

The Smithfield Town Council held its regular meeting on Tuesday, February 4th, 2014. The meeting was called to order at 7:30 p.m. Members present were Mr. T. Carter Williams, Mayor; Mr. Andrew Gregory, Vice Mayor, Mrs. Denise N. Tynes, Ms. Connie Chapman, Mr. Michael Smith, Dr. Milton Cook, and Mr. Randolph Pack. Staff members present were Mr. Peter M. Stephenson, Town Manager; Mr. William T. Hopkins III, Director of Planning, Engineering, and Public Works; Ms. Lesley King, Town Clerk; Ms. Ellen Minga, Town Treasurer; Mr. Thomas Jones, Patrol Sergeant; Mr. Eric Phillips, Officer; and Mr. William H. Riddick III, Town Attorney. There were seven (7) citizens present. The media was represented by Ms. Abby Proch of The Smithfield Times.

Mayor Williams – Good evening ladies and gentlemen. Welcome to the Smithfield Town Council meeting of February 4th, 2014. We welcome everyone for coming tonight. At this time, Mr. Al Casteen will lead us in the Pledge of Allegiance.

All present stood and recited the Pledge of Allegiance to the flag.

Mayor Williams – We will move into the Informational Section. Our Town Manager will give us the Manager's Report.

Town Manager – Thank you. Welcome everyone. The January Activity Report was included with the electronic posting on Friday. January was an interesting month some wild swings in the weather. We had the first ever BOB Festival at Windsor Castle Park. It was sold out. We had two snow storms in the past two weeks. I certainly wish to thank the Police Department and the Public Works staff for putting in a lot of extra hours. They did everything from pushing snow, fixing water mains, and sewer problems. Everyone did a great job. I do have an interesting display by the sign up table. It is a collection of town tags that Colonel Harris had amassed during his tenure here. They have been in storage. I have been wanting to get them displayed for some time. There is a gentleman in Chesterfield who had actually met Colonel Harris and those town tags in 1976. Mr. Bob MacMeccan is a collector and he has town tags from every town in the Commonwealth of Virginia that put out town tags over the years. He took a photo of them in 1976. He has some friends in the area so he has kept in touch. He visited our office before the holidays and I told him that we would love to have them displayed. He offered just for the cost of materials which was thirty-three dollars to come up with a nice display so over the holidays he did that for us. The town tags range from 1925

through 1948. It is a pretty neat collection. You will notice that during the WWII years the town tags were not made of metal they were made from a pressed soybean product. We will proudly display them very soon in our office since we no longer do the town tags. It is kind of neat to have them. I think it will be a nice honor to Colonel Harris as well. I will send the Council members an email tomorrow regarding my schedule between the combination of training and vacation for the next few weeks. I will let you all know exactly where I am and what I am doing. Otherwise, the meeting schedule has a full complement of meetings this month. We had a few cancellations last month unfortunately because of the snow. The Board of Zoning Appeals and Board of Historic and Architectural Review will meet on February 18th. The Planning Commission will meet on February 11th. Town offices will be closed on February 17th for President's Day. The Council Committee meetings will be on February 24th and 25th at 4:00 p.m. Thank you.

Mayor Williams – Next is Public Comments. We do not have any sign ups. Does anyone wish to speak? Hearing none, we have a Briefing by Mr. Al Casteen, Isle of Wight County Board of Supervisors, Smithfield District.

Supervisor Casteen – Thank you, Mr. Mayor and members of Council. I would like to reimburse the town for the cost of the materials for the tag display since I am an old car enthusiast. I am quite honored and pleased that the gentleman could do it. I am giving thirty-five dollars in cash to the Town Treasurer. Supervisor Darden reported that at the Hampton Roads Transportation Planning Organization the Route 460 Project is being suspended. The Secretary of Transportation supports the project and encourages those businesses and localities interested in seeing that project move forward to make it known to the governor. Could the town please send them a resolution in support of the Route 460 Project? The Hampton Roads area will have its own transportation authority and those monies can supplement what the state is funding. Mr. Phil Rinehart, VDOT Project Manager for the Route 460 Bypass Project, advised the Board that the Route 460 Project is not suspended as reported. He says that VDOT is progressing towards resolving the environmental issues and will not initiate right-of-way acquisitions or begin construction until all environmental issues have been resolved. We are certainly hopeful. We all need to encourage the good government to help us. The county sold two more acres on Great Springs Road to the Hope Presbyterian Church as agreed in

