

SMITHFIELD TOWN COUNCIL AGENDA



June 4th, 2013 at 7:30 p.m.

Held at Smithfield Center, 220 N. Church Street

A. INFORMATIONAL SECTION:

1. Manager's Report
 - a. May Activity Report
 - b. Introduce Police Officer Paul Bancroft

B. UPCOMING MEETINGS AND ACTIVITIES:

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| June 4 | - | 7:30 p.m. – Town Council Meeting |
| June 6 | - | 2:00 p.m. – Windsor Castle Park Foundation Board Meeting |
| June 11 | - | 7:30 p.m. – Smithfield Planning Commission |
| June 18 | - | 7:30 p.m. - Board of Historic and Architectural Review |
| June 24 | - | 4:00 p.m. – Town Council Committee Meetings (Consecutive)
Police Committee
Water and Sewer Committee
Finance Committee |
| June 24 | - | 6:00 p.m. – Continued Town Council Meeting from June 4th |
| June 25 | - | 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.

C. Public Comments:

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

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

D. Council Comments

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

E. Summary of Consent Agenda items

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

CONSENT AGENDA ITEMS

- C1. Resolution to Appoint Members to the Smithfield Community Crime Prevention Team**
Police Committee Chair, Connie Chapman **TAB # 1**
- C2. Resolution for Street Closure Request for Olden Days, June 28th and 29th**
Police Committee Chair, Connie Chapman **TAB # 2**
- C3. Motion to Accept Proposal for Budgeted Pump Station Upgrades at Cypress Creek and Watson by REW Corporation in an Amount not to Exceed \$43,582.00**
Water and Sewer Committee Chair, Vice Mayor Gregory
- C4. Invoices Over \$10,000 Requiring Council's Consideration:**
Finance Committee Chair, Randy Pack
- a. Draper Aden Associates **\$14,454.00**
- C5. Motion to Renew Landscaping Contract with Southern Shores Lawn and Landscaping for One Additional Year**
Public Works Committee Chair, Michael Smith
- C6. Motion to Renew Regional Storm Water Management Program Memorandum of Agreement**
Public Works Committee Chair, Mr. Michael Smith
- C7. Resolution Authorizing the Town Manager to Submit the 2013 Grant Funding Application – Water Works Lake Dam**
Public Works Committee Chair, Michael Smith
- C8. Motion to Authorize the Town Manager to Enter into a License Agreement with Mr. Nelson for Hot Air Balloon Launches**
Public Buildings and Welfare Committee Chair, Dr. Milton Cook
- C9. Motion to Authorize the Town Manager to Enter Into a License Agreement with Smithfield Foods for Additional Paved Parking**
Public Buildings and Welfare Committee Chair, Dr. Milton Cook
- C10. Resolution to Authorize Annual Fireworks Display at Clontz Park on July 3rd, 2012 and Cost Sharing (\$2,000)**
TAB # 3

ACTION SECTION

1. **Ordinance to Amend Golf Cart Usage in the Town of Smithfield**
Police committee Chair, Connie Chapman **TAB # 4**

2. **PUBLIC HEARING: Adoption of Amended Budget for FY 2012\2013**
 - a. Staff Presentation by Town Treasurer, Ellen D. Minga
 - b. Public Hearing Open
 - c. Public Hearing Closed
 - d. Consideration by Finance Committee Chair, Mr. Randy Pack

3. **PUBLIC HEARING: Proposed Budget for FY 2013/2014 (forthcoming)**
 - a. Staff Presentation by Town Treasurer, Ellen D. Minga
 - b. Public Hearing Opened
 - c. Public Hearing Closed
 - d. Consideration at Continued Council Meeting on June 24th, 2013: Finance Committee Chair, Mr. Randy Pack

4. **PUBLIC HARING: Special Use Permit – Cypress Run Drive**
 - a. Staff Presentation by William T. Hopkins, Director of Planning, Engineering and Public Works
 - b. Public Haring Open
 - c. Public Hearing Close
 - d. Consideration: Public Buildings and Welfare Committee Chair, Dr. Milton Cook

5. **PUBLIC HEARING: Special Use Permit – Cypress Crossing**
 - a. Staff Presentation by William T. Hopkins, Director of Planning, Engineering and Public Works
 - b. Public Haring Open
 - c. Public Hearing Closed
 - d. Consideration: Public Buildings and Welfare Committee Chair, Dr. Milton Cook

6. **PUBLIC HEARING: Proposed Boundary Line Adjustment Agreement**
 - a. Staff Presentation by Town Attorney, William H. Riddick, III

- b. Public Haring Open
- c. Public Hearing Closed
- d. Consideration: Public Buildings and Welfare Committee Chair, Dr. Milton Cook

1. **Resolution of the Town Council of the Town of Smithfield, Virginia, Approving an Agreement to Relocate the Boundary Line of the Town of Smithfield and Authorizing the Filing of a Joint Petition Pursuant to Section 15.2-3106 ET SEQ of the Code of Virginia (1950), as Amended, To Approve the Agreement** **TAB # 5**

2. **Annexation Waiver Agreement Between The County of Isle of Wight and The Town of Smithfield** **TAB # 6**

7. **Motion to Approve Right-of –Way Easement Agreement Request by Dominion Virginia Power**
Town Manager, Peter M. Stephenson **TAB # 7**

8. **Motion to Accept Nominating Committees Recommendation to Fill the Expiring Term (6-30-2013) of Harold Lawrence to the Board of Zoning Appeals**
Nominating Committee Chair, Connie Chapman

9. **Motion to Approve the Town Council Minutes for the Meeting of May 7th, 2013**
Town Attorney, William H. Riddick, III

10. **New Business:**

11. **Old Business:** Discussion on Annual Evaluation Process for Council Appointed Staff Positions

12. **Closed Session:**

13. **Adjournment** – Continue Meeting to Monday, June 24th at 6:00 p.m.

May 31, 2013

TO: SMITHFIELD TOWN COUNCIL

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

SUBJECT: MONTHLY ACTIVITY REPORT – MAY 2013

TOWN MANAGER'S OFFICE:

- a. Attended the following meetings in May: Smithfield 2020, Town Safety Committee, Windsor Castle Park Foundation Board, VML Insurance Board, TRIAD, Isle of Wight Shared Service, and NLC-RISC Conference in Denver.
- b. Mayor Williams and I attended regional award luncheon at the Smithfield Rite Aid store.
- c. Participated in annual Kiwanis Club of Smithfield Charity Golf Tournament. Our team did not finish in last place again this year.
- d. Vice Mayor Gregory and I met with resident Jim Phillips prior to monthly council committee meetings and Councilman Dr. Cook and I met with Michelle Weiss and daughter Natasha after council committee meetings.
- e. Hosted a site visit and grant status discussion with Obici Healthcare Foundation director and staff member.
- f. Addressed multiple media inquiries related to Smithfield Foods buyout announcement, which was unanticipated.

TOWN CLERK'S OFFICE:

- a. Transcribed and proofed the monthly minutes for Town Council, Planning Commission and Board of Historic and Architectural Review
- b. Attended Safety Committee meeting , May 1st.
- c. Staff attended Windsor Castle Foundation Board Meeting on May 2nd.
- d. Attended Pinewood Heights Management Team Meeting, May 14th.
- e. Attended health/dental plan employee meeting on May 15th at the Smithfield Center
- f. Prepared May Town Council Committee Agenda, and June Town Council Agenda
- g. Attended Town Council Committee meetings on May 20th and 21st and prepared summary reports of the committees.
- h. Continue to work on sorting and labeling Treasurer and Public Works Files

TREASURER'S OFFICE:

- a. Comarth reconciled cash balances, and we prepared May 2013 financial statements for monthly finance committee meeting.
- b. Took vacation days on May 13 and May 23.
- c. Attended health/dental plan employee meeting on May 15 at the Smithfield Center.
- d. Attended a VRS Hybrid Plan seminar in Chester on May 21 with Tracy James (Payroll Clerk). The Town and its employees will be facing some decisions resulting from this plan change.
- e. Finalized changes and prepared summary budgets for the Town Attorney to publish public notices.
- f. Re-evaluated water rates based on current consumption trends.
- g. Worked on gathering "prepared by client" list of items for auditors who will be on site the week of June 3.
- h. Attended Pubworks meeting in Town Hall on May 30 regarding setup for the new inventory system that will be implemented in the coming fiscal year.

PUBLIC WORKS:

- Staff performs the following duties on a monthly basis:
Miss Utility marking, read meters for billing and to transfer property owners, cut offs and cut-ons, check pump stations daily, install and repair street signs, replace and repair broken water meters, take a minimum of 8 water samples and have them tested, flush water lines, repair radio or touch pads after each reading if needed, maintenance on town owned buildings.
1. **Sewer Line Repairs and Maintenance:**
 - a. Continued work on manhole inspections and air release valves - both 51% complete.
 - b. Used sea snake to view sewer main and locate laterals at 111 Drummonds Lane and 344 S. Church St.
 2. **Sewer Pump Station Repairs and Maintenance:**
 - a. Weekly and daily checks on all 27 pump stations.
 - b. Performed the following scheduled maintenance at all pump station
 - Cleaning of wet -wells
 - Alarms testing
 - Sump pump cleaning
 - Check Valve cleaning and repair
 - Generator checks / Godwin pump checks
 - Control Panel / Flow monitor checks
 - Fence and Grounds
 - Inspected Structure
 - Inspect and clean pumps
 - Level system check

Test limit switches
Bar screen cleaning
Rain gauge checks.

