



## SMITHFIELD TOWN COUNCIL AGENDA

February 1, 2011 at 7:30 p.m.

Held at Smithfield Center, 220 N. Church Street

### A. INFORMATIONAL SECTION:

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

### B. UPCOMING MEETINGS AND ACTIVITIES:

- February 1 - 7:30 p.m. – Town Council Meeting  
February 8 - 4:00 p.m. – Pinewood Heights Management Team Meeting  
February 8 - 5:30 p.m. – Community Development Block Grant (Pinewood Heights Phase 2)  
Public Hearing  
February 8 - 7:30 p.m. – Planning Commission Meeting  
February 15 - 7:30 p.m. – Board of Historic and Architectural Review  
February 21 - Town Administrative Office will closed in Observance of President's Day  
**February 22** - 4:00 p.m. – Town Council Committee Meetings (Consecutive)  
Police Committee  
Water and Sewer Committee  
Finance Committee  
**February 23** - 4:00 p.m. – Town Council Committee Meetings (Consecutive)  
Fire and Rescue Committee  
Public Works Committee  
Public Buildings and Welfare Committee

NOTE: All of the above public meetings will be held at the Smithfield Center, unless otherwise noted. Please note that February Committee Meetings will be held on Tuesday and Wednesday.

### C. Public Comments:

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

- A. Briefing by Mr. Al Casteen, Isle of Wight County Board of Supervisor, Smithfield District
- B. Petitioner – Christopher Gwaltney
- C. Presentation by Bob Fry of Western Tidewater Free Clinic – Summary 2010
- D. Rick Bodson on behalf of and Smithfield 2020 and the IOW Arts League

### D. Council Comments

- A. Proclamation for Black History Month

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

## CONSENT AGENDA ITEMS

- C1. **Motion to Adopt Town Council Strategic Goals for FY 2011 – 2012**  
David M. Hare, Mayor
- C2. **Resolution to Accept CHIP Steering Committee Reappointments**  
Police Committee Chair, Denise N. Tynes
- C3. **Resolution to Approve Street Closure and/or Traffic Control Assistance Request for Smithfield Triathlon to be held Saturday, April 2<sup>nd</sup>, 2011**  
Police Committee Chair, Denise N. Tynes
- C4. **Motion to Accept Proposal from Excel Paving Corporation and Clark Nexsen for the South Church Street Waterline Replacement**  
Water and Sewer Committee Chair, Andrew C. Gregory
- C5. **Motion to Accept Proposal from Draper Aden Associates for Design and Construction Standards Overview Scope of Work and Fees in the Sum Not to Exceed \$16,200.00**  
Water and Sewer Committee Chair, Andrew C. Gregory
- C6. **Motion to Authorize the Town Treasurer to Close the Town's Sewer Bond Escrow Account and Apply to Inter Fund Debt**  
Finance Committee Chair, John L. Graham
- C7. **Invoices Over \$10,000 Requiring Council's Consideration:**  
Finance Committee Chair, John L. Graham
- |  |              |
|--|--------------|
| a. Excel Paving Corporation                        | \$104,042.33 |
| b. English Construction Company                    | \$ 80,401.69 |
| c. Buchart Horn, Inc.                              | \$ 17,797.09 |
| d. Draper Aden Associates                          | \$ 10,024.00 |
| e. US Bank   | \$ 58,406.25 |
| f. Lowery & Associates                             | \$ 33,285.00 |
| g. Isle of Wight County – Fire and Rescue Salaries | \$ 30,000.00 |
| h. Isle of Wight County – E911 Dispatch            | \$ 22,954.00 |
- C8. **Motion to Renew Landscaping Contract with Clean Cut Image for One Additional Year**  
Public Works Committee Chair, Constance Chapman
- C9. **Motion to Authorize the Town Manager to Purchase the Budgeted Public Works Truck**  
Public Works Committee Chair, Constance Chapman
- C10. **Motion to Amend the Recycling Contract with A.V.E.S. to have Collection Twice a Month at No Additional Charge to the Town**  
Public Works Committee Chair, Constance Chapman
- C11. **Resolution of Support for Proposal of Smithfield License Plate**  
Public Buildings and Welfare Committee Chair, Dr. Milton Cook
- C12. **Motion to Authorize the Town Manager to Apply for a Special Use Permit on behalf of the Town of Smithfield for the Lease of 223 Washington Street**  
Public Buildings and Welfare Committee Chair, Dr. Milton Cook

## **ACTION SECTION**

1. **PUBLIC HEARING: Proposal to Change the Future Elections for Town Council Members from May to November so as to Coincide with the General Elections**
  - a. Staff Presentation by William H. Riddick, III, Town Attorney
  - b. Public Hearing Opened
  - c. Public Hearing Closed
  - d. Consideration : Public Buildings and Welfare Committee Chair, Dr. Milton Cook
2. **Motion to Approve the Town Council Minutes for the Meetings of January 4<sup>th</sup>, 2011.**  
Town Attorney, William H. Riddick
3. **Old Business:**
4. **New Business:**
  - a. **Motion to Authorize the Mayor to Execute Purchase Contract and Make \$10,000 Deposit to Isle of Wight County for Acquisition of Tax Map Parcels 21A-01-497, 498, 498A & 499 (911, 913, & 917 South Church Street) for Public Purposes**  
Finance Committee Chair, John L. Graham
  - b. Recommendation from Nominating Committee to fill the three (3) expiring terms (1/31/2011) for Planning Commission members Virginia Smith, Julia Hillegass, and Norma Odom Leonard
  - c. Recommendation from Nominating Committee to fill the two (2) expiring terms (1/31/2011) for the Board of Historic and Architectural Review Members Roger Ealy and Virginia Smith
  - d. **Closed Session: Disposition of Real Property and Matters Requiring Advise of Legal Counsel**
5. Adjournment



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# TOWN OF SMITHFIELD

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*"The Ham Capital of the World"*

**JANUARY 28, 2011**

**TO: SMITHFIELD TOWN COUNCIL**

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

**SUBJECT: MONTHLY ACTIVITY REPORT – JANUARY 2011**

**TOWN MANAGER'S OFFICE:**

- a. Advertised RFP for lease of 223 Washington Street
- b. Initiated "Monday Morning Moan" weekly meeting, open to the public for the South Church Street construction project
- c. Participated in Leadership IOW program preparation
- d. Attended Transportation Technical Advisory Committee meeting at HRPDC in Chesapeake, as an IOW Co representative
- e. Attended Chamber pre-legislative session breakfast, IOWVRS banquet, IOW Courts building dedication, Windsor Castle Park Foundation Board meeting, Kiwanis Division 21 Council meeting, Va. Dept. of Housing and Community Development CDBG workshop in Glen Allen, Joint Tourism Committee meeting and special legal meeting at HRPDC with Town Attorney

**TOWN CLERK'S OFFICE:**

- a. Attended Isle of Wight Courts building dedication
- b. Staff Attended Windsor Castle Park Foundation Board meeting, January 10<sup>th</sup>.
- c. Transcribed and proofed the monthly minutes for Town Council
- d. Prepared January Town Council Committee Agenda and February Town Council Agenda.
- e. Attended Town Council Committee meetings on January 24<sup>th</sup> and 25<sup>th</sup>.
- f. Attended iPad Training on January 24<sup>th</sup>
- g. Attended Refuse and Recycling Work Session to take summary minutes on January 25<sup>th</sup>.
- h. Prepared summary reports from Town Council Committee Meetings on January 24<sup>th</sup> and 25<sup>th</sup>.

**TREASURER'S OFFICE:**

- a. Contacted VML/VACO, VRA, Farmers Bank, and TowneBank regarding possible financing for several of the Town's outstanding projects. Met with Steve Mulroy of

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- VML/VACO on January 13 to discuss their available financing options. Farmers Bank and TowneBank expressed an interest as well and are preparing proposals.
- b. Prepared and mailed 1099's for the Town's qualifying service vendors.
  - c. Prepared November and December 2010 financial statements. December statements were completed early in order to provide lending institutions with current interim data.
  - d. Completed final review of 2010 draft audit report. The report is currently being reviewed by Goodman & Company's quality control department.
  - e. Posted advertisement for Tax Clerk position. Applications have started coming in, so we expect to start interviews in February.

### **PUBLIC WORKS:**

- Staff performs the following duties on a monthly basis:  
Miss Utility, read meters for billing and to transfer property owners, cut offs and cut -ons, check pump stations daily, install and repair street signs, replace broken meters and install new ones, take a minimum of 8 water samples and have them tested, flush water lines, repair radio or touch pads after each reading if needed, maintenance on town owned buildings and Police Department building.
1. Sewer Line Repairs and Maintenance:
    - a. Unclogged sewer main at 513 Main St. Apt. C1. Grease had built up inline and was removed with Vactor truck.
    - b. Sewer main at Plaza pump station backed up due to grease. Vactor truck was used to clean grease out of mainline to prevent overflows.
    - c. Sewer line clogged at 216 Jordan Dr. Sewer line was cleaned out with small sewer machine.
    - d. Cleaned sewer main in front of 229 Main St. with Vactor truck.
  2. Sewer Pump Station Repairs and Maintenance:
    - a. Did weekly checks on all 27 pump stations.
    - b. Both pumps at Moonefield pump station failed. The dry well and wet well flooded causing all lights in both the wet well and drywell to fail. A bypass pump was set up to run station until pumps can be repaired. All the lights have been replaced and are working.
    - c. Pump fail at Main St. pump station. The check valve was flushed out and the pump was put back online.
    - d. Installed new contactor on pump# 2 at Plaza pump station.
    - e. Pulled pump# 2 at Plaza pump station and unclogged and put back into service.

- f. Pulled pump#2 at Morris Creek pump station. Cleaned debris out of pump and check valve the put pump back into service.
- g. Installed two batteries in generator at the Bradford Mews pump station.

3. Water Line Repairs and Maintenance:

- a. Moved water meter at 919 South Church St. This was to get old meter out of side walk of business. New meter was placed at edge of roadway in utility right away.
- b. Repaired water main break at 107 Lumar Rd. Fire Hydrant had broken and blown off main line. New hydrant was installed and roadway was cleaned of debris.
- c. Repaired leak on South Church St. Service line had been broken by contractors due to miss utility marks. The  $\frac{3}{4}$  CTS service was untraceable.

4. Well Repairs and Maintenance

- a. Continued to monitor chlorine levels and complete daily well readings at all well houses.
- b. Changed aviation warning lights on top of the South Church Street Water tank.

5. Water Treatment Plant

- a. Concrete footer poured around pipe trench.
- b. Pipe trench concrete work has been completed and property will be brought up to grade by the end of Jan.

6. Safety

- a. Monthly truck inspections.
- b. All Public Works employees attended Safety Awareness training.
- c. Safety audit and playground inspections completed.

7. Miscellaneous

- a. Serviced Vactor Truck.
- b. Repaired burned out lights on Main Street.
- c. Cleaned off walking trails at the Windsor Castle Park.
- d. Had litter crew remove trash from bypass 10, Great Springs Rd. and Battery Park Rd.

- e. Removed leaves off Town hall building.
- f. Repaired lights at Fire Dept. and Town Hall that had blown out.

**PLANNING AND ZONING:**

1. Planning Commission – 01/11/11
  - No meeting held.
2. Rezoning Applications under review
  - A. None
3. Special Use Permit Applications under review
  - None
4. Subdivision and Site Plans under review
  - A. Lakeview Cove Subdivision revision
  - B. Tractor Supply Company
5. Subdivision and Commercial Sites Under Construction and Inspection
  - A. Church Square, Phase I (95% complete)
  - B. Smithfield Manor Townhomes (Formerly Halstead Landing (85% complete)
  - C. Lakeview Cove Condos (95% complete)
  - D. Fire Station Building – 1802 South Church Street
6. Board of Zoning Appeals 01/18/11
  1. No meeting held.
7. Board of Historic & Architectural Review 01/18/11
  2. No meeting held.

## **ENGINEERING:**

- A. Church Square, Phase I, contractor has installed E & S controls as required by the Town and the approved site plans.
- B. Smithfield Manor, contractor has installed E & S controls as required by the Town and the approved site plans. Builder continues construction of town homes within project. Project is now under the one-year warranty period.
- C. Lakeview Cove, contractor Wolf Constr. has installed all E & S controls as per the approved site plans and required by the Town. No condominiums are under construction at this time.
- D. R. O. Plant, contractor English Const. has installed all E. & S. controls as per the approved site plans and required by the Town. Contractor has poured concrete for exterior wall sections of structures. Contractor continues forming, installing re-bar and pouring concrete for building foundation area.
- E. Fire Station S. Church St., contractor A. R. Chesson, has erected and is maintaining all E. & S. controls as per the approved site plans and required by the Town. Contractor continues finalization of roof trim and panels. Contractor continues ruff-in of plumbing and electrical facilities within building. Contractor continues ruff-in of building ventilation system. Contractor continues installation of brick facade on East side of exterior of building. On the North and West sides the façade is complete. Contractor continues installation of gypsum wallboard in living area, mudding joints and sanding same.
- F. South Church Street Streetscape Project has begun. Contractor Excel Contracting has mobilized on project. Contractor started installation of 18" RCP storm drain pipe to outfall at Sta. 124+00. Contractor also installed Str. # 5-5 and started installation of 15" RCP from Str. # 5-5 to Str. # 5-4. Contractor also installed existing water main offset to install 18" RCP storm drain pipe into Str. 5-5.