the original sale of eight acres so they will now have a total of ten acres. The Board referred the Septic Pump Out Program Ordinance to the Planning Commission to conduct a public hearing and a recommendation be forwarded to the Board on proposed revisions to the Chesapeake Bay Preservation Area Ordinance. We are trying to tweak it to help the citizens as much as we can. The Smithfield Intergovernmental Relations Committee was appointed. Supervisor Jefferson and I will serve on that committee. Are there any questions?

Councilman Dr. Cook – Do we need to set up a meeting sometime soon with the Intergovernmental Relations Committee?

Mayor Williams – The Town Manager, Mr. Michael Stallings, and Ms. Anne Seward have been trying to set something up.

Supervisor Casteen – If the weather will cooperate then we will certainly see if we can endeavor to do that. As far as I know the Rescue Squad is still on target for mid March.

Vice Mayor Gregory – Since the recent delay on the Route 460 Project has the County renewed the documentation of support for the project?

Supervisor Casteen – I am confident that we will be doing something. The idea was for me to hint to you all to do the same thing. We will do the same thing with Windsor and anyone else that we can. Are there any other questions?

Mayor Williams – Next we have a Proclamation for Black History Month. The proclamation states:

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 2014 has been officially designated as Black History Month throughout the United States; and,

NOW THEREFORE, I, T. Carter Williams, Mayor of the Town of Smithfield, hereby proclaim the month of February 2014 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 4th day of February 2014.

Mayor Williams – Next is Council Comments. Does anyone have any comments?

Councilman Dr. Cook – Several weekends ago we had the first BOB Festival at Windsor Castle Park. I think it was a complete success even though it was chilly the weather cooperated. They had an extremely large turnout. I think most of the Council was there. As Mayor Williams said in his editorial in the paper there were a lot of faces that we have never seen before. I think that translates to visitors which translates to we are doing our job. I also think that this will parlay very well with the Wine & Brew Festival coming up in April. As of this weekend I understand that all of the tickets have sold out. I think the park is becoming a nice destination for festivals such as these. I hope that aspect of it will continue to grow. The Battle of Smithfield that happened last weekend was another great success. Some of Council went to the reception on Friday night while the rest of us went to the Rescue Squad Banquet. The reception was nice with a lot of good information. My twelve year old son is reading Civil War stuff now. On Saturday there were guided tours and living history tour guides up and down Main Street. There were canon and musket demonstrations. They had encampments at Windsor Castle Park. It was a great weekend. You could hear the canons going off all over town.

Mayor Williams – Thank you. I would like to thank Public Works staff, Mr. Bill Hopkins, and Mr. Peter Stephenson for an excellent job during the last snow the streets and parking lots were clean and salt was on sidewalks. It was an excellent job. Isle of Wight County was also in really good shape. I took my son to Newport News and the roads were awful over there. Warwick Boulevard was a mess. My hat is off to town staff and also the County for doing an outstanding job.

Councilwoman Chapman – I met with Ms. Winslow and Ms. Musick today and our Windsor Castle Park Amenity Survey will be going live on February 15th through March 15th. We will have press releases. It will be in the community calendar. The survey along with all of the other input that we received through forums, surveys, online, and emails will be tabulated then we will have a goal setting session.

Mayor Williams – Are there any other Council comments? Next is Summary of Consent Agenda Items. We have five items tonight. We will review each of them with

the chair of each committee. Does any Council member like to pull any of the of the consent agenda items for further discussion? Hearing none, we will start with Mrs. Tynes, Police Committee Chair.

