadth of impact among localities, individual homeowners, the environment, businesses, the economy and national security is formidable. As such, the HRPDC supports recommendations as listed in the "Recommendation to the Secure Commonwealth Panel on the Issue of Sea Level Rise and Recurrent Flooding in Coastal Virginia Report."

## **ECONOMICS & HOUSING**

### **Economic Development**

- Support continued state and federal funding and technical assistance for infrastructure investments and economic development programs as effective means for enhancing business development.
- Support economic development policies that bolster local and regional efforts.

### **Virginia Housing Trust Fund**

Housing trust funds are distinct funds established by city, county, or state governments that receive ongoing dedicated sources of public funding to support the preservation and production of affordable housing opportunities for families and individuals to access decent affordable housing. The HRPDC supports legislation that would appropriate a dedicated funding stream to the VHTF for future housing programs and projects.

## **FREEDOM OF INFORMATION ACT ISSUES**

### **Advertising of Required Public Notices**

Many provisions of the Code of Virginia require the advertising of public notices in a “newspaper published or having general circulation in the locality.” As newspaper circulation continues to decline and citizens look increasingly to the internet for news and information, it appears that alternative means of providing public notice would be appropriate. Increasingly, state agencies are using their websites and other electronic media to handle public notice requirements. The HRPDC supports legislation that would allow local governments, planning district commissions and other regional agencies to publish legal advertisements and public notices on their website and to use other media outlets, such as local public access channels, in order to meet legislative requirements for public notices.

### **FOIA Requirements**

The Virginia FOIA Council is currently reviewing FOIA requirements and exemptions. The HRPDC opposes any changes to the Virginia Freedom of Information Act that would impose additional burdens on localities.

## **FEDERAL FACILITIES**

The Hampton Roads region relies significantly on the defense sector. Proposals are moving forward from Hampton Roads localities to maintain state support for the industry and for protection of existing facilities.

To assist its member localities to ensure the continued viability of the defense presence in Hampton Roads, the HRPDC supports proposals to:

- Maintain state funding for the land acquisition program supporting mitigation of encroachment around NALF Fentress in Chesapeake and Joint Base Langley-Eustis in Hampton.
- Amend legislation governing the Federal Action Contingency Trust (FACT) Fund to clarify that such funds are to be used to encourage business growth and protect existing military resources and use of these funds is not contingent upon a new Base Realignment and Closure (BRAC) round or BRAC-like action.
- Ensure that DoD encroachment concerns are given full consideration when making onshore and offshore land use decisions affecting military bases in Hampton Roads. Specifically, carefully monitor all onshore and offshore energy proposals; support the development of any needed JLUS and all anti-encroachment activities.

## **EDUCATION**

### **Higher Education**

The HRPDC recognizes the important role that public institutions of higher education play in contributing to the economic vitality of the Commonwealth and the well-being of its citizens. Hampton Roads is home to several public institutions with clear commitments to providing access to a top-quality and affordable higher education experience. The HRPDC supports proposals to ensure adequate funding to hire enough full-time faculty to bring the faculty student ratios in line with the average of 17-1. In addition, the HRPDC supports elevating the Base Adequacy Funding percentage of all institutions in the region.

### **K-12 Education**

The lack of adequate state funding support for K-12 public education has placed an inordinate burden on localities. A strong public school system is essential to economic development and prosperity. The HRPDC opposes legislative efforts to further shift K-12 per pupil funding responsibility away from the Commonwealth and onto local governments. Specifically, the HRPDC urges a realistic alignment of Standards of Learning and Standards of Accountability with state Standards of Quality funding levels.

## **MISCELLANEOUS**

### **Recycling Requirements**

Each locality in the Commonwealth, individually or through a regional collaboration, is required to achieve a 25% recycling rate. A key constraint to local ability to achieve or

exceed this recycling rate has been the lack of markets for the materials as well as access to industries that recycle or reuse the material. Recycling is an economic development tool as well as an environmental tool. Despite increased public awareness of the benefits of recycling, beverage container recycling has been declining in recent years, while the amount of beverage containers that are being sold and consumed has increased over time.

The HRPDC supports legislation that would:

- Grant localities the authority to require certain businesses to recycle glass.
- Prioritize incentives to businesses that recycle materials, such as glass, paper and electronics, while concurrently providing new employment opportunities.

### **Plastic Bags**

Plastic bags that are not properly disposed of contribute to unsightly littering of Virginia's landscape, contaminate various agricultural crops, contribute to mortality of aquatic species and birds and contribute to urban stormwater problems. While voluntary recycling programs and substitution of reusable shopping bags has had some success in reducing the volume of plastic bags that must be disposed of, improper disposal of plastic bags appears to be increasing. In reaction to the problems associated with improper disposal of plastic bags, restrictions on the use of plastic bags by localities throughout the country is becoming more widespread. The HRPDC supports legislation that would provide localities the option of restrictions on the use of plastic bags through increased voluntary programs, incentives, taxes or outright bans.