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# TOWN OF SMITHFIELD

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*"The Ham Capital of the World"*

January 28, 2011

TO: SMITHFIELD TOWN COUNCIL

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

SUBJECT: INFORMATIONAL REPORT FOR THE POLICE COMMITTEE MEETING  
HELD ON MONDAY, JANUARY 24<sup>TH</sup>, 2011

The Police Committee held a meeting on Monday, January 24<sup>th</sup>, 2011 at 4:00 p.m. at the Hampton Inn & Suites located at 200 Vincent's Crossing, Smithfield Virginia. Committee members attending were: Ms. Denise N. Tynes, Chair; Ms. Constance Chapman and Mr. Andrew C. Gregory. Other Council members present were Mr. T. Carter Williams, Vice Mayor; Mr. John L. Graham, Dr. Milton Cook, and Mr. David Hare, Mayor. Staff members present were: Mr. Peter M. Stephenson, Town Manager; Mr. William T. Hopkins III, Director of Planning, Engineering, and Public Works; Ms. Lesley Greer, Town Clerk; Mr. Alonzo Howell, Smithfield Police Captain; Ms. Ellen D. Minga, Town Treasurer; Mr. William H. Riddick, Town Attorney; Mr. Wayne A. Griffin, Town Engineer; Mr. Jessie Snead, Superintendent of Public Works, Mr. Robert Jordan, Interim Superintendent of Public Works; and Mr. Jeff Smith, Senior Maintenance Tech. Also in Attendance was Mr. Andy Snyder of Draper Aden Associates. There were four (4) guest present. The media was represented by Mr. Scott King of The Times.

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

**A. MATTERS DISCUSSED BY COMMITTEE WHICH WILL BE ON THE COUNCILS AGENDA.**

1. CHIP Steering Committee Appointment / Reappointment – This is an annual appointment / reappointment to the Community Help in Progress (CHIP) Steering Committee. No names were provided at Committee level; however Captain Howell stated that he would forward the list of appointees to town staff. This item will be placed on February's Town Council meeting for approval once received.
2. Request for Street Closure and/or Traffic Assistance for YMCA – Smithfield Sprint Triathlon for April 2<sup>nd</sup>, 2011 – Ms. Tynes reported that the route for this street closure / traffic control assistance request is the same as last years. Streets along the route include James Street, Grace Street, Cary Street, Main Street, Underwood Lane, and Cedar Street. Vice Mayor Williams requested for residents affected by the street closure be notified to make them aware. Captain Howell stated that in the past the Police Department has worked with the residents that live along any of the street closure routes

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to accommodate them to get home or out. Ms. Tynes asked Ms. Chapman if she would make sure notices are sent out through the YMCA to all residents along the route. Town Staff will also submit a street closure notice to the Smithfield Times for this event. Committee recommends approval.

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

1. Operational Updates – Captain Howell reported that on January 15<sup>th</sup> the Police Department tested seventy-two applicants seeking the vacant position of police officer since Officer Lawrence's resignation. The Department was happy to see the number of applicants interested in apply and is now going through the process of elimination to find a candidate to fill the vacancy. Captain Howell reported that recently there had been a larceny at the Isle of Wight Museum. The suspects removed the donation box from the museum and were captured on film. One of the officers was able to identify the three suspects and they are all juveniles. Petitions are pending for those individuals involved. Captain Howell also reported that the town and county experienced blackout conditions earlier this month due to a single motor vehicle accident at the intersection of Waterworks Road and Route 258. The individual hit a deer trying to avoid a deer and collided with a power pole. During this blackout the department only encountered one larceny from a business here in the town. The department is also working a case involving Moody's Sanitation where a large quantity of metal was removed from one of the sites Moody's is working on. The department has been able to obtain multiple charges on those involved. That case should be coming to a close in the very near future. Captain Howell also reported that earlier this month a Smithfield Police Officer was involved in a vehicle pursuit. The pursuit ended in the Rushmere area of the County with no damage to any police vehicle or personnel. The pursuit ended when the individual wrecked his vehicle. At that point the individual fled on foot. Officers were able to identify him and he was arrested in Surry County approximately four days after the initial pursuit. This individual is awaiting trial at the Western Tidewater Jail.

2. Update on Request to Lower Speed Limit on Huntington Way in the Waterford Oaks Subdivision – Captain Howell reported that this is just for informational purposes at this time. He stated that in the past when this item was brought to the Police Committee it was determined at that time not to reduce the speed limit. Residents in that community continue to express concern. The Town Engineer and Captain Howell met with the residents and during that time made some suggestions. One of the suggestions was to start a neighborhood watch program to see exactly how many people are interested in having the speed limit reduced. Captain Howell stated that when this concern was submitted to Committee in the past there were approximately 17-19 signatures on a petition however only two were residents from that area. He stated that at some point in the future the residents may come to either the Police Committee or a Town Council meeting to voice their continued concern to reduce the speed limit in that area.

The meeting adjourned at 4:09 p.m.



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January 28, 2011

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, JANUARY 24<sup>TH</sup>, 2011

The Water & Sewer Committee held a meeting on Monday, January 24<sup>th</sup>, 2011 at 4:10 p.m. at the Hampton Inn & Suites located at 200 Vincent's Crossing, Smithfield Virginia. Committee members attending were: Mr. Andrew C. Gregory, Chairman; Mr. T. Carter Williams, Vice Mayor; and Mr. John L. Graham. Other Council members present were Ms. Constance Chapman, Ms. Denise N. Tynes, Dr. Milton Cook, and Mr. David M. Hare, Mayor. Staff members present were: Mr. Peter M. Stephenson, Town Manager; Ms. Lesley Greer, Town Clerk; Mr. William T. Hopkins III, Director of Planning, Engineering, and Public Works; Ms. Ellen D. Minga, Town Treasurer; Mr. William H. Riddick, Town Attorney; Mr. Wayne A. Griffin, Town Engineer; Mr. Alonzo Howell, Smithfield Police Captain; Mr. Jessie Snead, Superintendent of Public Works; Mr. Robert Jordan, Assistant Superintendent of Public Works; and Mr. Jeff Smith, Supervisor/Waterworks Operator. Also in attendance was Mr. Andy Snyder of Draper Aden Associates. There were four (4) citizens in attendance. The media was represented by Mr. Scott King of The Times.

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

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

1. Accept Proposal from Excel Paving Corporation for South Church Street Waterline Replacements - Mr. Gregory stated that the first item on the agenda is a proposal from Excel Paving Corporation for the South Church Street waterline replacement. Mr. Hopkins stated that the attached proposal was to replace the six inch waterline with a eight inch waterline. There would be an approximate nineteen percent increase in water flow in that area. Mr. Hopkins stated that the Public Works staff feels that during the construction of the South Church Street project would be the best time to upgrade the waterline since that area will already be under construction. Mr. Hopkins did point out that if committee recommends approval of proposal the town will receive a credit of \$36,124 because they would not have to offset the existing waterline. This proposal would also prevent an additive change order of \$19,032 which involves

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additional offsets around the four Charter and Verizon vaults. Mr. Hopkins asked Public Works staff Jeff Smith to speak on behalf of the waterline replacement. Mr. Smith stated that he feels that this would be the best time to replace the waterline. If the line is not replaced the town is operating with a six inch water main and the minimum you should have is an eight inch for fire protection. He also stated that in the long term outlook of the town you need an eight inch there so the town can eventually put an eight inch down Cedar Street and tie in Cary Street with an eight inch line. He stated that the section between Main Street and Thomas Street has never had a waterline and with the potential of a restaurant going in that area the town will be required to supply them with water. The town will also need water in that area for fire protection. Mr. Smith stated that during the construction process there will be leaks in the joints if they do not have repair clamps on them. From staff's point of view if you are already digging up lines to repair joints and service lines it would be in their opinion to replace main waterline because you have already done all the physical work and all you would need to pay for is the materials. Mr. Hopkins added that during the recent construction of AT&T and Columbia Gas staff had to do some waterline repairs along South Church Street from the vibration of the construction. Ms. Minga clarified that the credit would go to the South Church Street project and the waterline replacement is coming out of the Water Fund. Mr. Hopkins agreed. Vice Mayor Williams asked what the old fire station and the old cleaners on North Church Street was hooked to now. Mr. Smith stated they are hooked to an old service line behind the facility. If waterline is approved it will be moved to the front of the building. Vice Mayor Williams asked about what ever happened with putting a dry hydrant in on the town's property on South Church Street near the Cypress Creek Bridge. Mr. Smith reported that Smithfield Foods has installed two dry hydrants in the vicinity of their corporate building. It was discussed that now is the time if committee definitely wants to put a dry hydrant in but no decision was made. Mr. Gregory mentioned that he had a citizen contact him about the water being temporarily shut off and when it was turned back on it had some not so very good looking stuff coming out of their faucets. He stated that they had called the Water Department and was assured that it was safe. Is there anything that the town needs to be letting residents know that they might see in their water when it is temporarily shut off and back-on. Mr. Hopkins stated that they can include some of this information in their flyer that staff sends out to citizens that will be affected by the shutoff. Mr. Hopkins stated that he would also contact the Health Department to get any input from them that may need to be included. Mr. Gregory also stated that he had a call from a citizen that wanted to know what the Town of Smithfield tests for in the water. Mr. Smith stated that the town has four quarterly samples that are taken from all the wells. Water testing taken at residences throughout the town are done monthly. The Health Department determines what types of testing are necessary and required. Mr. Gregory asked if this information was available for citizens to view. Mr. Hopkins stated that he would look into this and let him know if it is posted anywhere for the public. Consensus of the Committee was a recommendation to approve the proposal and authorize staff to move forward with preparation of the waterline replacement.

2. Review of Proposal from Draper Aden Associates

a. Design and Construction Standards – Mr. Snyder stated that he has had a number of discussions about this with town staff. Mr. Snyder stated that their plan is to center around staff. What do you have? What do you like? He feels it would be a good idea to visit some policy issues. Mr. Snyder gave an example of design standards for pump stations. What kind of improvements do you want to make to new pump stations? Mr. Hopkins stated the proposal was a not to exceed price and said amount may come down with more staff input. Committee recommended approval of this proposal.

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

1. Review of Proposals from Draper Aden Associates:

a. Water and Sewer Master Plan Update – The Town Manager stated that one of the items that Council discussed at their goal setting session was the town has been very reactive with the sewer consent order and proactive on some other issues. Now is the perfect time to look at our overall Water and Sewer System. At this time we have the Water Treatment Plant under construction and town is planning on looking at the rate structure this spring. It all ties into the big picture of where are we, where do we need to go, and how are we financing all of these items. The Town Manager stated that the first time the town did a utility master plan was in 1999. He stated that staff has asked Mr. Snyder of Draper Aden Associates to give us a proposal as a place to start. The proposal would include what he feels is involved in providing that kind of update and what are some of the key components. Mr. Snyder stated that the Utility Master Plan that the town has now is adequate, but it is out dated. Mr. Snyder stated from his prospective from working on the sewer system he is a little bit more in touch with what needs to be done with sewer. The Utility Master Plan would fold in everything we know about the consent order and where the town is headed with that. The water system has gone through a lot of changes so that will be a little bit more work. Both plans will have the modeling work and will come up with CIP recommendations to move the ball forward. Mr. Snyder stated that at completion of the plan it would be pretty complete. There is not a lot of guess work to what will be in the town's future plans. Mallory Point will be included and future growth up to Turner Drive. The purpose of this master plan is to tell us what upgrades are needed. Committee decided to defer this proposal until next year's budget because of the number of large projects that are ongoing right now and the cost to complete these projects.

b. SSO Consent Order MOM Program – Phase 2 – Mr. Snyder stated that this proposal was not absolutely necessary. We are doing some modeling work in portions of the town now. With the event of considering the utility plan update if we could move the modeling to incorporate the whole town the results and the data we get to make certain projections will be more accurate. Mr. Graham expressed concern that he

does not know what is necessary and must rely on staff to say whether it is necessary or not. Mr. Snyder stated that this proposal does not need to be acted on today. It will be 30 – 60 days before it would start impacting the modules that are being done now. Mr. Hopkins stated that staff would discuss this item with Mr. Snyder in further detail and bring back to committee at a later date. Mr. Gregory asked if we are still on schedule as far as what was budgeted for the consent order. Mr. Snyder stated that town remains on schedule with the overall budget. Committee deferred this proposal so staff could discuss in more detail with Draper Aden Associates.

2. ADDITIONAL ITEM DISCUSSED: Meeting with Department of Environmental Quality (DEQ) – Mr. Gregory asked if anyone has had any success in reaching out to DEQ to schedule a meeting for discussion of irrigation credits. Mr. Snyder stated that he has been trading phones calls and hopes to schedule this meeting with DEQ next week. Mr. Gregory stated to please let him know when something has been scheduled so he could attend if necessary.

3. ADDITIONAL ITEM DICUSSED: Unprotected Pump Stations – Vice Mayor Williams stated that there are pump stations on Barcroft Drive and Riverside Drive that are unprotected from vehicular traffic. They are both right in the middle of a cul-de-sac. He stated that he would like for committee to give staff permission to put posts up to protect pump stations from being hit. Mr. Hopkins stated that staff would do this in-house.

The meeting adjourned at 4:47 p.m.



# TOWN OF SMITHFIELD

*"The Ham Capital of the World"*

January 28, 2011

TO: SMITHFIELD TOWN COUNCIL

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

SUBJECT: INFORMATIONAL REPORT FOR THE FINANCE COMMITTEE MEETING  
HELD ON MONDAY, JANUARY 24<sup>TH</sup>, 2011

The Finance Committee held a meeting on Monday, January 24<sup>th</sup>, 2011 at 4:48 p.m. at the Hampton Inn & Suites located at 200 Vincent's Crossing, Smithfield Virginia. Committee members attending were: Mr. John L. Graham, Chairman; Mr. Andrew C. Gregory, and Dr. Milton Cook. Other Council members present were: Ms. Denise N. Tynes, Mr. T. Carter Williams, Vice Mayor, and Ms. Constance Chapman and Mr. David M. Hare, Mayor. Staff members present were: Mr. Peter M. Stephenson, Town Manager; Ms. Ellen Minga, Town Treasurer; Mr. William T. Hopkins, III, Director of Planning, Engineering, and Public Works; Ms. Lesley Greer, Town Clerk; and Mr. William H. Riddick, Town Attorney; There were four (4) citizens present. The Media was represented by Mr. Scott King of The Times.

Chairman John L. Graham 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 Consideration:

a. Excel Paving Corporation \$104,042.33

This is the town's first request from Excel Paving Corporation for the South Church Street Streetscape Project. Their original invoice involves a change order for two tree removals in front of Ms. Gwaltney house. The paperwork did not come through in time so staff reduced invoice to \$104,042.33. Committee recommended approval of invoice.

b. English Construction Company \$ 80,401.69

Mr. Hopkins reported that the work on this invoice has been completed. Dan Cargnel of Buchart Horn, Inc. and CTI has signed off of this completed work. Project is ahead of schedule. Committee recommended approval of invoice.

c. Buchart Horn, Inc. \$ 17,797.09

This invoice is for progress billing on the Reverse Osmosis Water Treatment Facility. Committee recommends approval of invoice.

d. Draper Aden Associates \$ 10,024.00

The invoice involves the sewer consent order. Committee recommended approval of payment.