- c. REW has almost completed the work on alarms at pump stations.
- d. Minton Way pump station has a problem with a bad float and bad alarms
- e. Replaced bad float at Rising Star pump station
- f. Bad pump at Canteberry pump station - sent the pump to Wood Equipment to have it fixed.
- g. St. Andrews pump station has a seal fail on pump #2 - need to replace upper or lower seals.

3. Water Line Repairs and Maintenance

- a. Repaired water leak at 318 Smith Dr. and at the Public Restrooms.
- b. Repaired valve at Cary St. well - solved the problem of low volume of water to 218 James St.

4. Well Repairs and Maintenance

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

5. Water Treatment Plant

- a. Daily lab analysis, sampling and reports for VDH, HRSD, DEQ and ITT.
- b. Diagnostic equipment was installed on the RO skid for Avista Technologies.
- c. Quarterly nitrification samples of concentrate water were taken for HRSD.
- d. Carbon filters were refurbished with fresh carbon media.
- e. Operators attended American Membrane Technology Association workshop in Chesapeake.

6. Safety

- a. Monthly truck inspections.
- b. Monthly playground inspections.
- c. All Public Works employees attended Personal Protective Equipment Safety.

7. Miscellaneous

- a. Clean off and repaired walking trails at the Windsor Castle Park twice a week by grounds crew or as needed. Trash cans, recycle bins, information stands and doggie bags are emptied, cleaned or refilled as needed on Mondays and Fridays.

- b. Grounds crew- trash pick up to keep the Town clean: Great Springs Rd., Battery Park Rd., Rte 10 Bypass, John Rolfe Dr. Main St./258 and Waterworks Rd and other areas.
- c. Minor repairs at Town Hall and Town Buildings.
- d. Cleaned storm drains at Great Springs Rd ,Smithfield Blvd. and Wilson Rd

PLANNING AND ZONING:

1. Planning Commission – 05/14/13

- A. ***PUBLIC HEARING*** - Special Use Permit Review – Lot 5A Cypress Crossing – Jerry & Mary Hughes, Ricky Edgerton, applicants – Recommended for approval.
- B. ***PUBLIC HEARING*** - Special Use Permit Review – Lot 4 Cypress Run Drive – Henry Layden, Randy Lenz, applicants – Recommended for approval.

2. Rezoning Applications under review

- A. None

3. Special Use Permit Applications under review

- A. Single Family Home w/ Temporary Private Water and Sewer Systems – Lot 5A Cypress Crossing – Jerry & Mary Hughes.
- B. Single Family Home w/ Temporary Private Water and Sewer Systems – Lot 4 Cypress Run Drive – Henry Layden.

4. Subdivision and Site Plans under review

- B. None

5. Subdivision and Commercial Sites Under Construction and Inspection

- A. Church Square, Phase I (95% complete)
- B. Smithfield Manor Townhomes (Formerly Halstead Landing) (75% complete)
- C. Lakeview Cove Condos (75% complete)
- D. Smithfield Foods Test Kitchen (98% complete)
- E. True Value (98% complete)
- F. Main Street Baptist Church (90% complete)

6. Board of Zoning Appeals 05/21/13

- C. No Meeting Held

7. Board of Historic & Architectural Review 05/21/13

- A. Proposed Window Change – 112 Main Street, The Smithfield Inn – Landmark – Wayne Davis, Smithfield Foods, applicants - Approved.
- B. Proposed New Fence & Playground – 236 Washington Street – No Designation – Janet Owen, The Children’s Center, applicant - Approved.
- C. Proposed Window Change – 201 Cedar Street, Trinity Methodist Church – Landmark – Florine Moore, Trinity Methodist Church, applicants- Approved.

ENGINEERING:

- A. Church Square, Phase I, contractor has installed E & S controls as required by the Town and the approved site plans. Homes are under construction at this time.
- C. Lakeview Cove, contractor Wolf Constr. has installed all E & S controls as per the approved site plans and required by the Town. Condominiums are under construction at this time.
- D. South Church Street Streetscape Project, a walk through inspection was performed with VDOT. Several minor issues were found and a punch list formed noting this work. Weather permitting the work should be completed the month of June.
- E. Blair Bro.’s Contr. started and completed storm drain pipe and drop inlet repair on Jericho Rd. and Canteberry Lane; Waterford Oaks Subdivision. Contractor repaired the following potholes and sunken areas with asphalt patch; Main St., Commerce St., Cary St., Sykes Ct., Faye Dr., Battery Park Rd., & Waterford Oaks Subdivision.

May 31, 2013

TO: SMITHFIELD TOWN COUNCIL

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

SUBJECT: INFORMATIONAL REPORT FOR THE POLICE COMMITTEE MEETING
HELD ON MONDAY, MAY 20th, 2013

The Police Committee met Monday, May 20th, 2013 at 4:00 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee members attending were: Ms. Connie Chapman, Chair; Mr. Andrew Gregory, Vice Mayor; and Mrs. Denise Tynes. Other Council members present were Mr. Randy Pack, Mr. Michael G. Smith, Dr. Milton Cook, and T. Carter Williams, Mayor. Staff members present were: Mr. Peter M. Stephenson, Town Manager; Ms. Lesley G. King, Town Clerk; Ms. Ellen Minga, Town Treasurer; Mr. William T. Hopkins, III, Director of Planning Engineering and Public Works; Mr. Steve Bowman, Smithfield Police Chief; Mr. Alonzo Howell, Deputy Police Chief; Ms. Amy Musick, Smithfield Center Director; Mr. Jessie Snead, Superintendent of Public Works; Mr. Jeff Smith, Public Works; Ms. Terry Rhinier, Smithfield/Isle of Wight Tourism; and Ms. Comarth Saunders, Financial Analyst. There was no media represented.

Committee Chair, Ms. Chapman called the meeting to order.

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

1. Ordinance Amendment for Golf Cart Usage - Chief Bowman reported that he has spoken to the Town Attorney in this regard. They discussed what had been discussed previously at committee level to amend our current ordinance on golf carts. Chief Bowman stated that they will be making a significant revision to the ordinance repealing a number of conditions as far as registration of the golf carts are concerned. He explained that the Town Attorney feels that keeping the requirement of registering golf carts should remain in place however other requirements such as safety inspections may not be necessary. The ordinance will also allow golf carts to operate anywhere within the town limits that has a speed of 25 mph or less. Chief Bowman stated that he had concerns for awhile on some 25 mph streets being problematic. At this time he recommends authorizing the 25 mph zones and then if problems come up in certain areas they will be addressed at that time. Mr. Pack asked if there would be a sunset clause in the ordinance. Chief Bowman stated that they are not allowed on the streets after sunset unless they are specifically equipped with the required lighting under state code. Chief Bowman stated that for clarification purposes they can include in the ordinance that golf

carts can only be driven on town streets from sunrise to sunset. A draft ordinance will be provided at the June 4th Town Council meeting for review and discussion.

2. Resolution to Appoint Members to the Smithfield Community Crime Prevention Team – Chief Bowman stated that this is a continuation of the desire to have the Town of Smithfield certified as a crime prevention community. This team will be instrumental in the task that needs to be done to achieve this certification. Chief Bowman stated that he has had a chance to meet with a number of these individuals and would like to recommend that this resolution be adopted by Town Council to formally accept these individuals as Smithfield’s Community Crime Prevention Team. This is a new work group in its entirety formed by a number of individuals that have played important parts in other work groups. This is specifically designed to work toward the implementation of a certified crime prevention community. It is a mandated component of the overall program. Dr. Cook asked if it was typical in other localities to only being a one year term. Chief Bowman stated that they relied on templates that were provided from other localities that have undertaken this certification and could adjust term length if necessary. Committee recommends approval of committee members listed on resolution.

3. Olden Days Street Closure Request - Ms. Musick reported that included in the packet was a copy of the special events application that the town is now using for events. Tourism has requested road closure of Main Street on June 28th and June 29th. Ms Rhinier explained that the closure request is for Main Street from Church Street to Institute Street on Friday, June 28th from 4:45 p.m. to 9:00 p.m. and Main Street from Church to Underwood, Mason Street from Cedar Street to Grace Street and Underwood from Cedar Street to Main Street on Saturday, June 29th from 7:a.m. to 5:00 p.m. This event is held annually and committee recommends approval of street closures.

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

1. Operational Updates - Chief Bowman reported that Sergeant Jones has completed motorcycle operations school so the department now has three officers that are trained to ride the police motorcycle. Officer Eric Phillips was honored along with other officers by the Virginia State Police last week and received an award from the Help Eliminate Auto Theft Program. Chief Bowman also stated that they assisted with a very successful car show this past Saturday. There were a lot of cars in town and the rain held off. No problems to report. Chief Bowman mentioned that the are starting to get things together for Olden Days. Chief Bowman stated that Prime Media has asked Sheriff Marshall, Chief Reynolds and himself to participate in a television show to attempt to showcase the cooperative working relationship and environment that we now have within law enforcement. The hostess of the show will be Police Committee Chair, Connie Chapman. This production will tape on Wednesday, May 23rd. He was not sure when it will be aired.

The meeting adjourned at 4:11 p.m.