Councilwoman Tynes – Police Committee Summary. Thank you, Mayor. The first item is a resolution to enforce the Parking Ordinance at Smithfield Plaza and Smithfield Square Shopping Center at the request of the owners of those properties.

Vice Mayor Gregory – The next item for the Police Committee is a resolution to reappoint the Community Help In Progress Steering Committee (CHIP) for another term ending February 28th, 2015. Mrs. Denise Tynes, Mr. Dawson Moody, Chief Steven Bowman, Ms. Francine Holloman, Ms. Julie Brown-Woodland, Rev. Perry Moss, and Ms. Betty Entsminger serve on that committee.

Councilwoman Tynes – The next is a motion to approve amendments to the Emergency Communication Center Bylaws which requires approval by all governing bodies which include the Windsor Town Council, Smithfield Town Council, and Isle of Wight County Board of Supervisors. The changes involved Article 2 Section 1 any membership changes even if it is a name or position change. They had to change a name in membership and change the Rescue Squad and Fire Department president for that particular body.

Mayor Williams – Next is Mr. Randy Pack, Finance Committee Chair.

Councilman Pack – Finance Committee Summary. We have eight invoices over \$10,000 which require Council's consideration. The first invoice in the amount of \$50,000.00 to the Luter Family YMCA which is an annual donation based on our initial budgeted amount of \$500,000.00 over ten years. The next two invoices are both half of a yearly budget the first invoice to Isle of Wight Tourism in the amount of \$104,988.00 and an invoice to Isle of Wight E-911 Dispatch which is the town's portion for half a year in the amount of \$50,762.50. The next invoice is to US Bancorp for our Reverse Osmosis Plant which is a payment on our loan of \$84,150.83. Next is Caldwell Tanks invoice in the amount of \$25,468.32 this is a quarterly payment for repairs and maintenance to our water tanks in town. Next is Draper Aden Associates invoice in the amount of \$37,984.00 for different items resulting from our consent order. Next is a \$10,000.00 budgeted contribution to the Smithfield Volunteer Fire Department. The last

invoice is to US Bank budgeted payment for the Reverse Osmosis Plant in the amount of \$50,337.50.

Mayor Williams – Next is Mr. Michael Smith, Public Works Committee Chair.

Councilman Smith – Public Works Committee Summary. Thank you, Mr. Mayor. We have a motion to approve the Cypress Creek Subdivision Agreement. It is an agreement to accept Phase 7-A which includes tap on fees and availability fees that occur at the time. There is also verbiage for responsibility for the town and the developer to do certain things. It has verbiage to relinquish the improvements to the town once they are complete.

Mayor Williams – Do I hear a motion to approve the consent agenda?

Councilman Pack – I will make a motion that we approve the items on the consent agenda.

Consent Agenda Items:

C1. Resolution to Enforce Parking Ordinance in Smithfield Plaza and Smithfield Square Shopping Center at their Request.

C2. Resolution to Reappoint Community Help In Progress Steering Committee for another Term Ending February 28th, 2015.

C3. Motion to Approve Amendments to the Emergency Communication Center Bylaws.

C4. Invoices Over \$10,000 Requiring Council's Consideration:

a. Luter Family YMCA	\$ 50,000.00
b. Isle of Wight – Tourism	\$104,988.00
c. Isle of Wight – E911 Dispatch	\$ 50,762.50
d. US Bancorp	\$ 84,150.83
e. Caldwell Tanks	\$ 25,468.32
f. Draper Aden Associates	\$ 37,984.00
g. SVFD (budgeted contribution) Additional Invoice	\$ 10,000.00
h. US Bank (Reverse Osmosis Plant)	\$ 50,337.50

C5. Motion to Approve Cypress Creek Subdivision Agreement.

Vice Mayor Gregory – Second.

Mayor Williams – A motion has been made and properly seconded. Is there any further discussion on any of these items? Roll call vote.

On call for the vote, seven members were present. Councilman Smith voted aye, Councilman Dr. Cook voted aye, Councilman Pack voted aye, Councilwoman Chapman voted aye, Vice Mayor Gregory voted aye, Councilwoman Tynes abstained, and Mayor

Williams voted aye. There were no votes against the motion. There was one abstention.