**TOWN MANAGER'S OFFICE**

e. US Bank \$ 58,406.25

Ms. Minga reported this invoice is our semi-annual interest payment. The town pays interest and principle in the fall and only interest in the spring on the R.O. Plant loan. Committee recommended approval of invoice.

ADDITIONAL INVOICES:

f. Lowery & Associates \$33,285.00

Ms. Minga stated that this invoice is for the remaining balance for the flooring materials at the Smithfield Center. The invoice is for \$33,285.00. Committee recommended approval of invoice.

g. I.O.W County – Fire and Rescue Salaries \$30,000.00

Ms. Minga stated that when looking at the December Financial Statements the town normally budgets \$60,000.00 each year to Supplement the fire and rescue salaries. It is split \$30,000.00 for fire and \$30,000.00 for rescue. The town has not yet paid that this year so Ms. Minga stated that she is recommending payment of \$30,000.00 for first half of the year. Committee recommended approval of funds.

h. I.O.W County E911 Dispatch \$22,954.00

Ms. Minga stated that this is also a budgeted payment to the county for E911 communication tax. Ms. Minga recommended paying \$22,954.00 which is a portion of the annual amount based on the budget the county gave the town. Committee recommended approval of payment.

2. Authorization to Close Town's Sewer Bond Escrow Account – This Item came out of cash balances when Mr. Gregory asked what the town was going to do with the Sewer Fund. Ms. Minga stated that she has looked at that too. She stated that the town has been paying down prior years. The town has not been able to support current years. Ms. Minga mentioned that she wanted committee's thoughts about trying to catch it up a little bit with the Sewer Bond Escrow Fund. That has a balance of approximately \$175,000.00. This money was set aside quite a few years back for a loan that the town refinanced. With the original loan it was required to have that money in escrow. When the loan was refinanced the town did not have to continue with this escrow and it was released. Those funds are available if committee is comfortable with eliminating this Sewer Bond Escrow Fund. This will help with paying down the past debt. Committee authorized the Town Treasurer to close the Sewer Bond Escrow to pay down sewer debt.

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

1. November Financial Statements – Ms. Minga stated that she is almost finished with the December Financial Statements because they are needed for some request for financial proposals. December statements are looking better than the November statements. There is a positive cash outflow at the end of the month. Ms. Minga stated that she did not see anything out of whack as far as budget other than the few items that

were not budgeted. Vice Mayor Williams stated that the highlights on the financial statements are very helpful and the highlights do not show up on the iPads. Staff will work on importing color documents in the future when scanning agenda packets. Committee stated that they have been very pleased with Ms. Minga's summary notes explaining the financial statements. Ms. Minga stated they have been helpful to her as well. It helps to keep an eye on things so there are no surprises at the end of the year when we are working on budget amendments and audit.

2. Cash Balances – Ms. Minga reported the General Fund is up due to taking in a lot of tax revenue during the month of December. Some of this will be used to pay back some of the Pinewood Heights line of credit. Ms. Minga stated some of the funds could be shifted over to more types of savings or investment accounts, but at this point she was hesitant to do this because as we make progress on the South Church Street Project all of the draw downs will be reimbursement type draw downs. She did not know how quickly she would need those funds. Ms. Minga also stated that we have received the first invoice from Excel Paving Corporation for the South Church Street Project. Ms. Minga stated that the Town Manager and she have been discussing the rate study. She stated that she worked with Cheryl Stevens of Draper Aden Associates when the last study was done and feels confident that if she could get the information needed she could recreate for a new updated rate study. Town Manager stated the most critical thing will be operation and maintenance cost of the water treatment plant. Staff continues to check with the Health Department to find out what our staffing requirement will be when it opens. Dan Cargnel of Buchart Horn is updating all the HRSD cost projection and discharge cost. Mr. Gregory asked how long it will take to do a rate study. Ms. Minga stated that if she has all the necessary data she could complete in next couple of months. Ms. Minga stated the rate study is becoming critical for the Sewer Fund. Water = \$529,843.97; Water Debt Service = \$1,040,733.83; Water Capital Escrow Availability Fees = \$1,149,655.97; Water Development Escrow = \$223,362.19; Water General Obligation Funds = \$2,373,959.02; **Subtotal Water = \$5,317,554.98.** Sewer = (\$68,786.77); Sewer Bond Escrow = \$175,862.98; Sewer Development Escrow = \$314,829.14; Sewer Capital Escrow Availability Fees = \$653,727.23; Sewer Compliance = \$454,419.88; **Subtotal Sewer = \$1,530,052.46.** Highway = \$234,657.60. General Fund = \$2,702,364.86; Payroll = \$29,036.67; Money Market General Fund Town Bank = \$223,135.34; Money Market General Fund Farmers Bank = \$32,781.14; General Fund Capital Escrow = \$50,341.99; Certificate of Deposit = \$651,101.13; Certificate of Deposit Police Dept = \$35,445.57; Special Project Account (Pinewood) = \$29,540.61; Pinewood Heights Escrow = \$27,096.19; South Church Street Account = \$1,124,366.11; **Subtotal General Fund = \$4,905,209.61.** Beautification = \$7,783.90; Money Market Beautification = \$298,099.74; **Subtotal Beautification = \$305,883.64; Rising Star = \$63.49. TOTAL ALL FUNDS = \$12,293,421.78.**

3. Additional Item Discussed: VML VACo - Ms. Minga updated committee on where she stands with different financing options. She stated that she met with a

representative from VML VACo last week. The town is looking at three different types of financing for the R.O. Water Treatment Plant, money for waterline replacement, and funds to purchase property for the Police Department. Ms. Minga stated that she has contacted the banks that we currently have a relation with, which is Towne Bank and Farmers Bank, to see if they would be interested in giving the town a financial quote. Both finance institutios are interested. Ms. Minga stated that she does not have firm numbers yet. She met with representative from VML VACo last week. They offer long term General Obligation Bonds that come available in the fall. They also offer interim short term financing. The short term financing could be rolled into long term financing. Currently short term is at 1.7 percent. Ms. Minga stated that once she has all the numbers in she would bring back for review and discussion.

The meeting adjourned at 5:09 p.m.



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# TOWN OF SMITHFIELD

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*"The Ham Capital of the World"*

January 28, 2011

TO: SMITHFIELD TOWN COUNCIL

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

SUBJECT: INFORMATIONAL REPORT FOR THE FIRE AND RESCUE COMMITTEE  
MEETING HELD ON TUESDAY, JANUARY 25<sup>TH</sup>, 2011

The Fire and Rescue Committee held a meeting on Tuesday, January 25<sup>th</sup>, 2011 at 4:05 p.m. at the Hampton Inn & Suites located at 200 Vincent's Crossing, Smithfield Virginia. Committee members attending were: Vice Mayor T. Carter Williams, Chair; Ms. Denise N. Tynes, and Ms. Constance Chapman. Other Council members present were: Mr. John L. Graham, Dr. Milton Cook, Mr. Andrew Gregory, and Mr. David M. Hare, Mayor. Staff members present were Mr. Peter M. Stephenson, Town Manager; Ms. Lesley Greer, Town Clerk; Mr. William T. Hopkins, III, Director of Planning Engineering and Public Works; Mr. William H, Riddick, III, Town Attorney; Mr. Jessie Snead, Superintendent of Public Works; Ms. Sonja Pruitt, Office Manager of Public Works; and Ms. Judy Winslow of Isle of Wight Tourism Director; There were approximately eight (8) citizens present. The media was represented by Mr. Scott King of The Times and Ms. Allison Williams of The Daily Press.

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

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

1. Operational Updates: Vice Mayor Williams mentioned the he and the Town Manager attended the Rescue Squad Banquet. The Banquet was very nice with good food. Vice Mayor Williams stated the Fire Department banquet is coming up on February 4<sup>th</sup>. He mentioned that he would like to encourage Council to attend Banquet to show support of the Fire Department. Vice Mayor Williams stated that Captain Carroll would not be present because of family medical issues. He also stated the Chief Stallings was on a fire call. Vice Mayor Williams did say that the Fire Department had a group go to Wisconsin to inspect the progress of the new fire truck. He also stated that he and Ms. Tynes had a special invitation to tour the new fire station the end of last week. The project is still approximately two weeks ahead of schedule. Vice Mayor Williams mentioned that as far as the parking lot adjacent to the fire station Chief Stallings and I are still working with the county trying to get things with the Virginia Department of Transportation signed off on so they can get that parking lot in. The Fire Department still plans on installing parking lot themselves to cut cost. Vice Mayor Williams also mentioned that he, Captain Carroll and the Town Manager have been

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discussing the I.O.W. Volunteer Rescue Squads needs when they move to the existing fire station on Grace Street during the renovations of their current rescue building.

The meeting adjourned at 4:07 p.m.



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# TOWN OF SMITHFIELD

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*"The Ham Capital of the World"*

January 28, 2011

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, JANUARY 25<sup>TH</sup>, 2011

The Public Works Committee held a meeting on Tuesday, January 25<sup>th</sup>, 2011 at 4:08 p.m. at the Hampton Inn & Suites located at 200 Vincent's Crossing, Smithfield Virginia. Committee members attending were: Ms. Constance Chapman, Chair; Dr. Milton Cook, and Ms. Denise N. Tynes. Other Council members present were: Mr. John L. Graham, Mr. Andrew C. Gregory, Mr. T. Carter Williams, Vice Mayor; and Mr. David M. Hare, Mayor; Staff members present were: Mr. Peter M. Stephenson, Town Manager; Mr. William T. Hopkins, III, Director of Planning, Engineering, and Public Works; Mr. William H. Riddick, III, Town Attorney; Ms. Lesley Greer, Town Clerk; Ms. Sonja Pruitt, Office Manager of Public Works; Mr. Jessie Snead, Superintendent of Public Works; Ms. Judy Winslow, Isle of Wight Tourism Director; Others in Attendance were Mr. Dawson Moody and Nelson Moody of A.V.E.S.; Mr. Jay Taylor of Bulter Paper and Representative of Tidewater Fiber, Inc. There were approximately (8) citizens present. The media was represented by Mr. Scott King of The Smithfield Times and Ms. Allison Williams of The Daily Press.

Committee Chair Constance Chapman called the meeting to order.

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

1. Purchase of New Budgeted Public Works Truck - An inventory list of all the public works trucks was handed out. Mr. Snead was present and reported that currently the Public Works Department uses ten trucks daily. Five of those ten have over a hundred thousand miles. The one that staff would like to replace has 196,150. It takes two quarts of oil every three hundred miles. Mr. Snead stated that he contacted Bowditch Ford and the cost of the truck is \$25,742.00. The model of the new truck will be a F250. Mr. Hopkins stated this vehicle is a budgeted item. Mayor Hare asked if the new truck would require any special manufactured equipment. Mr. Snead stated that staff will be putting a utility bed on it from the truck they are planning on replacing. Committee recommended approval of new budget public works truck.

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2. Renewal of Landscaping Contract with Clean Cut Image (CCI) for One Additional Year - Mr. Hopkins reported that town staff has been pleased with Clean Cut Image's work. He stated that had one issue with them and that issue was addressed and resolved. Staff would strongly recommend Clean Cut Image's contract for landscaping service be renewed for one additional year with no increase in cost. Committee recommended approval of contract renewal.

3. Recycling and Recycling Contract Update - The Town Attorney stated his understanding of what will be on the agenda Tuesday night for approval by Town Council. He stated that he was going to revise the recycling contract to provide for twice a month recycling collection at no additional charge to the town. The can threshold will be changed from 500 to 250. The Town Attorney stated that Mr. Moody has agreed to come back to committee with a pricing schedule for a combined contract to become effective January 1<sup>st</sup>, 2012. He stated that there needs to be a consensus from committee to the number of recycling collection when one trash collection is eliminated in new contract effective January 2012. There was a four to three consensus that there should be one trash pickup a week and one recycling pickup per week. Mr. Graham continued to express concern that Smithfield is offering a much higher level of service than all the surrounding localities and the town could save money by cutting back the level of service provided. Discussion was held on what level of service the town wants to have in the end. Mr. Gregory stated the committee needs to make a decision what their goal is, make the change and have the citizens adjust to the change. The town made a commitment to recycling and we need to lead the way and have the citizens adjust to change. Ms. Pruitt asked for committee to give staff ample time to promote changes to the town citizens. Committee recommended the Town Attorney to amend the town's recycling contract as stated above.

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

1. Renewal of Mowing Contract with Country landscaping, Inc. for One Additional Year - Mr. Hopkins reported that this contract does not expire until April 2011. He stated that Country Landscaping, Inc. supplements the Public Works Department with mowing the town's public right-of-ways such as Route 258, Bypass 10, Canteberry Lane, etc. Mr. Hopkins stated that Country Landscaping is requesting a 3.9% increase per cut. Committee voiced their concerns about the increase in cost of service and paying for services during dry weather and grass did not grow. The Town Attorney stated Committee cannot change contract unless they rebid for services. Staff recommended deferring this item to give staff more time to address the question brought up on how the contract reads and amend any increase or not. Staff will also work on percentage of mowing town staff does and what percentage is contracted out in terms of efficiencies.