May 31, 2013

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, MAY 20th, 2013

The Water & Sewer Committee held a meeting on Monday, May 20th, 2013 at 5:11 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee members attending were: Mr. Andrew C. Gregory, Chair; Mr. Michael G. Smith, and Mrs. Denise Tynes. Other Council members present were Ms. Connie Chapman, Mr. Randy Pack, Dr. Milton Cook, and Mr. T. Carter Williams, Mayor. Staff members present were: Mr. Peter M. Stephenson, Town Manager; Mr. William T. Hopkins, III, Director of Planning Engineering and Public Works; Ms. Lesley G. King, Town Clerk; Ms. Ellen Minga, Town Treasurer; Ms. Comarth Saunders, Financial Analyst; Mr. Jessie Snead, Superintendent of Public Works; Mr. Jeff Smith, Public Works; and Ms. Amy Musick, Smithfield Center Director. Also in attendance was Ms. Gina Ippolito of Smithfield on the Move. There was no media represented.

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

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

1. Proposals for Budgeted Pump Station Upgrades – Mr. Snead stated that these proposed upgrades are for the control panels at the Cypress Creek and Watson Drive pump stations. The current control panels are very old and parts are getting harder to get. Vice Mayor Gregory asked if he was doing the math correct when he says that we budgeted \$100,000 and these proposal are for \$43,582. Ms. Minga stated that a little bit of money has come out of the budgeted \$100,000 already but we are still well below budgeted amount. She stated that this work will be paid for out of the Sewer Capital Escrow Fund and it will be completed in FY 2012/2013. Vice Mayor Gregory asked if we have enough money to address another pump station at this time. Mr. Snead stated that these were the pump stations that needed it the most and the other pump stations were not that bad. Mayor Williams asked if staff checked prices from any other firms other than REW Corporation. Mr. Snead replied that he likes REW Corporation because of their expertise in sewer and water control panels and pumps. Mr. Hopkins stated that it is not your everyday electrical work. Mayor Williams stated that he understands that REW Corporation are experts in this field but would we get a better cost if it were bid out to other companies. Vice Mayor Gregory stated that having REW Corporation under

contract for the town we can get this work done quickly without having to wait three to six months to bid it out. Committee recommends approval of proposal of pump station upgrades.

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

1. Water Rate Analysis and Debt Service Fee Structure – Vice Mayor Gregory stated that this item deals with our water rate study that Ms. Minga has worked very diligently on. Ms. Minga stated that she provided two different rate increase proposals. The first rate increase was to bring revenue to balance before capital at the current consumption rate and the second rate increase was to bring revenue to rate study level at current consumption the rate. Vice Mayor Gregory stated that looking at not eliminating the debt service fee but reducing it the vast majority of the users would be neutral or slightly higher. Ms. Minga explained that approximately 15,000 gallons was the breaking point where you start seeing higher bills based on the current structure. Vice Mayor Gregory asked what was the average consumption of water used by residents. Ms. Minga stated that when she originally did the rate study the average use was around 12,000 gallons however today the average is just under 10,000 gallons. Consumption has really dropped. Ms. Minga stated that she and Mr. Hopkins had talked and lower consumption may have come partially to residents in Cypress Creek putting in their own wells for irrigation systems. Irrigation plays a big part in consumption use. She stated that Gatling Pointe's water consumption is down significantly as well. Consumption is consistent with last year's consumption totals but they are less than when the original rate study was completed. Ms. Minga stated that the debt service fee for \$19.30 was originally calculated by Ms. Stevens of Draper Aden Associates. At that time there was no end date as to when the debt service fee would be eliminated. It was thought that even when the loan was paid off for the RO plant there would be additional things that would be needed at the plant that would add more debt service and this fee would continue to fund it. Ms. Minga stated that if the town left our debt service fee as is at \$19.30 then we could pay off the loan by FY 2018. Ms. Minga gave two options if we reduced the debt service fee to \$ 9.25 or \$8.25 based on number of users. The \$9.25 would be if there was no increase in water customers for the town and the \$8.95 would be the reduced rate based on twenty new customers a year. This would also include taking the debt out to where the original loan would mature in FY 2025 and not paying it off early. Mr. Pack asked what the interest rate is on this loan. Ms. Minga replied that it is around four percent. Discussion was held on how the different options provided would affect the average water user's bill. Ms. Minga stated that she just recently met with representatives of VML/VACo in regards to the town having the ability to refinance the original loan for the RO plant. This refinance would reduce our annual debt service cost by approximately \$9,000. The total debt service saving would be approximately \$120,000 and the net present saving would be approximately \$103,000. There would be about \$24,000 in fees for issuance of loan and that brings the net saving down a bit as well. Ms. Minga

reported that she also received a letter from Virginia Resource Authority (VRA). Ms. Minga stated that this loan is one that the town has already refinanced once before on the old water/sewer treatment plant. The bulk of that loan is sewer with approximately seventeen percent of that gets charged to water. The town would have a net present value savings of approximately \$98,000 and about \$10,000 is annual savings on the debt cost. Vice Mayor Gregory asked if all these assumptions are made on the town carrying these loans out to maturity. Ms. Minga stated that was correct. Vice Mayor Gregory asked if we had calculated if we save any money by refinancing and paying it off in 2018. Ms. Minga stated that she has not done those calculations because she just received the information on these financing options. In her opinion if the town decided to refinance we would be stuck in these loans for awhile. Ms. Minga stated that based on a reduced debt service fee of \$8.95 customers with an average use of 12,000 gallons would pay thirty-nine cents less than what they pay now and users of 15,000 gallons would pay \$2.10 more a billing cycle. The impact to average users would be minimal. Ms. Minga stated that she did check with some of the surrounding areas and we will still be lower than all areas with the exception of Newport News. Ms. Minga went over the expenses that are used in calculating the water rate. Vice Mayor Gregory asked why there was a decrease in health insurance from FY 2013 to FY 2014. Ms. Minga explained that the employees were reallocated for next year. Salaries went up because you have your one percent increase for VRS and this line item also includes overtime. Ms. Minga gave an example of the current rate structure based on the average use of 9,900 gallons. She stated that if we leave the debt service fee where it is and increased the water rate to \$5.68 the bimonthly cost would be \$67.32. If the town reduced the debt service fee to \$8.95 and increased the water rate to \$5.68 the average bi-monthly billing for the average user of 9,900 gallons would be \$65.18. Ms. Minga stated that once you go over 15,000 gallons of water that is where you get hit with the reduction in the debt service fee is not enough to cover the cost increase in usage. Vice Mayor Gregory stated that the good news is that we can raise the water rate and reduce the debt service fee and the vast majority of the customers bills will be the same or less. Mr. Smith stated that the town needs to make sure that this is conveyed to the residents when they find out that we are raising the water rate. Vice Mayor Gregory stated that fiscally the right thing to do is leave the debt service fee the way it is and adjust the rate. The town could then pay the loan off early which saves the town money in the long run. Customer's bills would be approximately eleven more dollars more expensive than it is now. Vice Mayor Gregory made a suggestion to adjust the water rates to the increase of \$5.68 and reduce the debt service fee so that we can still pay the loan on time. This would be predominately neutral to the customers but fixes the town's revenue problem. Vice Mayor Gregory asked for the rest of council's input. Committee agreed that would be the best approach for the consumer. Vice Mayor Gregory asked that if the town decides to go the \$5.68 route, reduce the debt service fee and move forward with refinancing one or both of the notes could we direct you, the Town Treasurer, to continue paying what you have been paying on the notes. That way the savings are being applied as additional principal. Ms. Minga stated that she would have to talk to VML/VACo in this regard. It may be considered prepayment and a

penalty may be associated with that. Vice Mayor Gregory stated that this would not change his mind on what the town should do on the rates but it might help with making the decision as to refinance or not. The consensus from committee was to reduce the debt service fee and increase the water rate to \$5.68. Vice Mayor Gregory also stated that in either the Water Quality Report or the town newsletter the town needs to be forthright that because of the adjustment resident's bills are becoming more consumption sensitive. Ms. Minga stated that the reason that we need to do this is because the debt service fee is restrictive on what those funds collected can be used on. The town cannot borrow from that fund and use it to pay for the town's operating deficit. Ms. Minga asked if a public hearing needs to be held to make these changes. The Town Manager stated that the town would need a public hearing and he would suggest that council authorize advertisement of public hearing for the continued Town Council meeting June 24th. Ms. Minga stated that she and the Town Manager had discussed and thought if the new rates could go in effect July 1st that would be great. The Town Manager also mentioned that in regards to water rates in other localities everyone is looking at possible adjustment because water consumption has dropped everywhere.

2. ADDITIONAL ITEM DISCUSSED: Groundwater Withdrawal Permit – Vice Mayor Gregory stated that a few months ago it look as if things were starting to progress on the town's groundwater withdrawal permit application. He asked if anything had changed and what the status is now. The Town Manager replied that conversations have been held with a second meeting in Richmond approximately one month ago. The Attorney for Smithfield Foods/Smithfield Packing and the Town Attorney have met to make sure that all are on the same page. The Town Attorney has been in contact with our point of contact at the Virginia Department of Environmental Quality (DEQ) to see if the town could use any of our older wells, that the town has on standby for emergency purposes, as an observation well. Unfortunately the town has determined that none of our wells can be used as observation wells. If the well nest in Smithfield is mandatory and DEQ does not give on that the town would likely recommend using that land behind the carwash off Cedar Street known as "Joe White's Bottom". This is one acre of land that the town owns and a test well was done there years ago. Discussion has also been held on who would take the lead if required and reimbursement of percentage shares. Dr. Cook asked why the town's older wells were not allowed to be used as an observation well. Mr. Hopkins stated that the town does not have some of the information on these older wells that DEQ requires when they were originally dug.