The motion passed.

Mayor Williams – Next we move to the Action Section. We will start with Vice Mayor Andrew Gregory.

Vice Mayor Gregory – Thank you, Mr. Mayor. We have two items for water and sewer so we will take them one at the time. The first is an Ordinance to Amend Language on Water and Sewer Connections. We dealt with this at the last meeting as well. There was one additional change that we wanted to make that dealt with folks that have their water turned off. We wanted the ability to collect a deposit for those folks just as we would somebody starting brand new to protect the tax payers and water customers. We want to make sure that we have expenses covered for all of the water customers. I will make a motion that we approve the amendment to the language for the water and sewer connections.

Councilman Smith – Second.

Mayor Williams – A motion has been made and properly seconded. Is there any further discussion? Roll call vote.

On call for the vote, seven members were present. Councilman Smith voted aye, Vice Mayor Gregory voted aye, Councilwoman Chapman voted aye, Councilwoman Tynes voted aye, Councilman Dr. Cook voted aye, Councilman Pack voted aye, and Mayor Williams voted aye. There were no votes against the motion. The motion passed.

Vice Mayor Gregory – We have a Motion to Authorize the Town Manager to Enter into a Memorandum of Agreement (MOA) with the Hampton Roads Sanitation District. At the Council Committee meeting we were briefed by Draper Aden. We feel it is a positive step. For many years, we have been under a Sanitary Sewer Overflow Consent Order dealing with all of our underground sewer systems and having to find and fix, and videotape every linear foot of our sewer systems to look for issues and problems. Hampton Roads Sanitation District has agreed in principal with the localities to take care of these issues going forward while the localities continue to own and maintain their sewer assets. We will not lose ownership of our sewer systems or pump stations. Anything that would have to be built brand new would be built by HRSD then basically deeded to the town for us to take care of. This will alleviate a huge amount of money that we have budgeted for several years to deal with these issues. We had

looked at possibly spending as much as three and a half million dollars over the next five to ten years just to do deal with some of the issues that this consent order has brought up. We look at it as a positive. There is no guarantee. We are still waiting for other localities to jump on board as we are pending this vote this evening. We want the Town Manager to have the ability to sign off on the agreement once everybody is on the same page. I will make a motion that we authorize the Town Manager to enter into the Memorandum of Agreement with the Hampton Roads Sanitation District.

Councilman Smith – Second.

Mayor Williams – A motion has been made and properly seconded. Is there any further discussion?

Councilman Dr. Cook – I have a question for the Town Manager. Assuming that this agreement eventually gets approved by all localities will HRSD take over the maintenance of the entire sewer system or the compliance expenses?

Town Manager – It will just be the compliance expenses. We will still have the same operation of maintenance.

Mayor Williams – Is there any further discussion? Roll call vote.

On call for the vote, seven members were present. Councilman Pack voted aye, Councilman Dr. Cook voted aye, Councilwoman Tynes voted aye, Councilwoman Chapman voted aye, Vice Mayor Gregory voted aye, Councilman Smith voted aye, and Mayor Williams voted aye. There were no votes against the motion. The motion passed.

Mayor Williams – The next is the Parks and Recreation Committee Chair, Ms. Connie Chapman.

Councilwoman Chapman – Thank you, Mayor. We have a Motion to Adopt a Mission Statement for Town Parks. It is the mission of the Town of Smithfield to preserve and protect the natural beauty and ambiance of the Town's parks and green spaces while balancing passive and active opportunities and keeping the parks accessible to residents and visitors alike. I will make a motion to approve the mission statement for Town parks.

Councilwoman Tynes – Second.

Mayor Williams – A motion has been made and properly seconded. Do we have any further discussion?

Councilwoman Chapman – The vision statement will be specific for Windsor Castle Park after we identify goals based on the compilation of all of our survey input.

Councilman Dr. Cook – It is a general statement for all parks and then each park will have their own vision statement.

Councilwoman Chapman – Once we compile all of our feedback to date then we can establish goals which will help us determine specific vision just for Windsor Castle Park.