2. South Church Street Project Update - The Town Manager gave a brief update on the public relations side of the project. He stated that a group continues to meet every Monday morning at 9:30 a.m. at the Visitor's Center to discuss the latest developments of the project. It is open to the public. The contractor with Excel Paving, Richard Hoeflaak

will be there the last Monday of every month to answer any questions. The Chamber of Commerce has launched the website for the project [www.smithfieldbeautification.com](http://www.smithfieldbeautification.com) and tourism will be updating it as we move forward with the project. The Town Manager stated that staff and tourism did a Smithfield Today taping about a week and half ago and it is being aired now on Channel 13. The taping was on public information about the project. He stated one other item that ran in last week's Smithfield Times was a promotional ad to encourage people to come downtown. It was originally only planned for during the winter months; however it has been asked if the town would be willing to run a promotional ad every month. The Smithfield Historic District Business Association would do a co-op advertisement. This way at least every two weeks either the town would be running an ad or the merchants themselves would be running an ad. The Town Manager stated that he went ahead and approved the ad for January at a cost of \$573.16. He stated that the town does not have a public relations budget for this project so before he agrees to a yearlong contract he wanted to know what committee thought about promotional advertising. Committee was supportive of getting invested with the merchants to promote the downtown area. Mr. Hopkins reported the project is on schedule. He stated the approval of the waterline replacement will be a big help. At this time the storm drains are being installed. Contractors are also installing the necessary base for the parking lot to be located on town's lot. Dominion Power has shifted their poles over due to installation of storm drains. Staff has not heard anything from Verizon. Mayor Hare asked about the height of the poles and if the plan was to still put the wires at the top of the poles. Mayor Hare stated that the benefactor's original plan was to improve the overall aesthetics of that area. Mr. Hopkins will ask Dominion Power what needs to be done to place wires at top of poles.

The meeting adjourned at 4:36 p.m.



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# TOWN OF SMITHFIELD

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*"The Ham Capital of the World"*

January 28, 2011

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, JANUARY 25<sup>th</sup>, 2011

The Public Buildings and Welfare Committee held a meeting on Tuesday, January 25<sup>th</sup>, 2011 at 5:06 p.m. at the Hampton Inn & Suites located at 200 Vincent's Crossing, Smithfield Virginia. Committee members attending were: Dr. Milton Cook, Chairman; Mr. T. Carter Williams, Vice Mayor; and Mr. John L. Graham. Other Council members present were: Ms. Denise N. Tynes, Ms. Constance Chapman; Mr. Andrew C. Gregory and Mr. David M. Hare, Mayor. Staff members present were Mr. Peter M. Stephenson, Town Manager; Ms. Lesley Greer, Town Clerk; Mr. William H. Riddick, Town Attorney; Ms. Amy Musick, Smithfield Center Director; Mr. Wayne A. Griffin, Town Engineer; and Mr. William Saunders, Planner/GIS Coordinator. Also in attendance was Ms. Gina Ippolito, Windsor Castle Foundation Board. The media was represented by Mr. Scott King of The Smithfield Times.

Committee Chair, 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: Election Cycle – The Town Manager stated that a public hearing has been advertised for next week. The Town Attorney stated that if Council decides to move forward the decision must be made in this calendar year to adopt an ordinance to change the election cycle. The Town's Charter does not have to be changed until next year. Council cannot wait until the beginning of next year to take action because it is prohibited by law. The public hearing has been advertised to get public input. At that time it will not be necessary to take immediate action. Ms. Moore was present and stated that she has already spoken to each Council member individually encouraging them to leave town election in May.
2. License Plate – The Town Manager stated that he was pleased to see this item come back for consideration at the last "Smithfield 2020" meeting. The town had looked into doing a special commemorative plate for the town's 250<sup>th</sup> anniversary back in 2002. At that time you had to have 1,000 prepaid orders so now only requiring 350 is a little bit more realistic. Ms. Winslow stated that all she wants from the town is a resolution of

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support agreeing to the idea. She would then need 350 prepaid license tags. This would then be taken through the General Assembly. Ms. Winslow stated there were a few suggested license plates in your packet and asked for direction from Committee which one they liked. Committee supports license plate proposal and would recommend example # 3.

3. Review Proposal Received for Town Owned Property at 223 Washington Street - The Town Manager stated that representatives of the Veteran's of Foreign Wars (VFW) were present to speak on behalf of the proposal they submitted for 223 Washington Street. He continued to explain that Council had directed him to prepare an RFP for this location. The front of the building has been vacant for awhile. The only thing that has been stored there recently is the Police Departments motorcycle. The back of the building is currently being used for storage between the Smithfield Center and Tourism so we do need to retain that area for now. The RFP was prepared to see what interest was out there for the front of the building. A new roof was put on the structure after we acquired it in 2008 and it has electricity but other than that it would be leased as is. The RFP had a submittal date of January 20<sup>th</sup>. It was made clear in the RFP what is and is not there. Whoever leases the building would be required to have a utility account. Improvements would also be done at their expense. The Town Manager stated that area is zoned Downtown Neighborhood Residential (DNR) so anything other than a residence requires a special use permit. The proposal received is a specially permitted use as a lodge or community use for the VFW. The Town Manager stated that he has let Mr. White of the VFW aware of the special use permit requirement. Committee asked if there was only one RFP received. The Town Manager replied yes. Committee asked if the representatives of the VFW wished to summarize their proposal. Mr. Charlie White explained that the VFW wants to make 223 Washington Street their Post home. The Post would be used for meetings, fundraisers, and special dinners/occasions. Mr. White continued to explain the necessary improvements that were outlined in their proposal to make the structure sufficient for their needs. Mr. White stated that because of the expense to the Post to accomplish these improvements they would like to seek a long term lease agreement for at least ten years with the option to renew. The lease would be for one dollar per year plus utilities. Mr. White stated that the VFW would also like to put a sign up on the building and place a storage shed in the back. The Town Manager stated that he had mentioned to Mr. White that approval of the sign and shed would come from the Board of Historic and Architectural Review. The VFW would also like to install a flagpole. Ms. Tynes asked if the VFW in the future would allow small groups that need a place to meet to use their building. They felt that might be possible in the future if the town will allow for groups like Boy Scouts. Mayor Hare stated that if the town decides to move forward with accepting this lease agreement that it should include a review period to make sure improvements are being done in a timely manner. The Town Attorney stated that if Committee wishes to move forward then he will need from the tenant a timeline for improvements and their official name and post number to be included on the lease. The Town Manager stated the first step would be for the town to move forward with applying for a special use permit. Committee recommended authorizing the Town Manager to apply for a special use permit on behalf of the Town of Smithfield for the lease of 223 Washington Street to the VFW. If approved on February 1<sup>st</sup> it would then be placed on the March Planning Commission meeting and April Town Council meeting as a public hearing. At that time if Council chooses to move forward they could approve special use permit and lease at that time.

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

1. Pinewood Heights Update - The Town Manager stated that we do have eight structures that have been cleared and are ready for demolition. The town has a couple more that are pending. He stated that 71 Carver was property that had been vacant long before the project started and because there are a lot of heirs involved the town has been unsuccessful at acquiring the property. In terms of removing the blight in that neighborhood Town Council designated that structure as a public nuisance. The sixty days is up and none of the heirs have contacted the town. The property has been inspected by the county building inspector and has been deemed uninhabitable. The Town Manager stated that the last step is for him to send a ten day notice to the property owner. At this time the Town Manager will put in writing his recommendation to Town Council. Dr. Cook asked who is responsible for paying for the demolition. The Town Manager replied the town would pay to have structure demolished and then place a lien on the property for the amount the town spent. The Town Manager stated that he did attend, last week, the required meeting in Richmond to go over the steps in applying for Phase II. Phase II would consist of the north side of Carver Avenue. An Application must be submitted by March 31<sup>st</sup>, 2011. He stated that between now and March 31<sup>st</sup> there are several requirements. The first is the town must hold a Management Team Meeting which has been scheduled for February 8<sup>th</sup> @ 4:00 p.m. at the Smithfield Center. The second requirement is to hold two public hearings. The Town Manager explained that the public hearings did not need to be held by Town Council. They just need to be advertised as public meetings. The first public meeting has been advertised and will be held immediately following the Team Management meeting at 5:30 p.m. on February 8<sup>th</sup>. It is optional on whether any Council members would like to attend. The purpose of the meeting is to allow the public to comment on the previous use of Community Block Grant Funds whether it is for the Pinewood Heights Project, Rising Star, etc. The second public hearing town staff would like to do right before the submittal on the 31<sup>st</sup> of March. Town staff would like to propose that following the Committee meetings on March 28<sup>th</sup> @ 6:00 p.m. The second public hearing is recommended to be a Council public hearing. This requirement is on the application. Lastly, the Town Manager stated that the town has received reimbursement from the County for their commitment on Phase I minus \$10,000.00. These funds were not budgeted this year so they will pay the remaining \$10,000.00 after July 1<sup>st</sup>. Mayor Hare asked if staff was still going in the direction to have a controlled burn to remove some of the structures. The Town Manager stated that at least two of the properties are not adjacent to an occupied unit and can be done safely. The Police Department is looking at doing some exercises in the two units located at 85 and 86 Pagan Avenue. Staff is looking at March 2011 for demolitions. Mayor Hare asked who would be demolishing structures. The Town Manager explained that the contract expired with the original contractor, however after reviewing original bids A.V.E.S. was indeed the lowest bidder when they were originally received. The Town Manager stated that he has talked with Mr. Moody and will negotiate with A.V.E.S to have structures removed. Vice Mayor Williams stated that he would contact Rusty Chase of Isle of Wight County to schedule a control burn.

2. Presentations & Review of Proposals submitted for 113 North Church Street - The Town Manager stated that three proposals were received for 113 North Church Street. He

stated there are representatives here for all proposals submitted. It was decided that they would present their proposal in the order they are listed on the agenda. The Town Manager explained that after the presentations he would recommend that after tonight when you have had time to digest the proposals to have a closed session to discuss and rank proposals.

a. Country Boys Firehouse Barbeque: The representatives of this proposal introduced themselves as Heather and Danny Thornton. Mr. Thornton began with a brief summary of whom they are and why they submitted a proposal. He stated they are entering into their fourth year of business and are ready to move to the next level. They have done numerous events such as fairs, festivals, and the Farmers Market here in Smithfield. Mr. Thornton explained that they have most recently won the People's Choice Award at the HamTown Pork and Fork event. He stated they are an established business with an establish clientele that just needs a home for people to come to that are looking for a barbeque experience. Mr. Thornton explained how cool it would be to have a real authentic smokehouse in an antique firehouse. Mr. Thornton stated that this would give them an opportunity to move forward with their business. Committee explained that they liked their proposal but it lacked numbers to know what it was going to cost to purchase property, make improvements and get business up and running. Ms. Thornton stated they have been approved for funding through TowneBank, but do not have specific numbers because they wanted to see if proposal was a possibility before investing too much time. They stated they do have a general contractor that is ready and willing to work with them and knows their budget restraints. Ms. Tynes stated that Council and the citizens are looking for long term investments. Ms. Chapman asked what their plans were for the second floor. Mr. Thornton stated they would be rented as office space or loft apartments to generate some revenue. Mr. Gregory suggested they may want to contact the Chamber of Commerce because they have a program for business plan development. Mr. Gregory agreed with rest of Committee that we need cost projections to make improvements to the building and what is the offer to purchase the building, which is what the town is looking to do. This information is needed to make an educated decision on which proposal really makes the best since for the town.

b. Hoses & Whistles: Ms. Bouraee thanked Committee for having them here. Mr. Heavens stated that he and his fiancée are new to the area. He continued to explain this is not an investment idea that they planned out when they first relocated here. He stated they want to create a home in Smithfield. Mr. Heavens stated that as far as the bar and restaurant business that is something he is very passionate about and Ms. Bouraee is very knowledgeable. Mr. Heaven stated they are looking to encompass a small bar/restaurant pub environment that will create a great atmosphere, good food, and great service. There will be different things going on throughout the bar each and every day whether it be a Sunday football game or Sundays where local Virginia Businesses come in to sell their wine. He stated they want to sell a home environment. Ms. Bouraee stated they plan on living upstairs to have an opportunity to really be a part of what is going on downstairs. Ms. Bouraee stated this is not an investment opportunity this is about offering the people of Smithfield a place to gather. Ms. Bouraee explained their plans are to have the front piece of the three bays and office of the firehouse to be the main restaurant setting including the kitchen, the seating area, and pub. This would be a low key spot. The back portion of the three bays would be more toward special events area. Mr. Heavens stated that they do not want to specialize to adults we want a family environment in the afternoon/evening. Then that will change to some kind of night life.

Ms. Bouraee said they also want to cater to the Arts community. The first Friday of the month they would allow local artist to hang their art on the walls for view and/or sell. Local musicians would be scheduled on Saturday nights. Committee was very pleased with the proposal; however they would like to see numbers to support business investment. Ms. Bouraee stated the reason numbers were not included in the proposal was because they were not asked for. They stated they have been working on a business proposal. Ms. Bouraee stated that with a cushion their projected cost for purchase, improvements would be approximately \$500,000.00. She stated she was prepared to pay for the property in cash. A loan would be taken out to fund the project. Mayor Hare questioned that according to their proposal it does not show that they have restaurant experience. Mr. Heavens gave Committee a brief summary of his experience in the bar/restaurant business. Committee thanked Mr. Heavens and Ms. Bouraee for their presentation. Dr. Cook asked the Town Manager what steps are required. Is it possible to request more information from the interested parties? The Town Manager stated yes and it would be up to the individuals to provide this information to move to the next level of consideration. Dr. Cook asked for both parties that have given presentation to give a little bit more detail as follows: What do you expect it to cost to get business up and running? What are you offering the town to purchase property? What are your expected sales during the first year? Mr. Bodson of Smithfield 2020 stated that he had just spoken to the Town Attorney and it has been determined that he can offer as an interested third party to help coach through the process. This would allow all the information received from all three parties to be consistent without involving the town. Smithfield 2020 can act as a mediator to get the same information from all three parties. Committee stated that the Town Manager would send a request for additional information and timeline once he gets direction from Council at February Town Council meeting.

c. The Old Firehouse – Balance: Retail, Residential, Restaurant: Mr. Deese introduced himself and stated that Mr. Hall was out of the country on vacation so he was prepared to present their proposal. Mr. Deese stated they plan on retail space on the first floor. There would be approximately four units. The space would be rented for \$400 – 600 a month. It will be designed for smaller business that cannot afford \$1,200 rent payments. Upstairs will be two studio apartments suitable for single couples. Mr. Deese stated they plan to pay \$30,000.00 for the property and invest approximately \$400,000.00 in the property. He stated they are experienced in this type of business. The preliminary construction estimate is \$350,000.00. The back building will have limited renovations because it will be used for parking and storage for the tenants. The bays would be petitioned off so each apartment would have their own parking and storage area. Mr. Deese mentioned some of the improvements that would be done. He also stated they have preliminary approval for financing. Mr. Deese stated all the rental spaces were created based on actual conversations with individuals that expressed interest in renting space. The plan is to open at the same time the South Church Street project comes to an end.