3. ADDITIONAL ITEM DISCUSSED: Irrigation System Credits and Backflow Prevention Program - Vice Mayor Gregory stated that prior to committee meetings today he and the Town Manager met with resident Jim Phillips. Mr. Phillips continues to express his concerns on sewer credits. Currently the town gives credits for swimming pools but the town does not give sewer credits for residents that water their lawns. Mr. Phillips' position is that the town should allow credits for everyone or not at all. Vice Mayor Gregory asked committee if this is a topic they want to bring back for discussion.

He explained that as the town goes down the path to do a sewer rate study this item would probably be addressed. Whatever the town would estimate that we would potentially lose in revenue for allowing irrigation credits would need to be offset with the overall sewer rate. The other option is not to allow sewer credit for anyone and those residents with pools would no longer get that sewer credit which will open up the door to complaints there. Vice Mayor Gregory stated that Mr. Phillips' other concern was in regards to the Backflow Prevention Program. At this time there is no penalty for those individuals that are able to go two, three and four years without having to comply with these regulations. Vice Mayor Gregory asked if residents putting in an irrigation system are required to get a permit. Mr. Hopkins replied that they are not required to get a permit. Dr. Cook asked how staff would determine who has backflow devices. Mr. Hopkins explained that a second survey has been sent to determine which residents have irrigation systems. The results show that there a lot more residents with irrigation systems than first anticipated. Vice Mayor Gregory asked the Town Treasure if HRSD was still allowing irrigation credits. Ms. Minga stated that they do, but they do it in a different way from how it used to be done. You have a couple of options. You can pay a flat fee which is at a reduced rate or it can be done through a sub meter. Vice Mayor Gregory asked if he was a new user today could he have a sub meter put in with HRSD. Ms. Minga stated that she thinks that you can add one but you do not get the same type of credit.

4. ADDITIONAL ITEM DISCUSSED: Sewer Access Point on Talbot Drive – Dr. Cook asked if staff had looked at this sewer access point to see if it was secure from water getting into it because every time it rains it is under water. Mr. Hopkins stated that this concern had been passed on to the Public Works Superintendent but was unsure what his findings were. He would double check with staff on findings.

The meeting adjourned at 4:55 p.m.

May 31, 2013

TO: SMITHFIELD TOWN COUNCIL

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

SUBJECT: INFORMATIONAL REPORT FOR THE FINANCE COMMITTEE MEETING
HELD ON MONDAY, MAY 20th, 2013

The Finance Committee held a meeting on Monday, May 20th, 2013 at 4:55 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee members attending were: Mr. Randy Pack, Chair; Mr. Andrew Gregory, Vice Mayor; and Dr. Milton Cook. Other Council members present were: Mr. Michael G. Smith, Ms. Connie Chapman, Ms. Denise Tynes and Mr. T. Carter Williams, Mayor. Staff members present were: Mr. Peter M. Stephenson, Town Manager; Mr. William T. Hopkins, III, Director of Planning Engineering and Public Works; Ms. Lesley G. King, Town Clerk; Ms. Ellen D. Minga, Town Treasurer; and Ms. Amy Musick, Director of the Smithfield Center. Also in attendance were Mr. Peter Faleski, Coast Guard Auxiliary and Ms. Gina Ippolito of Smithfield on the Move. There was no media represented.

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

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

1. Invoices Over \$10,000 Requiring Council Consideration:

a. Draper Aden Associates \$14,454.00

Mr. Pack stated that this invoice is for continued work related to the Sanitary Sewer Consent Order. Committee recommended approval of invoice.

2. Pre-Public Hearing Discussion: budget FY 2013\2014 – Ms. Minga stated that she has only made a few changes to the revenues. She continues to tweak numbers as items come up. Ms. Minga asked committee if she should go ahead and amend the budget revenues at the new water rate. Committee agreed that would better reflect the proposed budget. Dr. Cook asked how much committee had recommended at last budget work session to contribute to the Coast Guard Auxiliary. Ms. Minga replied that they had recommended two hundred fifty dollars. Mrs. Tynes suggested increasing their contribution now that they have come to the meeting to request contribution. Mr. Pack

stated that he thinks that the two hundred and fifty dollars is a generous donation and that the town should stick to this amount.

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

1. April Financial Statements and Graphs – Ms. Minga stated that on the statements this month she showed the remaining budget and percent of the budget as compared to proposed budget revisions rather than adopted budget. This was based on discussion that these figures were going to be amended. Showing it this way brings it more in line with budget. Ms. Minga stated that most of her notes were on items that were still to take place between now and the end of the fiscal year. She stated that she continues to tweak the budget before the public hearing scheduled for June 4th. Ms. Minga gave an example of a couple of additions to the budget that she did not originally have such as the revenues for special events and surplus property sale. She explained that she had budgeted a thousand dollars for special events because she was not sure since it was a new line item. This item is actually made up of three parts the permit fee, the amount for police department and amount for public works salary reimbursement. There have been two functions to date and the town has collected three thousand dollars. Surplus property brought in eighteen hundred for sale of a zero turn lawnmower. Ms. Minga stated that she also made some adjustment to the Obici Healthcare Foundation wellness grant. She explained that this item has been a little confusing with three grant cycles rotating through the system at the same time. A little bit more grant money to come in this year than first anticipated. Mayor Williams asked if town employees are allowed to bid on items that are put out on GovDeals as surplus property. The Town Manager replied that anyone can register to make bids on GovDeals. Mayor Williams mentioned that there was a incident in North Carolina where staff completely overhauled a old lawnmower and then put it out for auction and an employee bought it. The Town Manager stated that all our items are sold as is. Dr. Cook stated that he was pleased with the new graphs with year to date information.

2. April Cash Balances - Ms. Minga stated that she is working on getting the information together to request the next to the last draw request on the South Church Street Beautification project. We were waiting to see how some of the utility bills fell. If the town assumes that we are paying full balances on these it makes a difference on what needs to be requested back in urban funding. She wants to make sure that we use the full \$1,975,000 in private monies. Ms. Minga stated that once she has made that draw request she will close out the South Church Street Beautification account in the amount of \$42,622.88. This money will be moved back to the General Fund to reimburse the General Fund for some of the expenses that were fronted from there. The Money Market Beautification will be reduced as well but it will not be closed out. The balance in that account is a little bit higher than what was committed to this project. Mayor Williams asked if the issue the town has with Verizon would affect the closeout of the project. Ms. Minga stated that the Town Engineer at this time does not know if it will affect the final

reporting. Mr. Hopkins stated that VDOT has basically signed off on the project. The Town Engineer met with Clark Nexsen and VDOT last week and they have blessed all the papers. The Town Manager reported that in terms of closing out the project Mr. Hopkins just received word that the final invoice from Excel Paving is less than the remaining budget. Mr. Hopkins reported that the final invoice was for approximately \$9,000 and the town had approximately \$63,000 remaining in budget. Also Charter Communication has confirmed that no more invoices will be coming to the town for this project. Ms. Minga stated that the town had \$88,000 remaining in the budget for Charter Communications. Mayor Williams asked when the ARRA Funding sign for the South Church Street Project could be removed. Mr. Hopkins reported that it cannot be removed until the C5 form is complete. Mr. Smith asked if we could close the project out while negotiations are still being had with the Verizon issues. – Water = \$78,064.22; Water Debt Service = \$1,482,283.29; Water Capital Escrow Availability Fees = \$269,964.42; Water Treatment Plant Escrow = \$111,094.30; Water Development Escrow = \$76,711.47; **Subtotal Water = \$2,018,117.70.** Sewer = \$(83,189.43); Sewer Development Escrow = \$328,939.08; Sewer Capital Escrow Availability Fees = \$794,680.73; Sewer Compliance = \$230,224.81; **Subtotal Sewer = \$1,270,655.19.** **Highway = \$109,415.02.** General Fund = \$2,656,997.31; Payroll = \$60,123.60; Money Market General Fund Town Bank = \$2,174.96; Business Super NOW-General Fund = \$32,969.76; Money Market General Fund Farmers Bank = \$287,744.13; General Fund Capital Escrow = \$213,553.29; Certificate of Deposit = \$525,563.57; Certificate of Deposit Police Dept = \$36,488.07; Special Project Account (Pinewood) = \$144,422.64; Pinewood Heights Escrow = \$31,237.91; South Church Street Account = \$42,622.88; **Subtotal General Fund = \$4,033,898.12.** Beautification = \$7,820.26; Money Market Beautification = \$61,100.82; **Subtotal Beautification = \$68,921.08; TOTAL ALL FUNDS = \$7,501,007.11.**

3. ADDITIONAL ITEM DISCUSSED: Coast Guard Auxiliary – The Town Manager stated that at last month’s Finance Committee meeting several organizations were present to provide committee with an update from their organization and to request a funding contribution for FY 2013/2014. Mr. Faleski of the Coast Guard Auxiliary was unable to attend however he is present today to give an update on some of the things that they do. Mr. Faleski stated that the Coast Guard Auxiliary by definition is the uniform all volunteer component of the Coast Guard. We support the Coast Guard in all of their missions with the exception of military action and law enforcement. The Coast Guard has tasked them with a primary responsibility for recreational boater safety. The auxiliary addresses that in two different areas. On the water they are an operational facility. They operate twelve month a year with three boats at the Smithfield Station and two others on trailers that they launch when necessary from Jones Creek. They provide safety patrols in this area. Mr. Faleski stated that their responsibility is the James River from the steel fleet to the Monitor Merrimac. Including all the rivers and creeks that feed into the James River. Mr. Faleski stated that they are also on a search and rescue call list. On land they do vessel safety checks at no charge and public education courses. Boaters

that are forty five and younger are required to have taken a boater safety course. Next month will be the first time that it will be offered here in Smithfield. Mr. Pack asked how the organization is funded. Mr. Faleski stated that they are very restrictive of how they can raise money. They are currently in the process of discussing their first ever fundraiser. Uniforms are paid for by the individual members. Each member is required to pay dues of \$35.00 a year. The Coast Guard gives them most of their on the water equipment. Mr. Faleski stated that the town's contribution would be used to help with upgrading some of the equipment that the Coast Guard does not pay for. It would also help with improving the safety of their boats. They are also trying to get a little more aggressive in their outreach to the community on boater safety. Mrs. Tynes asked who pays for the fuel? Mr. Faleski replied that the Coast Guard pays for the fuel on patrol. Committee thanked Mr. Faleski for coming to provide them with an update.