Mayor Williams – Is there any further discussion? Roll call vote.

On call for the vote, seven members were present. Vice Mayor Gregory voted aye, Councilman Pack voted aye, Councilman Dr. Cook voted aye, Councilwoman Tynes voted aye, Councilwoman Chapman voted aye, Councilman Smith voted aye, and Mayor Williams voted aye. There were no votes against the motion. The motion passed.

Mayor Williams – Next we have a Motion to Approve the Town Council Meeting Minutes of January 7th, 2014.

Town Attorney – I would recommend that the minutes be approved as presented.

Councilman Dr. Cook – So moved.

Vice Mayor Gregory – Second.

Mayor Williams – A motion has been made and properly seconded. Roll call vote.

On call for the vote, seven members were present. Councilman Dr. Cook voted aye, Councilwoman Tynes voted aye, Councilman Pack voted aye, Councilman Smith voted aye, Vice Mayor Gregory voted aye, Councilwoman Chapman voted aye, and Mayor Williams voted aye. There were no votes against the motion. The motion passed.

Mayor Williams – Now we will move to New Business. Does any Council member or the Town Manager have any new business?

Vice Mayor Gregory – I think that in light of Supervisor Casteen's report that it would behoove the town to draft a statement or resolution in continued support of the Route 460 Project. It has a significant economic impact on the town. I feel like we would not be doing our job if we did not reiterate our support.

Mayor Williams – We have supported it in the past.

Councilman Dr. Cook – Should we find out the status to see if it really is postponed?

Town Attorney – That is the whole issue. Nobody can find out what the status is. If you talk to certain groups they say that it is suspended. If you talk to the contractors they will tell you it is charging forward. No one really knows the answer to that.

Mayor Williams - The surrounding communities are looking for all the support they can get.

Vice Mayor Gregory – I think that the larger point is whether the project is stalled or not there is one thing that has changed we have a new Governor. I am sure that this new Governor is receiving renewed input from all localities. If the localities that are more vocal are the ones that would love to see all of that money go to Interstate 64 as opposed to the Route 460 Project then that could be how it will go. Perhaps they will not listen to the little Town of Smithfield but I think that we should reiterate our support.

Mayor Williams – I agree.

Vice Mayor Gregory – I will make a motion that we draft a resolution in support of the Route 460 Project and send it to the Governor's Office.

Councilwoman Tynes – Second.

Mayor Williams – A motion has been made and properly seconded. Are there any comments?

Town Attorney – Do you want to wait until next month or do you want to do it now? By that I mean you could readopt your memorandum of support and ask the Town Manager to embellish it with language appropriate to reemphasis of the town's support and send it out instead of waiting thirty days.

Mayor Williams – A motion has been made and probably seconded. Is there any further discussion? Roll call vote.

On call for the vote, seven members were present. Councilwoman Chapman voted aye, Vice Mayor Gregory voted aye, Councilman Smith voted aye, Councilman Pack voted aye, Councilwoman Tynes voted aye, Councilman Dr. Cook voted aye, and Mayor Williams voted aye. There were no votes against the motion. The motion passed.

Mayor Williams – Next is Old Business. Does any Council member have any old business?

Town Treasurer – We have two officers that would like to present a plaque to Council for "National Night Out".

Town Manager – We have Sergeant Jones and Officer Phillips to present the plaque since Chief Bowman could not be here tonight.