Meeting Adjourned at 5:50 p.m.





# Smithfield Police Department Activity Report

## December 2010

	This Month December 2010	Last Month November 2010	YTD 2010	December 2009	YTD 2009	YTD % Change
<b>Incidents Reported</b>						
Calls for Police Service	1,414	1,025	13,041	1,039	10,556	23.54%
<b>Traffic</b>						
Traffic Stops	185	340	3,876	365	3,761	3.06%
Traffic Summons	89	146	1,795	159	1,732	3.64%
Accidents	37	26	279	24	278	0.36%
<b>Criminal Process</b>						
Misdemeanor Arrests	18	22	262	19	266	-1.50%
Felony Arrests	9	16	140	6	96	45.83%
<b>Court Cases</b>						
Juvenile Court	34	41	433	25	452	-4.20%
General District Court	92	273	2,838	216	3047	-6.86%
Circuit Court	0	4	23	0	39	-41.03%
Fines Collected	\$5,816.16	\$8,496.92	\$70,776.88	\$4,458.58	\$67,707.51	4.53%
<b>Property Report</b>						
Stolen Property Reported	\$3,672.00	\$52,366.00	\$736,966.00	\$12,753.00	\$1,653,506.00	-55.43%
Stolen Property Recovered	\$31.00	\$28,920.00	\$277,959.00	\$3,152.00	\$237,570.00	17.00%
Property Damage Reported	\$3,370.00	\$3,485.00	\$34,522.00	\$145.00	\$23,790.00	45.11%
<b>Other</b>						
Total Mileage Police Units	25,827	28,316	348,246			
False Alarms-Police	16	18	233	17	238	-2.10%
Police Escorts	4	8	74	3	89	-16.85%

### NOTES:

Property totals are rounded to the nearest whole dollar.

Totals may vary between reporting periods due to ongoing investigations, case updates, and late reporting.

**SMITHFIELD POLICE DEPARTMENT  
MANAGER'S REPORT  
January 2011**

**Committees and Projects:**

01/04	Town Council meeting – Chief Marshall
01/05-09	National Sheriff's Association – Chief Marshall
01/10 – 12	Accreditation Assessment – James City County PD – Jimmie Minton
01/11	TRIAD – Isle of Wight Courthouse – Lt. Clarke
01/13	Virginia Association of Chiefs of Police meeting – Richmond – Chief Marshall
01/15	Police Officer testing – Smithfield Center – Captain Howell, Sgt. Bryan, Officer Meier and Annette Crocker
01/17	Dr. Martin L. King, Jr. Banquet – Smithfield Center – Lt. Clarke
01/18	Crime Line meeting – Smithfield Foods – Captain Howell and Sgt. Valdez
01/18 – 20	IACP Executive Board meeting – Chief Marshall
01/19	Police Officer testing – PD – Sgt. Bryan
01/20	Smithfield Center Policy meeting – Smithfield Center – Captain Howell and Lt. Clarke
	Safe Routes to School – Windsor Middle School – Lt. Clarke, Sgt. Evans, Wayne Griffin and William Saunders
	NOBLE meeting – Newport News Sheriff's Office – Captain Howell
01/24	HITDA meeting – Newport News – Captain Howell
	Police Committee meeting – Captain Howell
01/27 – 28	IACP - CICC and GIWG meeting – Chief Marshall

**Training**

01/15	Ritual & Occult Training – Newport News PD – Officers Epps and Powell (8 hrs.)
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**In-House Training:**

**Community Policing**

01/01	Women's Club New Year's Gala – Smithfield Center – Officer Miller
01/05	Christmas Parade After Action – PD – Captain Howell, Lt. Clarke, Judy Winslow and Terry Rhiner
01/05	Homework Station – Jersey Park Apartments – Officer Jones
01/07	I'm A Star Park – Smithfield Center – Lt. Clarke, Sgt. Evans, Officers Powell and Finelli
01/12	Homework Station – Jersey Park Apartments – Officer Adams

01/18 Smithfield Foods meeting – Smithfield Center – Officer Meier  
01/19 Homework Station – Jersey Park Apartments – Officer Epps  
01/26 Homework Station – Jersey Park Apartments –

**Investigations:**

**Case#:** 2011-00001  
**Location:** 600 West Main Street (Powerhouse Equipment)  
**Offense:** Reckless Handling of a Firearm  
**Disposition:** Cleared by arrest

On 01/01/2011 officers responded to the 600 Block of West Main Street in reference to shots fired in the area. Upon arrival the officers parked in the commuter lot at the Route 10 and Main Street intersection. Shortly after arriving they heard shots ring out from the area behind Powerhouse Equipment. Responding to the area behind the business the officers located several subjects, one of which was holding a silver handgun. The subject was ordered to drop the weapon, and complied. All the subjects were interviewed and it was noted that they had been drinking due to the strong odor of alcohol coming from their persons. The subject who fired the weapon was identified and charged with reckless handling of a firearm. Case is cleared by arrest.

**Case#:** 2011-00007  
**Location:** 604 West Main Street (A.V.E.S.)  
**Offense:** Grand Larceny  
**Disposition:** Warrants Obtained, Pending Arrest

On 01/04/2011 an initial report was made to the police department from Moody's A.V.E.S. in reference to scrap metal being stolen, then turned in for money at a local recycling facility. Upon further investigation detectives were able to identify three individuals, working together, that were stealing scrap metal from a job site located within the Smithfield Packing Facility. These individuals were assigned to Moody's A.V.E.S. within the packing plant and were responsible for the removal of scrap metals. The metals were to be recycled at a facility in Suffolk; however a tip was given to law enforcement that some of the metals were being recycled locally. The investigation revealed that over 8,000 lbs of scrap metal with an estimated payout of \$4,600 was deposited at the Carrollton Recycling located in Isle of Wight County (Benn's Church) by two of the suspects involved. The suspects involved were charged and warrants are currently on file. Case Pending Arrest.

**Case#:** 2011-00023  
**Location:** 513 Main Street (Church Manor Apt)  
**Offense:** Felony Elude Police  
**Disposition:** Cleared by Arrest

On 01/08/2011 officers while on routine patrol came into contact with a vehicle identified by a BOLO as stolen from Surry County. The officer verified the status of the vehicle and made a visual identification of the driver. The suspect vehicle pulled out of Church Manor Apartments and made a right turn onto Main Street then a right turn onto Route 10. The officer initiated a traffic stop with the suspect vehicle, activating his emergency equipment as both he and the suspect vehicle made the turn onto Route 10 into the County and continued towards Rushmere. Suspect then u-turned heading back to town when County units joined the pursuit. The suspect's vehicle impacted the ditch at the intersection of Old Stage Road and Highway 10. Suspect continued to elude police impacting the ditch a second time at Highway 10 and Berryhill Road where he drove his vehicle towards the Deputy in an attempt to continue to escape capture. Suspect traveled west again before losing control going off the road on Highway 10 near Wrenn's Mill Road. Officers checked the area and the driver had fled on foot. Several days later the suspect was taken into custody and charged with Felony Elude of Law Enforcement along with other charges made by the County. Case is cleared by arrest

**Case #:** 2011-00070  
**Location:** Nike Park & Battery Park Road  
**Offense:** DUI / Possession of a Firearm w/ a Controlled Substance  
**Disposition:** Cleared by Arrest

On 01/23/2011 officers responded to a reckless driver, who was involved with brandishing a weapon in Isle of Wight County. The officer observed the suspect vehicle coming into town on Battery Park and noticed the vehicle making erratic movement. The officer initiated a traffic stop with the suspect vehicle and identified him as intoxicated and subsequently charged him with DUI. During a search of the vehicle a handgun was retrieved from the floorboard behind the passenger seat. There were no other occupants in the vehicle. The firearm was identified as that used in the brandishing incident that occurred earlier in the evening. The suspect was taken to the Smithfield Police Department, where a search of his person revealed two small baggies of a white powdery substance, believed to be cocaine. The suspect was charged with possession of a firearm while intoxicated and possession of a firearm while in possession of a schedule II narcotic (cocaine). Case is cleared by arrest.

Reporting Period: 1/1/2011 thru 1/31/2011

Total Deposits for January 2011 - \$8,335.78

Trx. Type	Date	Invoice No.	Pay Type	Check No.	Group	Event	Res ID	Book ID	Amount
Invoice	1/7/2011	1247			Kiwanis Club of Smithfield	Breakfast with Santa	638		50.00
Invoice	1/7/2011	1248			Isle of Wight Commission on Aging	Seniors Christmas Party	643		50.00
Invoice	1/7/2011	1249			Pittman and Cunningham Reception	Pittman and Cunningham Reception	900		0.00
Invoice	1/7/2011	1250			Luter Family YMCA	Festival of Trees	1071		1440.00
Invoice	1/7/2011	1251			Jerusalem Baptist Church	Pastor's 4th Anniversary	1075		0.00
Invoice	1/7/2011	1252			Whitley and Ellis Reception	Whitley and Ellis Reception	1084		0.00
Invoice	1/7/2011	1253			Smart Beginnings Western Tidewater	Smart Beginnings Western Tidewater Meeting	1128		426.25
Invoice	1/7/2011	1254			Janice Butler	Pastor Floyd M Blackwell Retirement	1173		0.00
Invoice	1/7/2011	1255			Isle of Wight Social Services	Annual Adoption Banquet	1228		200.00
Invoice	1/7/2011	1256			Smithfield Women's Club	Smithfield Women's Club	1248		155.00
Invoice	1/7/2011	1257			Smithfield Packing	Quarterly Update	1254		400.00
Invoice	1/7/2011	1258			Lake Prince Woods	Lake Prince Woods Christmas Party	1329		0.00
Invoice	1/7/2011	1259			Valadez and Caro Reception	Valadez and Caro Reception	1368		0.00
Invoice	1/7/2011	1260			VDOT	VDOT Service Awards	1374		400.00
Invoice	1/7/2011	1261			Woltz and Associates	Woltz and Associates Real Estate Auction	1379		0.00
Invoice	1/7/2011	1262			Smithfield Women's Club	Smithfield Women's Club Gala	1382		379.40
Invoice	1/7/2011	1263			Smithfield Packing	2nd Quarter Plant Review	1385		595.50
Invoice	1/7/2011	1264			Hometown Credit Union	Hometown and Bayport Merger Meeting	1390		-200.00
Invoice	1/7/2011	1265			Hardy Elementary School	Hardy Elementary School Meeting	1396		200.00
Invoice	1/7/2011	1266			Smithfield Packing	Smithfield Packing Christmas Party	1428		400.00
Invoice	1/7/2011	1267			Smithfield Packing	Smithfield Foods Board of Directors Meeting	1370		400.00
Invoice	1/10/2011	1268			Colander and Barham Wedding and Reception	Colander and Barham Wedding and Reception	1213		-250.00
Invoice	1/19/2011	1271			Smithfield Foods Executive Offices	Smithfield Foods Meeting	1411		1490.00
								Total	6136.15
Payment	1/7/2011	1246		Electronic Transfer	VDOT-Local Assistance Division	Transportation Enhancement Workshop	1362		250.00
Payment	1/10/2011	1268	Check	Refund	Colander and Barham Wedding and Reception	Colander and Barham Wedding and Reception	1213		-250.00
Payment	1/12/2011	1248	Master Card	Master Card	Isle of Wight Commission on Aging	Seniors Christmas Party	643		50.00

Reporting Period: 1/1/2011 thru 1/31/2011

Total Deposits for January 2011 - \$8,335.78

Trx. Type	Date	Invoice No.	Pay Type	Check No.	Group	Event	Res ID	Book ID	Amount
Payment	1/13/2011	1264	Check	Refund	Hometown Credit Union	Hometown and Bayport Merger Meeting	1390		-200.00
Payment	1/20/2011	1247	Check	1155	Kiwanis Club of Smithfield	Breakfast with Santa	638		50.00
Payment	1/20/2011	1257	Check	2058514	Smithfield Packing	Quarterly Update	1254		400.00
								Total	300.00
Deposit	1/3/2011		Check	1339	Lassiter and Callis Wedding and Reception	Lassiter and Callis Wedding and Reception	1375		245.28
Deposit	1/4/2011		Check	4227	Melissa Judkins	60th Birthday Party for Barbara	1412		400.00
Deposit	1/5/2011		Check	4228	Melissa Judkins	60th Birthday Party for Barbara	1412		60.50
Deposit	1/7/2011		Check	117	Sarvis and Condon Wedding and Reception	Sarvis and Condon Wedding and Reception	1447		500.00
Deposit	1/7/2011		Check	3032	Johnson and Wallace Reception	Johnson and Wallace Reception	1155		500.00
Deposit	1/10/2011		Visa	Vis	Jackson and Brinkley Wedding and Reception	Jackson and Brinkley Wedding and Reception	1445		640.00
	4828 5718 6791 2026 exp 5/12 1908 Greenway Road Suffolk 23438								
Deposit	1/10/2011		Check	1476	Jackie Clark	Sweet Sixteen Birthday Party	1448		300.00
Deposit	1/10/2011		Check	13773	Jerusalem Baptist Church	Jerusalem Baptist Church	1449		500.00
Deposit	1/13/2011		Check	1264	Smithfield Lions Club	Lions District Meeting	1245		300.00
Deposit	1/17/2011		Check	1965	Curtis-Diggs Wedding & Reception	Curtis-Diggs Wedding & Reception	1456		500.00
Deposit	1/17/2011		Visa	Visa	Curtis-Diggs Wedding & Reception	Curtis-Diggs Wedding & Reception	1456		280.00
Deposit	1/17/2011		Master Card	MC	Spratley-Eley Reception	Spratley-Eley Reception	1457		500.00
Deposit	1/17/2011		Visa	Visa	Odom-Barbeau Wedding & Reception	Odom-Barbeau Wedding & Reception	1458		500.00
	4238 2755 1578 7437 exp 8/12 23453								
Deposit	1/19/2011		Check	102	Cholewinski and Carr Reception	Cholewinski and Carr Reception	1461		500.00
Deposit	1/19/2011		Visa	Visa	Call-Dixon Reception	Call-Dixon Reception	1465		700.00
Deposit	1/20/2011		Check	12762	Little Zion Church	Kingdom Living Conference, Pastor's Luncheon	1320		400.00
Deposit	1/20/2011		Check	1264	Smithfield Lions Club	Lions District Meeting	1245		300.00
Deposit	1/20/2011		Check	332	OA Spady	Hokies Banquet	1451		300.00
								Total	7425.78
								Grand Total	-1589.63