4. Summary of Obici Healthcare foundation Grant/Smithfield on the Move Expenditures to Date – Ms. Ippolito was present to give an update on the Obici Healthcare Foundation/ Smithfield on the Move expenditures to date. She explained that it has been slightly confusing working with three rounds of funding at once. She stated that Round 11 and Round 12 have overlapped; however this will be the last time that happens. Moving forward they will only be applying for one round at a time. Ms. Ippolito referred to the graphs that were provided in the agenda packet. Blue represents Round 8 which was the planning grant when Ms. Henry was here. During Round 8 Ms. Henry developed the strategic plan and the community needs assessment. Round 11 is the round that we are six months into. The graphs show what the budgeted projects are and it shows where we are expended to date at the end of April. The town also has \$10,000 in FY2013 so the graph also shows where the town stands on expenditures as the towns calendar is different from the grants calendar. The new grant, Round 12, just started so we have not expended any of those funds to date. Ms. Ippolito gave an overview of expenditures. The total funding received for this wellness initiative is \$105,550. The grant portion is \$95,550.00 and the town's portion is \$10,000. Included in the packet was a detailed breakout of fees associated with the consultant, programs, material/equipment, marketing and grant administrative/office. Dr. Cook stated that he noticed that Smithfield on the Move wants to transfer money from the community garden education program to the SNAP and the Restaurant Program. Ms. Ippolito stated that the community garden is not something that is going to happen in this grant cycle year. So a request has been made to transfer those funds to another project. The SNAP program and the Restaurant Program are the other two programs going on in the Round 11 cycle. Ms. Ippolito stated that the Restaurant Program is a little bit more expensive now that they have gotten into it because of the time the dietician is spending with the restaurants. The participating restaurants have more healthy choices on their menu than we anticipated them to have. Dr. Cook asked if the grant was paying for a dietician from Sentara to go to the participating restaurants to identify those foods that qualify as a healthy menu item. Ms. Ippolito stated that was correct. The grant also pays to advertise that these restaurants offer health menu items. Ms. Ippolito stated that Round 12 offers a pot of

money that is called general initiative. This fund is to keep programs going that we have going. Mayor Williams asked how often the advisory group meets. Ms. Ippolito stated that through the grant application process they were meeting monthly but now that has been submitted they meet approximately every other month. The group is made up of approximately fourteen people with knowledge in different areas. Mrs. Tynes asked if some of the funds that are not being utilized for the community garden at this time could be donated to the CHIP organization so they could do community beautification projects. Ms. Ippolito stated that would have to go through the Obici Healthcare Foundation because it is their funding. The reason that it is able to be transferred to the restaurant program and the SNAP program is because they are projects that are already being funded through the grant. Ms. Ippolito stated that the Obici Healthcare Foundation was more interested in the community garden idea from a produce stand point rather than flowers. Ms. Ippolito hopes to see the community garden back in the future because there was a lot of interest in it.

5. ADDITIONAL ITEM DISCUSSED: Proposed Ball Fields - Mayor Williams stated that he talked to Ms. Minga in regards to the money that we are going to be getting from Smithfield Foods for the proposed ball fields once the property line adjustments are completed. Vice Mayor Gregory stated that committee needs to decide whether the town will be the escrow agent or does the town want to use Mr. Riddick's office or another attorney. There must be a holding place for the funds even though we are not going to be in charge in expending them. Vice Mayor Gregory stated that he has not talked with Mr. Riddick at this time. The Town Manager stated that he agrees that talking to Mr. Riddick should be the next step. Ms. Minga stated that her biggest concern is that whoever is making payments keep the backup so that once it becomes a donated item for the town we will have the information.

The meeting adjourned at 5:33 p.m.

May 31, 2013

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, MAY 21ST, 2013

The Fire and Rescue Committee held a meeting on Tuesday, May 21st, 2013 at 4:00 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee members attending were: Mrs. Denise Tynes, Chair; and Mr. Randy Pack. Other Council members present were: Mr. Andrew Gregory, Vice Mayor; Mr. Michael G. Smith, Dr. Milton Cook and T. Carter Williams, Mayor. Staff members present were Mr. Peter M. Stephenson, Town Manager; Mr. William T. Hopkins, III, Director of Planning Engineering and Public Works; Ms. Lesley G. King, Town Clerk; Mr. William H. Riddick, III, Town Attorney; and Ms. Judy Winslow, Director of Tourism. Also in attendance were Mr. Rick Bodson of Smithfield 2020; and Mr. Mark Hall. There was no media represented.

Committee Chair, Denise Tynes called the meeting to order.

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

1. Operational Updates – Mrs. Tynes stated that neither fire nor rescue representatives were present to give an update on their operations.
2. Additional Item Discussed: New Rescue Squad Facility – Mr. Hopkins stated that he has not personally been out and inspected the site but the town's engineer does meet Isle of Wight County and the contractors on a regular basis. Everything seems to be going smoothly. Mr. Hopkins stated that at one time they were thinking about closing the road for a short period of time when the water lines had to cross the road with an open cut. At this time they are going to try to perform the work with alternating one lane traffic.

The meeting adjourned at 4:01 p.m.

May 31, 2013

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, MAY 21ST, 2013

The Public Works Committee held a meeting on Tuesday, May 21st, 2013 at 4:01 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee members attending were: Mr. Michael G. Smith, Chair, Mrs. Denise Tynes, and Dr. Milton Cook. Other Council members present were: Mr. Andrew Gregory, Vice Mayor; Mr. Randy Pack; and Mr. T. Carter Williams, Mayor. Staff members present were: Mr. Peter M. Stephenson, Town Manager; Mr. William T. Hopkins, III, Director of Planning, Engineering, and Public Works; Ms. Lesley G. King, Town Clerk; Mr. William H. Riddick, III, Town Attorney; Mr. Wayne A. Griffin, Town Engineer; Ms. Amy Musick, Smithfield Center Director; and Ms. Judy Winslow, Director of Tourism. Also in attendance were Mr. Rick Bodson of Smithfield 2020; Mr. Mark Hall, Mr. Mark Nelson, and Mr. Jake Browder. There was no media present.

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

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

1. Renewal of Landscaping Contract – Mr. Hopkins stated that overall staff has been pleased with Southern Shores Lawn and Landscaping service. This was their first year under contract with the town. The town reserves the right to renew the contract for four additional years. Current work under this contract consist of annual design, installation, care and maintenance of landscaped areas and planting beds including The Smithfield Center, Main Street, Windsor Castle Park, Public Buildings and town entrance signs. Staff did ask that Mr. Rudy of Southern Shores Lawn and Landscaping to provide a quote to add the Taste of Smithfield to areas to be landscaped under this contract. This additional area will be \$147.74 per month added to the cost of the original contract for a total cost of \$1,957.58 per month. Staff feels their work has been satisfactory and recommends this contract be extended for one additional year with an addendum to include the Taste of Smithfield. Committee agreed to forward to Town Council for consideration.

2. Regional Storm Water Management Program Renewal – The Town Manager stated that a memo was included in the packet from the Hampton Roads Planning District Commission explaining that the Memorandum of Agreement (MOA) between the eighteen cities and counties is up for renewal. Essentially it expires June 30th, 2013. The Town Manager stated that to his understanding it mostly relates to erosion and sediment control obligations that we have and the Chesapeake Bay Preservation Act requirements that we have as a locality. The Town of Smithfield works with the county and is covered under Isle of Wight County as we have not reached the ten thousand population threshold for having our own individual MS4 permit. All of the discussion at County level in terms of a storm water management fee if implemented by the Board of Supervisors would cover the Town of Smithfield. This MOA basically says that all localities will continue to work together in moving forward under this new storm water management program. The Town Engineer stated that the town is part of the counties permit and at this point it is more of an educational aspect so that once we reach the ten thousand population threshold we will be up to date on the program. Mr. Smith asked if the county was absorbing these cost at this time. The Town Manager stated that our membership dues to the Hampton Roads Planning District will pay for some of these expenses for this program and others. Mr. Smith asked if there are fees collected associated to this. Mr. Hopkins stated that there are fees involved if someone comes in for a zoning permit to build a house but it does not come to us currently. Mr. Smith asked what happens when the town reaches the population threshold of ten thousand. The Town Engineer stated that the town will be given a timeframe to get the program established. Town Council would need to approve the program to move forward. Mr. Smith asked if approving it would be mandatory. The Town Attorney stated that the town can withdraw but then the town would be required to file for our own permits. The Town Manager stated that at the moment the town is in a good spot. If the town in the future meets the ten thousand population threshold we will start paying a lot more expenses to be part of the program. Mr. Smith stated that he knows that staff is preparing for the future with the education portion but should the town be doing anything budget wise. Staff did not think that was necessary at this time. Committee recommends approval of MOA.