### **Balloon Releases**

The Virginia Code currently allows the release of up to fifty (50) balloons an hour; however, balloons present a significant threat to wildlife and the environment and are a significant part of the litter collected from area waterways.

- The General Assembly is requested to limit the release of balloons to ten (10) or less for those balloons which are (i) made of a non-biodegradable or non-photodegradable material which requires more than five minutes of contact with air or water to degrade and (ii) inflated with a substance which is lighter than air.
- Further, the HRPDC requests that any persons in violation be liable for a civil penalty no to exceed five dollars per balloon, which shall be paid to the Lifetime hunting and Fishing Endowment Fund.
- These provisions shall not apply to any balloons released for scientific or meteorological purposes or hot air balloons that are recovered after launch.

### **Increase Funding to PDCs**

In FY 2001, HRPDC received \$366,628 or \$0.24 per capita in basic funding from the Commonwealth's budget through the Department of Housing and Community Development. The legislative agenda of the Virginia Association of Planning District Commissions supports overall funding of Virginia's Planning District Commissions at a level of \$0.35 per capita or a minimum of \$100,000 per commission, whichever is greater.

### **Unfunded Mandates**

The HRPDC opposes unfunded mandates by the Commonwealth. When funding for a mandated program is altered, the mandate should be suspended until full funding is restored. When legislation with a cost to localities is passed by the General Assembly, the cost should be borne by the state, and the legislation should contain a sunset clause providing that the mandate is not binding on localities until funding by the Commonwealth is provided. Furthermore, HRPDC opposes the shifting of fiscal responsibility from the state to localities for existing programs. Any unfunded mandate or shifting of responsibility, such as maintenance of state transportation facilities or litter control, should be accompanied by a full fiscal and program analysis to determine the relative costs to the state and to the locality and to assure the state is meeting its full funding responsibility before taking effect.

RESOLUTION  
STREET CLOSURE FOR FARMERS MARKET

WHEREAS, the Smithfield Farmers Market has proposed that a farmers market event be held in the evening on Friday, December 12, 2014 from 5:00 p.m. until 9:00 p.m. and has requested that certain streets within the Town be closed during the event; and,

WHEREAS, the Town Council desires to support and cooperate with the Smithfield Farmers Market by closing off certain of the town's streets in order to allow a safe and convenient environment for the farmers market event.

NOW, THEREFORE, BE IT RESOLVED that on Friday, December 12, 2014, the following streets or portions of streets shall be closed from 3:00 p.m. until 11:00 p.m.: Main Street from its intersection with North and South Church Streets to its intersection with Underwood Lane; and,

BE IT FURTHER RESOLVED, that said street closures shall be subject to such rules, guidelines and procedures as may be established by the Town Manager and the Chief of Police.

Adopted this 4<sup>th</sup> day of November, 2014.

TOWN COUNCIL OF THE  
TOWN OF SMITHFIELD

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

ATTEST:

\_\_\_\_\_  
Lesley G. King, Clerk

RESOLUTION

CLOSURE OF STREETS FOR "8K CHILLY BOB ROADRACE"

WHEREAS, the Smithfield Rotary Club and the Smithfield VA Events Committee have proposed an eight kilometer road race known as the "8K Chilly Bob Roadrace" to be held in connection with the Smithfield BOB Fest; and,

WHEREAS, the organizers have requested that all or portions of Jericho Road, Cedar Street, Joshua Road and Trumpet Court, all as shown on the attached sketch, be closed on Saturday, January 17, 2015 from 8:00 a.m. to 11:00 a.m. to be used as the race course and to permit a safe environment to conduct the race; and,

WHEREAS, these streets will only be closed for the minimum time period necessary for the runners to cover the different sections of the race course; and,

WHEREAS, it appears to the Town Council that this race is being well organized, will benefit the community; that the request is reasonable and that closing the streets specified above for brief periods during the race will not work an unreasonable hardship on the Town's citizens.

NOW, THEREFORE, be it resolved that on Saturday, January 17, 2015, all or portions of Jericho Road, Cedar Street, Joshua Road and Trumpet Court, all as shown on the attached sketch, be closed from 8:00 a.m. to 11:00 a.m. to permit a safe environment for conducting an eight five kilometer road race; and that the closure of these street shall be subject to such rules, guidelines and procedures as may be established by the Town Manager and the Chief of Police.

Adopted this 4<sup>th</sup> day of November, 2014.

TOWN COUNCIL OF THE  
TOWN OF SMITHFIELD

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

ATTEST:

\_\_\_\_\_  
Clerk