Smithfield Center Discounts January 2011

Booking Date (42)	Event Name	Room Code	Discount Percent
1/1/2011 Sat	90th Birthday Celebration	MH	0
1/2/2011 Sun	Bristow and Foster Wedding and Reception	MH plus Suites	20
1/4/2011 Tue	Town Council	A&B	100
1/4/2011 Tue	Smithfield Packing Using Kitchen	Kitchen	0
1/5/2011 Wed	Smithfield Packing Using Kitchen	Kitchen	0
1/6/2011 Thu	Chamber Legislative Breakfast	MH	0
1/7/2011 Fri	Welcome Back Party	MH	0
1/8/2011 Sat	Lassiter and Callis Wedding and Reception	MH plus Suites	20
1/11/2011 Tue	Planning Commission	A&B	100
1/12/2011 Wed	Smithfield Investors -AV Test	MH plus Suites	20
1/13/2011 Thu	Public Works Meeting	C&D	100
1/13/2011 Thu	Smithfield today Filming	Kitchen	0
1/13/2011 Thu	Smithfield Foods Meeting -Meat case Setup	Suites	20
1/14/2011 Fri	IOW Rescue Squad Banquet	MH plus Suites	0
1/15/2011 Sat	SPD Testing	C&D	100
1/15/2011 Sat	60th Birthday Party for Barbara	MH	0
1/16/2011 Sun	Johnson and Wallace Reception	MH	0
1/17/2011 Mon	Smithfield Foods Rehearsal	MH	20
1/17/2011 Mon	MLK Program	MH plus Suites	100
1/18/2011 Tue	Fire Department Meeting	C&D	100
1/18/2011 Tue	Crime Line Meeting	C&D	100
1/18/2011 Tue	Smithfield Foods Meeting	MH plus Suites	20
1/19/2011 Wed	Farmers Market Meeting	C&D	100
1/19/2011 Wed	VA Dept of Forestry Tomorrow Woods Conference	MH	50
1/20/2011 Thu	Smithfield Women's CLub	B	50
1/20/2011 Thu	Smithfield Women's CLub	C&D	50
1/20/2011 Thu	Elmer Jones Retirement Party	MH	0
		100%	8
		50%	2
		20%	2

## January 2011

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1 New Year's Day 4:00 PM 90th Birthday Celebration
2 3:00 PM Bristow and Foster Wedding and Reception	3	4 9:00 AM Smithfield Packing Using Kitchen 7:30 PM Town Council	5	6 6:45 AM Chamber Legislative Breakfast	7 5:00 PM Welcome Back Party	8 4:00 PM Lassiter and Callis Wedding and Reception
9	10	11	12 9:00 AM Smithfield Investors -AV Test	13 8:00 AM Smithfield Foods Meeting -Meat case Setup 8:00 AM Smithfield today Filming	14 Lee-Jackson Day Saturday Rate Russ Off 6:00 PM IOW Rescue Squad Banquet	15 9:00 AM SPD Testing 4:00 PM 60th Birthday Party for Barbara
16 Herbert Off 5:00 PM Johnson and Wallace Reception	17 Martin Luther King Day 12:00 PM Smithfield Foods Rehearsal 6:00 PM MLK Program	18 8:30 AM Smithfield Foods Meeting 6:30 PM Fire Department Meeting	19 Deep Cleaning-Suite A Closed Scissor Lift Delivery 9:00 AM VA Dept of Forestry Tomorrow Woods Conference 6:00 PM Farmers Market Meeting	20 8 AM Simplex-Duct Sensor Installation Deep Cleaning-Suite A Closed 12:00 PM Smithfield Women's CLub 5:30 PM Elmer Jones Retirement Party	21 Air Wall Removal Deep Cleaning	22 Deep Cleaning
23 Deep Cleaning	24 Russ Off Deep Cleaning	25 Deep Cleaning	26 Deep Cleaning Delivery of Chairs	27 Deep Cleaning	28 Deep Cleaning	29 Deep Cleaning

January 2011

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
30	31					
Deep Cleaning	Air Wall -Re-Installation & Maintenance Deep Cleaning					

## **Smithfield/Isle of Wight Tourism Activity Report – January 2011**

- Director attended Isle of Wight Board of Supervisors Meeting 1/06/11.
- Director attended Smithfield Town Council Meeting 1/04/11.
- Photo Shoot for Encore Bridal Ads at Windsor Castle Park and on Main Street, Smithfield 1/3/11 and 1/4/11. Ads will be used in all grant advertising.
- Monday Morning Moan meeting held for communications planning for S. Church Street Beautification project 1/3/11, 1/10/11, 1/24/11 and 1/31/11. Meeting will be held each Monday morning to allow citizens and merchants to make public comments and to discuss communicating the project issues to all concerned-residents, merchants and visitors.
- Smithfield 2020 Meeting 1/5/11. The project's initiatives range from attracting new businesses to developing activities that celebrate Smithfield's cultural heritage. Check out the website at [www.smithfield2020.org](http://www.smithfield2020.org) . All 2010 initiatives and accomplishments have been listed on the website. Director of Tourism took for action-promoting a Smithfield license plate and public porcine statuary!
- Worked with caterer, Clerk of Court, Sheriff's Dept, and Tourism staff to plan and conduct Young-Laine Courts Building Grand Opening. Week prior to event was spent in planning and logistics. Grand Opening Event occurred 1/7/11. Very successful event!
- Met with Budget and Finance Director regarding VTC Grant award 1/5/11.
- Completed 2010 Tourism Annual Report 1/6/11.
- Exhibited and Hampton Roads Bridal Show and Richmond Bridal Show 1/9/11. Very successful shows. Well received. At least one wedding booking already received. Email follow up throughout month.
- First Public Pig Art Committee meeting held 1/11/11 and 1/27/11. Plan to be solidified by committee and then vetted by entire Smithfield 2020 prior to taking public.
- Met with several merchants to discuss new event ideas for 2011 on 1/11/11.
- Met with Rob Friar to discuss 2011 Rev War Reenactment for Olden Days 1/11/11.

- Board Report completed for grant approval and appropriation for February board meeting 1/11/11.
- Attended Board of Supervisors Building & Ground Committee 1/12/11 to present DAR request for YLCB.
- Attended SHDBA Meeting 1/13/11.
- Appeared as a guest on Smithfield Today with Peter Stephenson and Connie Rhodes to discuss S. Church Street Beautification project 1/13/11. Currently airing.
- Provided information packets for all attendees for Smithfield Foods Investor Meeting held at Smithfield Center. (Delivered packets 1/13/11.)
- Held VACVB VA Tourism Summit planning meeting with planning committee 1/13/11, 1/21/11 and 1/26/11.
- Attended CVTA Value of Tourism committee meeting in Norfolk 1/14/10. Conference call on 1/25/11.
- VHTA Conference Call re: Tourism Hot Buttons at this year's General Assembly 1/14/11.
- Met with Smithfield Times about advertising campaign for local businesses during construction project 1/14/11.
- smARTs Event held 1/14/11. (Smithfield Monthly Arts Stroll)
- 1/17/11 HOLIDAY
- Attended Schoolhouse Museum Board meeting 1/18/11.
- National Park Service Regional Meeting 1/18/11.
- Farmers Market Board Report completed 1/18/11.
- Attended CVTA meeting held 1/19/11 at NN/Wmg Airport.
- Met with new Corporate Revenue Managers from Charlestowne Hotel Group and Smithfield Station 1/19/10. Revenue generation ideas and new events discussed.
- Attended Smithfield Farmers Market end of season review meeting 1/19/10 at Smithfield Center 6:00-8:30 p.m.

- Began work on this year's photo "Pork-a-razzi" contest 1/19/10. See details on County website Home page.
- Met with Murfreesboro Town Group to talk about setting up a Tourism Bureau 1/20/11.
- Spoke at the Tourism Caucus Committee at the General Assembly 1/20/10.
- Historic Resources Event featured on WAVY 10 News 1/20/10.
- Attended MATPRA Dinner 1/20/11 and MATPRA (Mid Atlantic Tourism Public Relations Alliance) Quarterly Meeting 1/21/11. Eric Esch with Smithfield Foods was the featured speaker about "The Face of a Destination: Paula Dean" Group of 30 attendees. 11 hotel rooms booked locally.
- Met with Peninsula Mustang Club about a new Spring event 1/22/11.
- Held Tourism marketing budget meeting 1/24/11
- Attended VHTA Virginia Legislative Breakfast in Richmond and met with OTC lobbyist regarding tourism tax issues 1/25/11. Visited with legislators at General Assembly.
- Attended Council Committee meetings 1/25/11 to discuss license plate and RFP's for Old Firehouse.
- Held Smithfield Music's Aiken & Friends Music Festival meeting 1/26/11. Kick off to 2011 event!
- VACVB Board Conference Call held 1/26/11. Hotel site inspection for April VA Tourism Summit.
- Joint Tourism Committee meeting 1/27/11. Discus budget, Annual Report.
- Windsor Castle Park Anniversary Event planning meeting 1/27/11.
- IOW U.S. and IOW England Art Exchange meeting held 1/28/11.
- Leadership IOW Class 1/28/10. Lois Chapman, Marketing and PR Manager is in this year's class.
- Attend Virginia Tourism (VTC) Board meeting in Richmond 1/31/11.
- IOW Fair Committee Meeting 1/31/11.

- Attended IOW Staff Meeting 1/10/11.
- Attended Smithfield Staff Meeting 1/12/11 and 1/26/11.
- 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!

ADDITIONAL  
INFORMATION  
ITEMS



January 24, 2011

Ms Gina Ippolito  
Town of Smithfield  
P. O. Box 246  
Smithfield, VA 23431

Dear Ms Ippolito:

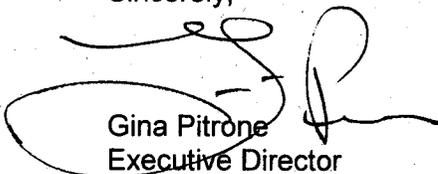
After careful review of your submitted Concept Paper, Activate Smithfield wellness program, the Grants Committee of the OBICI Healthcare Foundation is pleased to inform you that we are offering you the opportunity to submit a full proposal.

Upon receipt of this letter, please call the Foundation to schedule attendance at one of our technical assistance sessions which are provided to assist you in preparing your proposal. Sessions will be offered February 8<sup>th</sup> and 9<sup>th</sup>. Although this is not mandatory, we strongly suggest you attend so that we may assist you with your proposal. Please contact our office to schedule a session. In addition, a site visit should be scheduled with your Program Officer, Rick Spencer.

Please refer to the Foundation's Application Guidelines, required forms and proposal timeline located on our website at [www.obicihcf.org](http://www.obicihcf.org) in Grantmaking – RFP Information to find the latest version of our application. Proposals are due Monday, February 28 by 2 p.m. by e-mail *and* hard copy.

We wish you every success with your proposal and if you have any questions about forms, please contact Cathy Huband at (757) 539-8810.

Sincerely,



Gina Pitrone  
Executive Director

Copy to: Mrs. Peter Stephenson

**DRAFT NOTICE TO LOCAL GOVERNMENT DISLOCATED WORKERS UNIT**

January 25, 2011

**Via Facsimile (757) 365-9508**

Mayor David Hare  
City of Smithfield, Virginia  
Dislocated Workers Unit  
315 Main Street  
P.O. Box 246  
Smithfield, VA 23431

Re: Notice of Facility Closing – Smithfield Ham and Products, Smithfield,  
Virginia

Dear Mayor Hare:

This Notice is being provided pursuant to the Worker Adjustment and Retraining Notification Act of 1988 (“WARN”), which requires employers to give official notice to certain government units or officials of a facility shutdown. In this case, Smithfield Packing Company, Inc. will permanently close its entire Ham and Products facility in Smithfield, Virginia, the address of which is 401 North Church Street.

The closure will commence on March 26, 2011 and all employees who are laid off will be laid off that day. We anticipate there will be 53 affected employees. All the positions and jobs at the site will be permanently eliminated as a result of this closure. These employees do not have any applicable bumping rights. A list of job titles of positions to be affected, and the number of affected employees in each such job classification, is available for your inspection. Please contact Adriene Crawley-Dent at (757) 357-3131 if you want to inspect this other information, or if you have any questions.

Very truly yours,

*Adriene Crawley-Dent*

## **PROCLAMATION BLACK HISTORY MONTH**

**WHEREAS**, Black History Month was initiated by Carter G. Woodson, a noted scholar, historian and son of former slaves in February 1926; and,

**WHEREAS**, during the nation's Bicentennial in 1976, this was expanded and became established as Black History Month; and,

**WHEREAS**, the accomplishments and heritage of African-Americans contribute in large measure to the cultural and ethnic diversity which is a hallmark of American Society and of the Town of Smithfield, as well; and,

**WHEREAS**, the month of February 2011 has been officially designated as Black History Month throughout the United States; and,

**NOW THEREFORE**, I, David M. Hare, Mayor of the Town of Smithfield, hereby proclaim the month of February 2011 to be Black History Month in the Town of Smithfield, and I commend to each citizen the diversity and richness of African-American culture as something to be appreciated and celebrated by all people.

Given under my hand this 1st day of February 2011.