3. Resolution Authorizing the Town Manager to Submit the 2013 Grant Funding Application – Water Works Lake Dam – The Town Manager stated that staff considers this a housekeeping item because it has been discussed previously and the application was due on May 15th. He stated that if Town Council did not want him to submit the application then it would be a motion to withdraw the application at this point. A year ago the town asked for \$37,000 to do all the engineering analysis on the Water Works Lake Dam and then it got cut in half because the town only received a grant for \$8,500. Draper Aden Associates is moving along to get that portion of the grant wrapped up. This grant application is basically for phase II. This will finish the modeling and the engineering analysis for the dam. The Town Manger stated that the only difference is the town is applying for a thousand dollars more for this grant. This is a matching grant so the town is requesting \$9,500.00 from the state and the town will put in \$9,500.00 in the budget for our portion of the matching grant. Mayor Williams stated that if the Virginia Department of Conservation and Recreation (DCR) comes back a year from now and says this is what you have to do to have a hundred year flood plan then the town has to go

to the state to find out when it has to be completed. The Town Manager stated that the town would have to establish a plan of this is what we can do and the time it is going to take to do it. The Town Manager stated that he feels that as long as the town is making progress then DCR will work with us on the time it will take to complete. Committee recommends approval of grant application.

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

1. ADDITIONAL ITEM DISCUSSED: South Church Street Beatification Project Closeout - The Town Manager mentioned that at yesterdays Finance Committee meeting discussion was held on the closeout status of the South Church Street Beautification project. The Town Engineer received e-mail communication today from VDOT stating that they had accepted the final inspection of all the work that Excel Paving Corporation did. They now consider the project closed out. The Town Manager stated that in regards to other issues on the financial side Mr. Hopkins checked with Bryant Porter of VDOT to see if it would prevent the project from closing out. Mr. Porter stating that issues with the utility companies would not delay the closing of the project. Unresolved issues with a utility company would be between the utility company and the town.

2. ADDITIONAL ITEM DISCUSSED: Welcome to Smithfield Signs – Mrs. Tynes mentioned that quite a few of the entrance signs coming into the Town of Smithfield need to be refreshed. The Town Manager stated that this improvement was included in the Capital Improvement Program to do one sign each year. Mrs. Tynes suggested doing the Route 258 entrance sign first as that one is in really faded out.

The meeting adjourned at 4:21 p.m.

May 31, 2013

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, MAY 21ST, 2013.

The Public Buildings and Welfare Committee held a meeting on Tuesday, May 21st, 2013 at 4:21 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee members attending were: Dr. Milton Cook, Chair; and Mr. Michael Smith. Other Council members present were: Mr. Andrew Gregory, Vice Mayor; Mr. Randy Pack, Mrs. Denise Tynes, and Mr. T. Carter Williams, Mayor. Staff members present were: Mr. Peter M. Stephenson, Town Manager; Mr. William T. Hopkins, II, Director of Planning, Engineering and Public Works; Ms. Lesley G. King, Town Clerk; Mr. William H. Riddick, III, Town Attorney; Mr. Wayne Griffin, Town Engineer; Ms. Amy Musick, Smithfield Center Director; and Ms. Judy Winslow, Director of Tourism. Also in attendance were Mr. Rick Bodson of Smithfield 2020; Mr. Mark Hall and Mr. Mark Nelson. There was no media present.

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

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

1. Hot Air Balloon Launch Request – Mr. Mark Nelson was present to give committee an update on what he does. Mr. Nelson stated that he has been flying balloons for thirty-five years; however he just recently started flying in this area. For the last three or four years he has been flying to areas such as Williamsburg, Pungo and Greenbrier Farms. Mr. Nelson stated that he would like to get permission to fly out of the town's parks on occasions. Mr. Nelson explained that they do not land balloons in parks or populated areas in the afternoon. Taking off on the other hand is something that spectators like to see and is safe. The idea is to use public property or green area that they can fly out of. He continued to explain that they follow the Federal Aviation (FAA) regulations. Dr Cook stated for clarification purposes you are asking what the process would be to get permission from the town to use public areas as a launching pad. Mr. Nelson stated that was correct. Mr. Nelson stated that he carries two million dollars worth of insurance. He continued to explain that there are only two carriers of hot air balloon insurance and both are very creditable. Mr. Nelson also stated that he is a flight

instructor and has never had an incident. Dr. Cook asked what type of equipment is involved with launching a balloon. Mr. Nelson stated that they have a truck that pulls a trailer with a basket on it. They would inflate the balloon and then take off. Everything left is packed up and no damage is done to the property. Mr. Nelson stated that they have done this long enough to know that they cannot drive in wet or frosted fields. Mr. Nelson stated that his insurance comes due in June and he can add Smithfield as additionally insured on his policy as he has with other localities. Dr. Cook asked the Town Manager if the policy that the town has in place for park usage could be used for this type of endeavor. Mr. Nelson replied that they never know before the night before they are flying where they will be able to fly out of. It all depends on the way the wind blows. Trying to get a permit on Friday afternoon for something that they think might happen on Sunday would never happen. The Town Manager stated that the only other way is for the town to have a license agreement with the balloon company. The Town Attorney stated it would be much like the Kayak Launch business last year. The Town Manager stated in the kayak business the vendor made a contribution to the Windsor Castle Foundation Board and then paid the town a small percentage of income. Dr. Cook asked what happens if you pull up to do a launch in the late afternoon and there is a wedding going on. Mr. Nelson stated that they would call before they came to be sure that no events/weddings are going on. Mr. Nelson stated that some of the parks that he sees as the most intriguing is Nike Park. Dr. Cook stated that he would need to approach Isle of Wight County for use of that park. Dr. Cook also mentioned that Mr. Nelson needs to identify what areas are public property. Mr. Nelson stated that he thinks the downtown historic district is a good fit for his customers. The balloon adventure part they have down to a science but it is after they fly where they stay and what they do that makes them focus on Smithfield. Dr. Cook stated that he can envision a balloon day where the town may have thirty balloons being launched out of Windsor Castle Park. Mr. Nelson stated that is what you want and is a great way to do fundraisers. Dr. Cook asked that from the discussion here today you are looking for a launching site here at Windsor Castle Park or Clontz Park. Mr. Nelson stated that was correct to use some of the parks here for sunrise launches. Dr. Cook stated that personally he does not see a problem with it if we work out an agreement where the town is protected from any kind of liability issues. The Town Manager asked Mr. Nelson if he were to launch from here in Smithfield where would you land. Mr. Nelson stated that would depend on which way the wind is blowing. They usually determine a location that they want to land and then typically go up river from there to take off depending on the wind. How does landing at a different location get the people back to Smithfield. They would be picked up from where they land and brought back to where the balloon launched for time to visit the local shops and restaurants and even overnight stays. Smithfield Station and the other bed and breakfasts along with the local shops really makes Smithfield most appealing. Dr. Cook stated that the next step would be a simple license agreement. Town Attorney will draft a simple license agreement for council's consideration.

2. Smithfield Foods Request for Additional Paved Parking - The Town Manager stated that the town did receive a request from Smithfield Foods that was included in council's packet. Mayor Williams and I met earlier in the month at the corporate office to go over what Smithfield Foods is requesting. A couple of different ideas have been given to increase parking for the corporate offices. At this time per the drawing there are two areas that are shown in a darker grey as the areas for additional parking. The first area being the grassy area behind the Veteran's Memorial. On a busy day when the town has events in town it is already being utilized as an additional parking area. This area is all town property. The second location is down the hill from the Little Theater. A retaining wall would be added to the small existing parking lot to add an additional parking area. This property is on both town and Smithfield Foods property. The Town Manager stated that the town would propose to do something like what was done the last time parking was put on town property. Smithfield Foods would pay for the construction of the parking lot and insure it and the town has use of it if necessary when it is not being used by Smithfield Foods employees during the day. The addition of these two parking areas will give them approximately eighty additional parking spaces. Mr. Smith asked if these eighty spaces would satisfy their need for parking. Mayor Williams stated that they started out asking for approximately sixty spaces so he was sure the eighty would make them happy. Committee recommends approval of paved parking addition.

3. Pre-Public Hearing Discussion: Special Use Permit – Cypress Run Drive – The Town Attorney stated that the applicant is seeking a special use permit approval for a single family home with temporary private water and sewer systems. Staff recommends that there be a condition to the special use permit to require the applicant to connect to town water and sewer at such time in the future that town utilities are extended to the property. Mr. Hopkins stated that Planning Commission did recommend approval as well. Committee agrees with staff's recommendation.