Officer Phillips – “National Night Out” began in 1984 in an effort to promote involvement in crime prevention activities, police community partnerships, neighborhood camaraderie, and to send a message to criminals letting them know that neighborhoods are organized and are fighting back. The first “National Night Out” took place in 1984. That year there were 2.5 million Americans that took part across 400 communities in only 23 states. As of today, “National Night Out” involves over 37.8 million people in 16,124 communities from all 50 states, U.S. territories, Canadian cities, and military bases worldwide. The activities include but are not limited to block parties, cookouts, parades, visits from emergency personnel such as the Police Department, Fire Department and the Rescue Squads, rallies, marches, safety demonstrations, and seminars in an effort to heighten awareness and enhance community relations. It is broken down based on population and a few other categories. Based on population for areas with less than fifteen thousand people Smithfield fits in Category V. The award criteria is based on overall campaign, neighborhood participation, law enforcement involvement, media, and promotional campaigns, special events, overall post project report, and a few other miscellaneous items. There were three winners in Virginia for our category with a population of fifteen thousand or less. Obviously we were one of them. The other two were Farmville and the Town of Crew located on Route 460. Mr. Kurt Beach is our Crime Prevention Specialist. He was a lieutenant before he medically retired. After the event he submitted the information to the “National Night Out” organization and we were selected as one of the winners in Category V in the state of Virginia. On behalf the National Association of Town Watch, I am please to inform you that Smithfield Police Department has been selected as a national award winner for its outstanding participation in the 30th Anniversary National Night Out Crime, Drug, and Violence Protection Program. It is from the National Project Coordinator, Mr. Matt Peskin. We have a plaque to present to the town.

Town Manager – Thank you very much.

Mayor Williams – Next is a Closed Session. We will be discussing another item after closed session.

Town Attorney – We need a motion to go into closed session for the purpose of discussing the disposition of publicly held real property pursuant to Section 2.2-3711.A.3 Code of Virginia.

Vice Mayor Gregory – So moved.

Councilwoman Tynes - Second.

Mayor Williams - A motion has been made and properly seconded. Roll call vote.

On call for the vote, seven members were present. Councilman Dr. Cook voted aye, Vice Mayor Gregory voted aye, Councilwoman Chapman voted aye, Councilwoman Chapman voted aye, Councilman Smith voted aye, Councilman Pack voted aye, and Mayor Williams voted aye. There were no votes against the motion. The motion passed.

Town Council went into closed session at 8:08 p.m.

Town Council went back into regular session at 8:31 p.m.

Town Attorney – Mr. Mayor, we need a motion to go back into open session.

Councilman Smith – So moved.

Councilwoman Chapman – Second.

Mayor Williams - A motion has been made and properly seconded. Roll call vote.

On call for the vote, seven members were present. Councilman Dr. Cook voted aye, Vice Mayor Gregory voted aye, Councilwoman Chapman voted aye, Councilwoman Chapman voted aye, Councilman Smith voted aye, Councilman Pack voted aye, and Mayor Williams voted aye. There were no votes against the motion. The motion passed.

Town Attorney – We need a motion that during the closed session there was only a discussion of the disposition of publicly held real property pursuant to Section 2.2-3711.A.3 Code of Virginia.

Councilman Pack – So moved.

Vice Mayor Gregory – Second.

Mayor Williams - A motion has been made and properly seconded. Roll call vote.

On call for the vote, seven members were present. Councilman Dr. Cook voted aye, Vice Mayor Gregory voted aye, Councilwoman Chapman voted aye, Councilwoman Chapman voted aye, Councilman Smith voted aye, Councilman Pack

voted aye, and Mayor Williams voted aye. There were no votes against the motion. The motion passed.

Mayor Williams – At this point we will go back to Expiration of Negotiation Period for 2011 Windsor Castle RFP.

Councilman Dr. Cook – I will make a motion that under mutual agreement we are going to expire the negotiation period for the Windsor Castle RFP from 2011.

Vice Mayor Gregory – Second.

Mayor Williams – A motion has been made and properly seconded. Is there any further discussion? Roll call vote.

On call for the vote, seven members were present. Councilwoman Chapman voted aye, Vice Mayor Gregory voted aye, Councilman Smith voted aye, Councilman Pack voted aye, Councilwoman Tynes voted aye, Councilman Dr. Cook voted aye, and Mayor Williams voted aye. There were no votes against the motion. The motion passed.

Mayor Williams – Is there any other business to come before this council tonight? Hearing none, we stand adjourned.

The meeting adjourned at 8:32 p.m.



T. Carter Williams
Mayor



Peter Stephenson, AICP, ICMA-CM
Town Manager