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David M. Hare, Mayor  
Town of Smithfield

## CONSENT AGENDA ITEMS

- C1. **Motion to Adopt Town Council Strategic Goals for FY 2011 – 2012**  
David M. Hare, Mayor
- C2. **Resolution to Accept CHIP Steering Committee Reappointments**  
Police Committee Chair, Denise N. Tynes
- C3. **Resolution to Approve Street Closure and/or Traffic Control Assistance Request for Smithfield Triathlon to be held Saturday, April 2<sup>nd</sup>, 2011**  
Police Committee Chair, Denise N. Tynes
- C4. **Motion to Accept Proposal from Excel Paving Corporation and Clark Nexsen for the South Church Street Waterline Replacement**  
Water and Sewer Committee Chair, Andrew C. Gregory
- C5. **Motion to Accept Proposal from Draper Aden Associates for Design and Construction Standards Overview Scope of Work and Fees in the Sum Not to Exceed \$16,200.00**  
Water and Sewer Committee Chair, Andrew C. Gregory
- C6. **Motion to Authorize the Town Treasurer to Close the Town's Sewer Bond Escrow Account and Apply to Inter Fund Debt**  
Finance Committee Chair, John L. Graham
- C7. **Invoices Over \$10,000 Requiring Council's Consideration:**  
Finance Committee Chair, John L. Graham
- |  |              |
|--|--------------|
| a. Excel Paving Corporation                        | \$104,042.33 |
| b. English Construction Company                    | \$ 80,401.69 |
| c. Buchart Horn, Inc.                              | \$ 17,797.09 |
| d. Draper Aden Associates                          | \$ 10,024.00 |
| e. US Bank   | \$ 58,406.25 |
| f. Lowery & Associates                             | \$ 33,285.00 |
| g. Isle of Wight County – Fire and Rescue Salaries | \$ 30,000.00 |
| h. Isle of Wight County – E911 Dispatch            | \$ 22,954.00 |
- C8. **Motion to Renew Landscaping Contract with Clean Cut Image for One Additional Year**  
Public Works Committee Chair, Constance Chapman
- C9. **Motion to Authorize the Town Manager to Purchase the Budgeted Public Works Truck**  
Public Works Committee Chair, Constance Chapman
- C10. **Motion to Amend the Recycling Contract with A.V.E.S. to have Collection Twice a Month at No Additional Charge to the Town**  
Public Works Committee Chair, Constance Chapman
- C11. **Resolution of Support for Proposal of Smithfield License Plate**  
Public Buildings and Welfare Committee Chair, Dr. Milton Cook
- C12. **Motion to Authorize the Town Manager to Apply for a Special Use Permit on behalf of the Town of Smithfield for the Lease of 223 Washington Street**  
Public Buildings and Welfare Committee Chair, Dr. Milton Cook

RESOLUTION TO APPOINT CHIP STEERING COMMITTEE MEMBERS

WHEREAS, the Town Council of the Town of Smithfield is of the opinion that the Community Help In Progress program has had a positive impact on the community and should be continued; and,

WHEREAS, the Town Council created a CHIP steering committee charged with duty of advising the Town's police department in the implementation and continuation of the CHIP program that has been so successful to date; and,

WHEREAS, the council desires that the program should continue and that the CHIP steering committee should be appointed to continue the good works of the program; and,

NOW, THEREFORE BE IT RESOLVED, that the Town Council hereby appoints the following persons to serve on the CHIP steering committee for a term ending February 28, 2012:

- Denise Tynes
- Dawson Moody
- Randolph Barlow
- Chief Mark A. Marshall
- Julie Brown-Woodland
- Rev. Perry Moss, Jr.

Adopted this 1<sup>st</sup> day of February, 2011.

TOWN OF SMITHFIELD,  
a Virginia municipal corporation

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Clerk

## RESOLUTION

## CLOSURE OF STREETS FOR YMCA SPRINT TRIATHLON RACE

WHEREAS, the Luter Family YMCA is organizing a Youth Triathlon, a race which includes a 5 kilometer run and a 10 mile bike race; and,

WHEREAS, the Luter Family YMCA has requested that a portion of Cary Street be closed on Saturday, April 2, 2011 from 9:30 a.m. to 1:30 p.m. or until the conclusion of the race, to be used as a race course and to permit a safe environment to conduct the Triathlon, a part of which shall be a 10 mile bike race over a race course, part of which is located within the Town; and,

WHEREAS, the Luter Family YMCA has requested that portions of James Street, Grace Street, Cary Street, Main Street, Underwood Lane and Cedar Street be closed on Saturday, April 2, 2011 from 9:30 a.m. to 1:30 p.m. or until the conclusion of the races, to be used as a race course and to permit a safe environment to conduct the Triathlon, a part of which shall be a 5 kilometer race over a race course within the Town; and,

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

WHEREAS, it appears to the Town Council that this race is 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, April 2, 2011, that portions of James Street, Grace Street, Cary Street, Main Street, Underwood Lane and Cedar Street be closed from 9:30 a.m. to 1:30 p.m., or until the conclusion of the races, to permit a safe environment for conducting a 5 kilometer run and a 10 mile bike race and that the closure of these streets shall be subject to such rules, guidelines and procedures as may be established by the Town Manager and the Chief of Police.

Adopted this 1<sup>st</sup> day of February, 2011.

TOWN COUNCIL OF THE  
TOWN OF SMITHFIELD

By \_\_\_\_\_  
David M. Hare, Mayor

ATTEST:

\_\_\_\_\_  
Clerk

THIS AMENDED AGREEMENT, made and entered into this the 1<sup>st</sup> day of February, 2011, by and between ALL VIRGINIA ENVIRONMENTAL SOLUTIONS, INC., a Virginia corporation, (hereinafter AVES) of the first part; and the TOWN OF SMITHFIELD, a Virginia municipal corporation, (hereinafter “the Town”), of the second part:

WITNESSETH:

WHEREAS the Town and AVES entered into a contract dated June 1, 2006 for refuse collection services (“the Contract”); and,

WHEREAS, the Contract provides that the contract shall renew effective June 1, 2009 for an additional period of two (2) years; and,

WHEREAS, the parties entered into an extension of the contract dated April 7, 2009; and,

WHEREAS, the parties entered into an amendment of the contract dated July 7, 2009; and,

**WHEREAS, the parties entered into an amendment of the contract dated December 1, 2009 which provided for expanded collection services for recycling; and,**

**WHEREAS, the parties hereto desire to modify the terms of the amended contract pertaining to the collection of recyclable materials.**

NOW THEREFORE, in consideration of these premises the parties agree to this restatement of the Contract with minor amendments as stated herein below.

That for and in consideration of the mutual promise and covenants contained herein below and other sufficient legal considerations, AVES and the Town hereby agree as follows:

1. AVES shall collect, haul, transport, remove and dispose (hereinafter collectively referred to as “disposal”) of the following recyclable materials: number 1 and 2 plastics, aluminum and metal cans, newspaper, junk mail, corrugated containers, cardboard (no wax) and glass (hereinafter collectively referred to as “recyclables”) from residential, municipal and governmental premises within the corporate limits of the Town of Smithfield, Virginia, subject to the terms and conditions set forth herein below. AVES shall acquire title to the recyclables when it is loaded into AVES’ truck. Title to and liability for any Excluded Waste shall remain with the Town and Town expressly agrees to defend, indemnify and hold harmless AVES from and against any and all damages, penalties, fines and liabilities resulting from or arising out of the deposit of Excluded Waste in AVES’ trucks, containers or other equipment. The parties hereto acknowledge the solid waste disposal fees (“tipping fees”) are paid by the County of Isle of Wight and are not to be paid by AVES. Any other waste collected which does not qualify as

recyclables shall be disposed of by AVES in the same manner as it disposes of solid waste otherwise collected by AVES. Any additional fees, costs or taxes imposed on the disposal or collection of solid waste, including recyclables, shall be the responsibility of the Town or Isle of Wight County. The parties acknowledge that the consideration paid by the Town to AVES pursuant to the provisions of this contract is for the collection of recyclables.

Contractor shall furnish all personnel, labor, equipment and supervision necessary to fulfill satisfactory performance of this agreement. Contractor shall use only personnel qualified to perform the work assigned and shall see that all work is performed in an efficient and workmanlike manner.

2. The term of the contract for the disposal of such recyclables, shall be for a period of 36 months, commencing on March 1, 2010 and ending at midnight on April 31, 2013, with the right to renew for periods of 24 additional months as set forth below. During such period disposal of recyclables shall be made **twice** each month on the first **and third** Wednesday of each month between the hours of 6:30 A.M. and 5:00 o'clock P.M., provided that if any such day falls on a legal holiday, then such collection shall be rescheduled in coordination with the Town. In no event shall disposal of recyclables be commenced later than 8:30 a.m. The Town manager shall be notified immediately in the event that scheduled disposal cannot be met due to mechanical or other unforeseen delays. Contractor agrees that in the event of equipment breakdown, strike or any other occurrence which would delay or prevent timely performance of its obligations that it shall take all actions reasonably necessary, including but not limited to, replacement of equipment and personnel in order to assure restoration of normal service within six (6) hours from the time of occurrence.

3. The annual consideration for this contract for each of the two years of the term of this contract shall be \$2.33 per unit/collection stop per month with an initial minimum of 1,000 unit/collection stops. The Town may increase the number of stops in increments of **250** stops, payment for which shall begin with the first additional unit/collection stop. Payment shall be made by the Town in equal monthly payments on the last working day of each month, commencing March 31, 2010. The number of units for which the contractor shall be paid during the term of this amended contract is 1,000 units unless increased as provided hereinabove. Collection of recyclables from Town Hall, the Town's Police Department, the Town Manager's office and the Isle of Wight Tourism offices shall be at no charge to the Town. Further, should both parties desire to extend this contract as provided above, the annual consideration thereafter may be increased by a percentage equal to the percentage change in the CPI-U "All Items"

category of the Consumer Price Index published for the most recent period prior to the date of the proposed change. Such increases shall be made only by mutual agreement of the parties.

4. a) All recyclables shall be placed in the 96 gallon containers to be provided by AVES. Beginning March 1, 2010, all recyclables, will be placed in containers or receptacles furnished by AVES ( 96 gallon containers) placed on the premises of the owner or occupant at the edge or curb of the street or at a reasonably accessible location for collection. One 96 gallon recyclables receptacle will be provided to each household/collection stop by AVES at no charge to the Town of Smithfield or the customer for collection from an automated compactor enclosed truck. Additional receptacles will be supplied by AVES at resident/customer expense at rate of \$5.50 per month per receptacle. Designated areas of the town's collection route may have to be serviced using the rear load truck system. However, each household/collection stop within these designated areas will still be provided with one 96 recyclables receptacle by AVES at no charge. The town has chosen "royal blue" as the official color of all of the recyclables receptacles to be provided by AVES. The name and phone number of the contractor shall be imprinted on each receptacle.

b) No recyclables shall be collected from steel drum containers.

c) The Town shall publish rules and regulations governing the manner in which owners or occupants of residences and businesses within the town shall store and place recyclables for disposal pursuant to this agreement.

5. All recyclables shall be collected and removed from residential, municipal and governmental premises within the corporate limits. "Unit" as herein used shall refer to one single-family dwelling unit, or existing currently serviced small businesses as of the date of this contract. "Unit" may also include an individual townhouse, condominium, apartment (up to four units) or duplex unit as designated by the Town Manager. The town and/or AVES will have the right to refuse service to residents that neglect recycling collection guidelines to be established.

6. AVES shall make the recyclables collection in enclosed trucks or vehicles. The vehicles shall be in good working order, shall be cleaned regularly in accordance with any applicable Health Department regulations (at sites suitable, appropriate and approved for cleaning said trucks or vehicles), and shall have presentable appearance.

7. AVES shall dispose of all recyclables under the contract only in such manner as is permitted and authorized by law, and shall comply with all rules, regulations, and laws applicable to the disposal of recyclables.

8. AVES shall maintain an office at which a responsible person can be reached by telephone during regular working hours of 9:00 A.M. to 5:00 P.M. to answer questions about the pick-up service with personnel sufficient to receive and handle complaints and to receive communication from the Town Manager or his representative. Contractor shall supply an emergency telephone number for use in the event of after hour emergencies.

AVES will maintain a complaint log form and a copy of this completed form and corrective actions taken will be submitted to the Town Manager on a monthly basis. The AVES office personnel answering the phone will take the call and get the appropriate information from each resident (name, date, phone number, address, time, comment section). The person taking the message will immediately contact the driver and receive the driver's input. The Operations Manager will also be notified by the office, and he or she will either return the phone call or go to the site of the complaint and address the complaint the same service day. Supervisors and/or the Operations Manager will be present in the service area each service day.

9. This contract is for the collection of all recyclables within the Town of Smithfield from residential, and municipal places or locations, subject to the conditions specified herein. Should the current boundaries of the Town of Smithfield change during the term of this contract and should the number of stops increase then this contract shall be adjusted accordingly to reflect any increase in the residential, premises receiving recyclables collection.

10. AVES shall be deemed an independent contractor and shall assume all liability and responsibility for any and all damages to persons and/or property resulting from the disposal of such recyclables, and the Town of Smithfield shall not be liable and responsible for any such damages, from all of which AVES shall save, protect, and hold the Town harmless.

11. Changes to the type, size, and amount of equipment, the type of frequency of service, and corresponding adjustments to the rates, may be made by agreement of the parties, evidenced either in writing or by the practices and actions of the parties, without affecting the validity of this Agreement and this Agreement shall be deemed amended accordingly. This Agreement shall continue in effect for the term provided herein and shall apply to changes of and new service address location of the Town within the area in which AVES provides collection service.

12. Town recognizes the difficulty of ensuring that the Town's pavement or driving surface is adequate to bear the weight of AVES' vehicles. Therefore, Town agrees that Town will be responsible for any damage to Town's pavement, curbing or other driving surfaces resulting from the weight of AVES' vehicles providing service at the Town location.

13. AVES shall carry the following insurance which shall be with a reputable company duly licensed to do business in the Commonwealth of Virginia and that AVES will file a memorandum of same with the Town:

a) Workmen's Compensation of all employees who may be involved in any way in the performance of this contract or in services in connection therewith.

b) Commercial general liability insurance in the amount of \$5,000,000.00 combined single limit.

c) Vehicle fleet liability (business automobile coverage) in the amount of \$5,000,000.00 combined single limit.

14. Contractor in all solicitations or advertisements for employees placed by or on behalf of the contractor will state that AVES is an equal opportunity employer. Further, during the performance of this agreement, contractor agrees to provide and maintain a drug-free workplace for contractor's employees.