4. Pre-Public Hearing Discussion: Special Use Permit – Cypress Crossing – This item is identical to the above special use permit. The Town Attorney stated that the applicant is seeking a special use permit approval for a single family home with temporary private water and sewer systems. Staff recommends that there be a condition to the special use permit to require the applicant to connect to town water and sewer at such time in the future that town utilities are extended to the property. Mr. Hopkins stated that Planning Commission did recommend approval as well. Committee agrees with staff's recommendation.

5. Pre-Public Hearing Discussion: Boundary Line Adjustments - The Town Manager stated that this public hearing has been advertised and all information pertaining to the boundary line adjustment has been available in the Town Managers office for viewing. Dr. Cook asked if anything has happened as far as surveys and engineering work is concerned. Vice Mayor Gregory stated that there is no money to do anything until the public hearing for the boundary line adjustment has been done. Dr. Cook stated

that at this time we do not know if the soil at the proposed ball field site is fit for ball fields. Vice Mayor Gregory stated that is correct. The town Attorney stated in order to make this work the town will have to follow Isle of Wight County's subdivision rules to split the property up the way the town wants it to be. There will be a piece for SRA, a piece for the church and a piece for the rescue squad facility. The county has rules that prevention you from creating lots private right of ways whereas the town does not. The Town Attorney also explained that the county will reserve an area for a regional BMP for storm water management. The agreement will be that everyone will pay their pro rata share which will be a lot cheaper than doing it individually. Discussion was also held on property located behind the proposed ball field becoming land locked with no access. The town Attorney stated that they could apply for an agricultural easement. Vice Mayor Gregory asked the Town Attorney if both boundary line adjustments are approved after their public hearing does the town need to set up a escrow account through you or does the town hold the donated money like the town did with Windsor Castle. SRA will be in charge of expending these funds. The Town Attorney stated that the town could do a escrow agreement and put it in an settlement account at Farmers Bank. Vice Mayor Gregory stated that from an accounting stand point it makes it easier on the Town Treasurer if the town has a third party escrow agent. The Town Attorney stated that he would discuss with Mr. Weaver at Smithfield Foods because where it goes may affect their taxes. It would be handled much like a construction loan fund.

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

1. Pinewood Heights Relocation Project – Phase II Update – The Town Manager reported that there was an updated progress reported included in the May committee packet. He stated that he was unable to attend the most recent Pinewood Heights Management Team meeting on May 14th. Mayor Williams stated that the project continues to move but at a very slow pace at this time. Discussion was held on there not being any residents in multi-year one of Phase II that meets the requirements of Habitat for Humanity. Mayor Williams stated that Mr. Dodson was asked to start looking at residents in multi-year two to see if any of them qualified for Habitat for Humanity. Dr. Cook asked if any of the units have been demolished. The Town Manager reported that two units are scheduled to be demolished before next committee meeting.

2. Accept Landscaping donation from Browder's Fresh Pickin to the Town of Smithfield – The Town Manager reported that the drawing included in the packet was very light in contrast. Dr. Cook asked if this was proposed to be at the intersection of Route 10 and Main Street. The Town Manager stated that was correct. On one side of the road it is around the existing porcine statuary. Dr. Cook stated that the landscaping and plantings would be donated by Browder's Fresh Pickin and the town would take over the maintenance once the landscaping has been placed there. Mr. Browder was present

and stated that if committee did not like any particular plantings or design he could make changes. Dr. Cook stated that he was not a landscape designer and was satisfied with Mr. Browder's design. Discussion was held on the location of the landscaping and in the end it was decided that if plantings could be added to all corners of the intersection with the exception of the corner with the commuter lot without making them look too skimpy they would recommend that. Mr. Browder did not see a problem with doing that. Town staff will obtain permit from VDOT to install landscaping. Mayor Williams was concerned that VDOT will not allow because of the recent denial of putting a sign at that location. The Town Manager explained that the sign was denied due to it being a permanent object. In the past VDOT has been very supportive of landscaping in their right of ways. Mr. Browder stated that he wanted to donate some plantings to the town to help beautify the town. Dr. Cook thanked Mr. Browder for his generosity. Mr. Hopkins stated that permission from VDOT is needed as soon as possible as plants need to be put in the ground soon. Mr. Browder set a deadline for town to get approval from VDOT for twenty days. He stated that the plants can only stay in the pots for so long. Committee agreed that this item could be handled administratively.

3. Kayak Vendor at Windsor Castle Park Update – The Town Manager stated that the town has had in place for two years a license agreement with Ms. Henry of Pagan River Outfitters to provide kayak rentals at the park. Ms. Henry has since took a full time position at the YMCA and is no longer able to continue this service. Her agreement expired on December 31st, 2012. Ms. Henry has been looking for someone to take over Pagan River Outfitters or someone to sell her equipment to. The Town Manger continued to explain that the town is now approaching Memorial Day where in the past kayak rental service has been available and at this time unless you own your own kayak this service is not available. The Town Manager stated that it has been discussed at staff level and staff has decided that the town should undertake this service of kayak rentals. Ms. Musick is very familiar with doing rentals at the park. The Town Manager stated that included in today's supplemental packet was information on what town staff would like to do to offer this service to the public with the purchase of the kayak equipment from Ms. Henry. Ms. Musick explained that she would like to see a staff person out there on Friday afternoon, all day Saturday and Sunday to do kayak rentals on the spot. This position would be part-time help. Ms. Henry's inventory consists of seven kayaks and a trailer to carry them on. She is asking for \$3,200 and the value is over \$4,000. Ms. Musick stated included in the packet was a breakdown of what the expenses would be for staffing this position. This would include a staff member from public works to bring the kayaks out to the park each Friday and pick them up every Monday morning. The part-time help would have a cell phone that could be used for reservations and credit card payments on site. There would be some fuel cost also associated with this position for a total cost to the town of \$250.00 per weekend. So the town would want to sell over twenty-five hours of rental time each weekend. Ms. Musick stated that she does not think that would be hard to do from Friday afternoon to Sunday evening. Mr. Pack asked who was going to own this endeavor? Ms. Musick replied that the Town of Smithfield will

own the kayak inventory. Mr. Pack stated that he has reservation and is not sure this is something that the town should be involved in. In the past he was never able to include kayak rentals in any of their Smithfield Station packages because it was very unreliable to when it was open for rentals. Ms. Musick stated that Pagan River Outfitters also provided guided tours so therefore the kayaks were unmanned and not able to be rented out while she was out doing tours. With this position someone would be there the entire time. Mr. Pack stated that the rate structure maybe a little bit more expensive than other localities but he does not think it is unreasonable. Ms. Musick stated that they can look at booking reservation for weekdays but it would have to be a \$100 minimum to be worth the town's time. Dr. Cook stated that he thinks this is a great idea and if the town can make enough money to cover expenses it would be nice to be able to offer kayak rentals to the public. Ms. Winslow stated that the tourism office gets a tremendous amount of request for kayaking at Windsor Castle Park and she thinks it would be a wonderful endeavor for the town. She stated that she sees it as a revenue source in the future. Mr. Pack stated that the problem he sees is that seven kayaks may not be enough. Being able to reserve kayaks for a period of time is a huge piece of the puzzle for this type of service. Ms. Winslow stated that your reservation process is going to be extremely important. Hiring the right person to have on site for possible training on the use of a kayak and signing of liability waivers is key as well. Committee asked where the kayaks would be stored during the week. Ms. Musick replied that they would be stored at the public works facility off Cary Street. She explained her thought is to trailer them to the park on Friday afternoon during regular business hours and then have them taken back to the public works facility on Monday morning during business hours. Ms. Musick stated that she was hoping to get permission to begin offering rentals the weekend after Memorial Day. Ms. Winslow asked if Ms. Henry could train the person that will be working on renting the kayaks. Committee agreed and the details could be worked out administratively.

Meeting Adjourned at 5:30 p.m.

**SMITHFIELD POLICE DEPARTMENT
MANAGER'S REPORT
MAY 2013**

Committees and Projects:

05/01 Safety Meeting – Town Hall – Kurt Beach, Sgt. Meier
05/02 World Day of Prayer – Virginia Beach – Chief Bowman
05/06 TRIAD Conference – Smithfield Center – Chief Bowman, Kurt Beach
05/07 Paul W. Bancroft – swearing in ceremony
05/07 Town Council – Center – Chief Bowman
05/08 Hampton Roads Chiefs Association meeting – Suffolk – Deputy Chief Howell
05/08 Department Head mtg – Center – Deputy Chief Howell
05/14 Safety Subcommittee – Town Hall – Kurt Beach, Sgt. Meier
05/16 2012 LEO Awards – Richmond, VA – Chief Bowman, Officer Phillips
05/17 Isle of Wight Bar Association meeting – Smfd Station – Chief Bowman
05/20 Police Committee – Center – Chief Bowman, Deputy Chief Howell
05/21 Crime Line meeting – Center – Chief Bowman, Deputy Chief Howell, Sgt. Meier and Annette Crocker

05/21 C.H.I.P. meeting – PD – Officer J. Adams and Annette Crocker
05/22 Department Head – Center – Chief Bowman, Deputy Chief Howell
05/27 Memorial Day Service – Veterans Memorial – Chief Bowman
05/28 Dominion Power Security briefing – Surry – Deputy Chief Howell

Training

05/07 Intoxilyzer Recertification – Officer Fordham and Officer Anderson (4 hrs.)
05/08 Performance Driven Leadership in Public Safety – HRCJTA – Chief Bowman and Sgt. Miller (8 hrs.)