15. As of midnight, June 30, 2013, unless terminated as provided herein below, this contract shall be deemed renewed for an additional period of two (2) years, and may be renewed in two year increments, thereafter at the pleasure of the Council under renegotiated terms and conditions. This Agreement may be terminated at the end of the original term, by either party hereto upon written notification to the other party, dispatched by certified mail to the other party at its last known post office address, of its desire to terminate the said contract as of the expiration of the then current term; such notice shall be mailed at least sixty (60) days prior to the expiration of the said then current term.

16. If, during the term of this Agreement, either party shall be in breach of any provision of this Agreement, the other party may suspend or terminate its performance hereunder until such breach has been corrected; provided, however, that no termination shall be effective unless and until the complaining party has given written notice of such breach to the other party and the other party has failed to cure such breach within at least ten (10) days thereafter. In the event any such breach remains uncured for a period of ten (10) days, the complaining party may terminate this Agreement by giving the other party written notice of such termination; which shall become effective upon receipt of such notice.

17. This contract shall be binding upon the parties hereto, their successors and assigns. This contract may not be assigned by AVES without prior written approval of the Town.

18. It is the intention of the Town of Smithfield that effective **January 1, 2012** the frequency of recycling collection shall increase and the frequency of refuse collection shall decrease to encourage greater participation in the town's recycling efforts.

19. THIS AMENDMENT IS SUPPLEMENTAL TO THE ORIGINAL CONTRACT DATED JUNE 1, 2006 AND AS AMENDED APRIL 7, 2009 AND JULY 7, 2009, THE TERMS OF WHICH ARE INCORPORATED HEREIN BY REFERENCE. THE TERMS OF THIS AMENDMENT PROVIDE FOR SUPPLEMENTAL SERVICES AND ARE NOT A SUBSTITUTE FOR REGULAR TRASH COLLECTION AS PROVIDED IN THE ORIGINAL CONTRACT AS AMENDED.

20. Neither party hereto shall be liable for its failure to perform or delay in performance hereunder due to contingencies beyond its reasonable control including, but not limited to, strikes, riots, compliance with laws or governmental orders, fires and acts of God and such failure shall not constitute a Default under this Agreement.

WITNESS the following signatures and seals, the Town of Smithfield having caused these presents to be executed by its Town Manager pursuant to a motion of the Town Council of the Town of Smithfield duly adopted on February 1, 2011.

**ALL VIRGINIA ENVIRONMENTAL SOLUTIONS, INC.**, a Virginia corporation,

By: \_\_\_\_\_  
S. Dawson Moody, President

**TOWN OF SMITHFIELD**

By: \_\_\_\_\_  
Peter M. Stephenson, Town Manager

## Refuse and Recycling Work Session

The Smithfield Town Council held a work session on Tuesday, January 25<sup>th</sup>, 2011 at 3:00 p.m. The work session was held at the Hampton Inn & Suites located at 200 Vincent's Crossing, Smithfield Virginia. Council Members in attendance were Ms. Constance Chapman, Dr. Milton Cook, Ms. Denise Tynes, Mr. T. Carter Williams, Vice Mayor; Mr. Andrew Gregory, and Mr. David M. Hare, Mayor. Staff in attendance were Mr. Peter M. Stephenson, Town Manager; Ms. Lesley J. Greer, Town Clerk; Mr. William T. Hopkins, Director of Planning, Engineering and Public Works; Ms. Sonja Pruitt, Office Manager of Public Works; Mr. William H. Riddick, Town Attorney; Mr. Jessie Snead, Superintendent of Public Works. Other in attendance were Mr. Dawson Moody and Mr. Nelson Moody of All Virginia Environmental Services (A.V.E.S.), Mr. Tim Lee of Tidewater Fiber, Mr. Dempsey of Recycling Perks. The media was represented by Ms. Allison Williams of The Daily Press and Mr. Scott King of The Smithfield Times.

Ms. Chapman explained that the purpose of the work session is to have a brainstorming session to determine how to resolve the ongoing issue of reducing trash collection and increasing the town's recycling efforts. She stated that the Town Manager had provided in the agenda packet a summary of facts and figures on both services as background information. Currently the town has two separate contracts for refuse and recycling. It was stated that the town is approaching the end of the initial five year contract for refuse collection on June 30<sup>th</sup>, 2011. This twice a week curbside pick-up will automatically renew for another two years unless the town provides a 90 day notice to A.V.E.S. stating otherwise. The town's recycling contract does not expire until April 31<sup>st</sup>, 2013. The ultimate goal is to merge the two contracts into one with the possibility of reducing the overall cost of these two services. The Town Manager stated that obviously we have had a lot of good discussion on the whole topic. Some of Council has even had site visits to the recycling plants to see how it is processed. The Town Manager stated that staff has met with Mr. Moody to find out what he proposes would be fair from his prospective in terms of implementing additional recycling. The Town Manager stated the majority consensus is to eventually get to one trash and once recycling a week. He also stated that if we can find away to recycle yard waste that would be great. The Town Manager explained that at the bottom of second page of his summary was Mr. Moody's recommended proposal. Mr. Moody's proposal request was for a new combined five year contract effective July 1<sup>st</sup>, 2011. He proposes to change the frequency of recycling collection from once to twice per month effective July 1<sup>st</sup>, 2011. The refuse collection would remain at twice per week through April 31<sup>st</sup>, 2013 with no change in the town's current expenses. After April 31<sup>st</sup>, 2013 it is proposed that the fees be renegotiated and the town could modify its overall collection schedule to once per week refuse and once per week recycling through the remainder of the contract term. The Town Manager stated there have been other options thrown out to get to one and one sooner and what would that cost. He stated that we really would like to recycle yard waste but we really do not know

what the volume is because it has been lumped in with the trash all these years. Vice Mayor Williams suggested getting with the County to see what we could do with the yard waste and then they could give the town a credit for not putting yard waste in the landfill. Ms. Pruitt stated staff has met with the County a couple of times and they talked like they would work with the town, but gave no direction of how they would work with us. It was stated that it would need to go before the Board of Supervisors. The Town Manager stated without knowing how much we would reduce their landfill cost they really cannot commit. Vice Mayor Williams asked if we know how much we are recycling every month. Mr. Moody stated its approximately two hundred tons a year. Vice Mayor Williams asked if Mr. Moody was able to get how many stops he was making verses the number of cans delivered. Mr. Moody stated they did but cannot get it accurate because the drivers of the trucks forget to reset their clickers and they were bringing in false information. Ms. Chapman stated that at this point we all agree that we need more than once a month recycling. Mr. Graham stated that he is trying to understand the cost of service. He stated that the town has had a tradition of mingling the cost of the cans and pickups. One thing to define would be the can cost. Mr. Graham made suggestions on what the can cost would be if you used the example of each recycling can costing a dollar a month. If the town has an inventory of 2,000 cans that is a \$2,000 bill a month. He stated that is one of his questions to separate these two numbers. Mr. Graham stated that he and Vice Mayor Williams had taken some time and visited the Butler Paper Plant in Franklin and Tidewater Fiber in Chesapeake to get an idea of how recycling is handled. Mr. Graham stated that the town paying for trash that is found in the recyclables is something we cannot manage. Mr. Graham stated that when he looks at other localities in the Hampton Roads area trash collected once per week and recycling collected twice per month is a high level of service so why would the town want to wait two years to implement that level of service. It seems to him if we go there quickly we should be able to offer a high level of service with a reduction of what our current cost is for these services. Mr. Graham asked Mr. Moody that after five years the Town of Smithfield will have paid off all the cans for trash and there would no longer be a can cost except for new cans. The Town Manager explained that as he understood it the original five year contract was the five years that was needed to payoff what A.V.E.S. had invested in the cans. However, the cans do not become our property. They remain the property of A.V.E.S. Discussion was held on the cost of each stop if the cost of the cans was excluded. Mr. Graham explained that when he mixes the cost of the cans with the cost of the trash collection it distorts the cost of the service. It is much clearer to have the two costs in separate columns. Mr. Graham stated that he thinks we all want to continue and extend the contract, but from our perspective if you could be more forthcoming in the way of what your cost are so we can arrive at mutual terms that would be the most beneficial way to go. Vice Mayor Williams took the discussion back to the proposal that Mr. Moody provided in the Town Manager's summary. He stated that he thinks everybody is on the same page with that with the exception of Mr.

Graham wanting it to happen sooner. Vice Mayor Williams stated that his point with sticking to the two years is so that A.V.E.S. has time to recoup their initial investment of cans. Mayor Hare asked Mr. Moody if the town extended the contract for two additional years would he consider amending the break points for the number of cans purchased at one time from 500 to 250 on the recycling contract. Mr. Moody stated that was offered at the last meeting he attended. Discussion was held on how to pay for cans without it being included in cost of service. Mr. Moody disagreed with separating the two costs as it would create a nightmare to keep up with the paperwork. Mayor Hare asked Mr. Hopkins if he pays a can fee or a flat fee in Franklin. Mr. Hopkins replied that he pays a flat fee of \$46.00 a month for one trash pick up a week and two recycling pickups a month. Mr. Moody provided a handout that listed other areas trash collection information. He pointed out on the last page there was a bill that showed the charge of \$5.38 for once a week trash pickup and the can remains the property of the City of Newport News. Ms. Tynes wanted council to keep in mind that the town pays A.V.E.S. to provide a service to the town. A.V.E.S. is responsible for picking up and distributing cans as needed. Mayor Hare asked Mr. Moody again what the actual cost is to purchase one can. Mr. Moody replied the can cost is \$50.00 each. Mr. Moody stated that A.V.E.S. does not have a problem cutting trash collection back to once a week, but feels it would be better for the citizens and ourselves to stretch it out to give staff time to promote recycling and educate the citizens of the upcoming change whether it is once a week trash and once a week recycling or once a week trash and twice a month recycling. Ms. Chapman asked if the town goes to once a week trash and once a week recycling will the recycling fees go up due to trash in the recycle bins. Mr. Butler of Butler Paper was present and stated that the amount of trash found in Smithfield's recycling is so small it is a insignificant factor at this point and would not charge the town these fees. Mr. Butler did say that he would need to have a formula in place in case a half of truck load of trash comes in with a load of recycling stating who is responsible. Mr. Butler gave an example of what could be done to curb trash being put in recyclable containers. Cans could be tagged and not picked up if it is determined to have a lot of trash in the recyclables. Dr. Cook suggested keeping trash as is for another year, educate and revisit next January. There was a consensus from most of the council to take the next year to promote recycling and inform the citizens that effective January 1, 2012 trash collection would be reduced to once a week and recycling once a week. Staff will continue to work with A.V.E.S. to negotiate a combined contract based on cost of service. Mr. Graham stated that this was a work session and wanted to introduce a gentleman by the name of Bill Dempsey. He has a business here in Smithfield called Recycling Perks. Mr. Graham stated that he does not think it is anything the town is ready for yet, but it is an interesting program to encourage recycling. Mr. Dempsey stated their goal is to increase recycling. He gave a brief summary of their recycling program. He stated that they have partnered with Tidewater Fiber and they have the technology that allows them to have a good understanding who is putting out what and what the participation rate is. Based

on the weight of the container from participants rewards are given. Those rewards can be used in area businesses or the Hampton Roads area. Ms. Chapman stated she would love to hear more about their business but unfortunately we are out of time. She stated we need to be wrapping up for committee meetings beginning at 4:00 p.m. A summary was given of where we stand now with amending the recycling contract and would be brought back up at the Public Works Committee today for more discussion.

Meeting Adjourned at 4:00 p.m.

RESOLUTION SUPPORTING APPLICATION FOR A SPECIAL DMV LICENSE  
PLATE FOR THE TOWN OF SMITHFIELD, VIRGINIA

WHEREAS, Smithfield 2020 has proposed that there should be a special license plat issued by the Virginia Department of Motor Vehicles available to citizens which features a design that recognizes the Town of Smithfield;

WHEREAS, the Town Council of the Town of Smithfield deems it to be in the best interest of the Town of Smithfield to provide for such special license plates so as to promote the town; and,

WHEREAS, the Town Council has reviewed several potential license plate designs and has chosen a suitable and appropriate design.

NOW THEREFORE BE IT RESOLVED by the Town Council of the Town of Smithfield that Smithfield 2020 is hereby authorized to make application to the Virginia Department of Motor Vehicles for issuance of a special license plate featuring the Town of Smithfield with a design substantially in accordance with the sample license plat design attached hereto as Exhibit "A".

Adopted this 1<sup>st</sup> day of February, 2011.

TOWN OF SMITHFIELD,  
a Virginia municipal corporation

By \_\_\_\_\_  
David M. Hare, Mayor

Attest:

\_\_\_\_\_  
Clerk

## **ACTION SECTION**

1. **PUBLIC HEARING: Proposal to Change the Future Elections for Town Council Members from May to November so as to Coincide with the General Elections**
  - a. Staff Presentation by William H. Riddick, III, Town Attorney
  - b. Public Hearing Opened
  - c. Public Hearing Closed
  - d. Consideration : Public Buildings and Welfare Committee Chair, Dr. Milton Cook
2. **Motion to Approve the Town Council Minutes for the Meetings of January 4<sup>th</sup>, 2011.**  
Town Attorney, William H. Riddick
3. **Old Business:**
4. **New Business:**
  - a. **Motion to Authorize the Mayor to Execute Purchase Contract and Make \$10,000 Deposit to Isle of Wight County for Acquisition of Tax Map Parcels 21A-01-497, 498, 498A & 499 (911, 913, & 917 South Church Street) for Public Purposes**  
Finance Committee Chair, John L. Graham
  - b. **Recommendation from Nominating Committee to fill the three (3) expiring terms (1/31/2011) for Planning Commission members Virginia Smith, Julia Hillegass, and Norma Odom Leonard**
  - c. **Recommendation from Nominating Committee to fill the two (2) expiring terms (1/31/2011) for the Board of Historic and Architectural Review Members Roger Ealy and Virginia Smith**
  - d. **Closed Session: Disposition of Real Property and Matters Requiring Advise of Legal Counsel**
5. **Adjournment**