05/16 Bill of Rights – HRCJTA – Sgt. Miller (8 hrs.)
05/17 Leadership School – Franklin, Suffolk – Kristi Jenkins (8 hrs.)
05/20 – 23 Leadership Training – CNU – Sgt. Jones (32 hrs.)
05/21 Bill of Rights – HRCJTA – Officer Phillips, Officer Wright (8 hrs.)
05/23 Leadership & Generational Issues – CNU – Deputy Chief Howell, Lt. Rogers (8 hrs.)

05/30 Crime Prevention Through Environmental Design – Glen Allen, VA – Kurt Beach (8 hrs.)

In-House Training:

05/07 ERT Training – 928 Church Street St. – Lt. Rogers, Sgt. Brady, Sgt. Araojo, FTO Powell, FTO Seamster, Officer Adams, Officer Hill, Lt. J. Evans, Sgt. Epps, Dep. Borst, Dep. W. Fordham, Dep. Edwards, Dep. Coughlin, Dep. Bunch, ES1 Chief Chase (8 hrs.)

05/21 ERT Training: Trauma and casualty assessment – Smfd PD/Stoup Property – Lt. Rogers, Lt. Valdez, Sgt. Araojo, Sgt. Brady, Officer Powell, Officer Adams, Officer Hill, Officer Seamster (6 hrs.)

Community Relations

05/01 Homework Station – Jersey Part Apts. - Officer Johnson
05/04 Smithfield Prom – Smithfield Center – Sgt. Miller
05/06 CEPTED/Crime Prevention Survey – Morris Creek Landing – Officer J. Adams
05/08 Homework Station – Jersey Park Apts. – Officer Cook
05/10 Unity Tour – Smfd – On Duty Officers
05/13 Relay for Life – Benn’s UMC – Officer J. Adams
05/15 Isle of Wight Academy Preschool tour – PD – Officer Seamster
05/15 Playing basketball with kids – Jersey Park Apts. – Officer J. Adams
05/17 Crime Prevention Survey – Morris Creek Landing – Officer Seamster
05/20 School Board meeting – Smfd Center – Officer Anderson
05/22 Birthday Party for a child – Smfd Ice Cream Parlor – Officer Anderson
05/24 King’s Fork Proms – Center – Officer Phillips

Investigations:

Case#: 2012-00290
Location: Farmer’s Bank
Offense: Bank Robbery Update
Disposition: Cleared by Arrest

On May 7, 2013 the last of the suspects who robbed Farmer’s Bank in March of 2012 were tried and sentenced. Matthew Spratley was sentenced to 251 years after having a jury trial on April, 25 2013. The other co-conspirators plead guilty on May 7, 2013.

Case#: 2013-00424
Location: 10 Riverside Dr.
Offense: Attempted Arson
Disposition: Cleared by Arrest

On 5/20/13 Officers responded to 10 Riverside Dr. for a domestic disturbance. Officers arrived on scene and spoke with the homeowner who stated that she and her husband had just bought a new Jeep. When her son came home he became very angry that his dad had bought the Jeep. The son began to pour gasoline on the vehicle and then grabbed a lighter from his pocket and attempted to light the Jeep on fire. Mom grabbed the garden hose and sprayed it at her son. The son then took off in his vehicle. The son was arrested for Attempted Arson.

Case#: 2013-00428
Location: Farmer's Bank
Offense: Check Fraud
Disposition: Cleared By Arrest

On 5/22/13 Officers responded to Farmer's Bank regarding a Check Fraud call. When the Officers arrived at the bank a teller pointed out a gentleman at her window that had been trying to cash a counterfeit check totaling \$2,834.45. The individual was a homeless man that told investigators that he was picked up in VA Beach by two males and told he could make \$200 per check he cashed. They bought him new clothes and dropped him off at different bank locations where he would attempt to cash the fraudulent checks. He would give the money back to the individuals who picked him and they would give him \$200. He was charged with Forgery. Investigation is still pending for the other two individuals

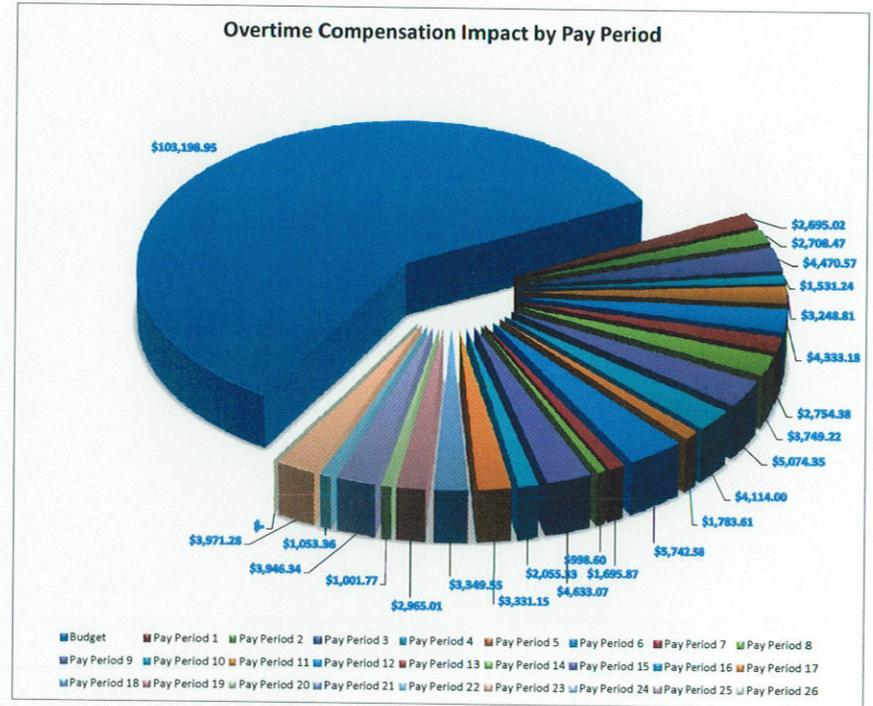
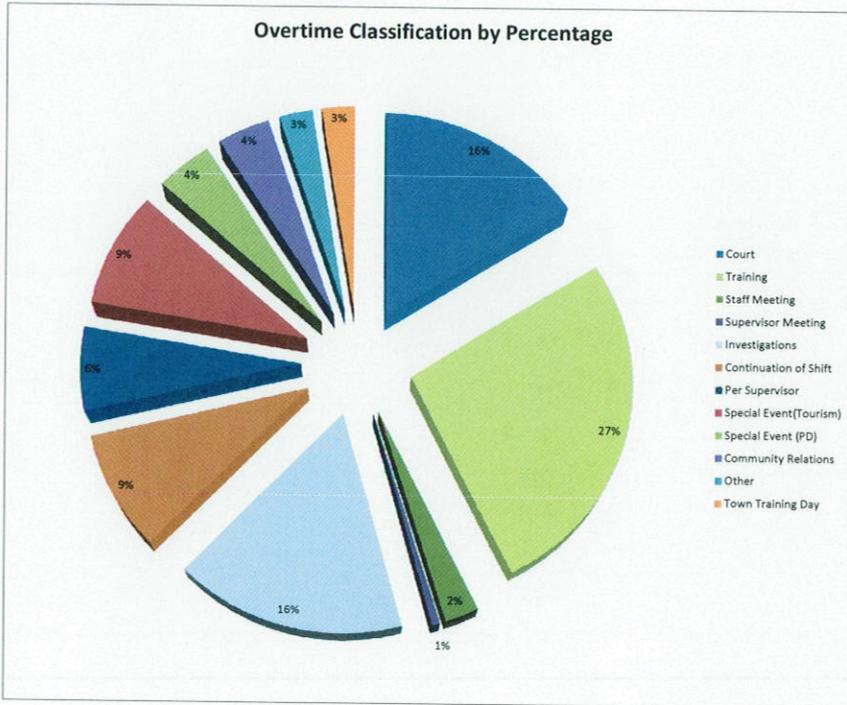
Case#: Multiple
Location: 240 N. Church
Offense: Shoplifting
Disposition: Pending

On multiple dates during the week of May 20th four individuals would enter the store at approximately 9:00 am. One or two would go speak with the clerk and distract him. The rest would go to the beer cooler and take out cases of beer and walk out of the store with them. They would also steal cartons of cigarettes. Case is pending.

Snap Shot Report (4th Quarter) 4th Quarter (4 pay periods remaining)

Proposed Expenditure for Quarter \$25,799.73
 Actual Expenditure for Quarter \$8,970.98
 Remaining \$16,828.75

Beginning Budget \$103,198.95
 Remaining Budget \$ 31,830.12



OT Hours by Pay Period & Classification (Quarterly)

	Apr 7 - Apr 20	Apr 21 - May 4	May 5 - May 18	May 19 - June 1	June 2 - June 15	June 16 - June 29	June 30 - July 13	Total
Court	21	12.5	11.5	0	0	0	0	45
Training	40.5	6	84	0	0	0	0	130.5
Staff Meeting	0	3	7	0	0	0	0	10
Supervisor Meeting	0	0	0	0	0	0	0	0
Investigations	37.5	9.5	5.5	0	0	0	0	52.5
Continuation of Shift	0	0	15.5	0	0	0	0	15.5
Per Supervisor	0	0	0	0	0	0	0	0
Special Event (Tourism)	8.5	0	0	0	0	0	0	8.5
Special Event (PD)	15.5	0	0	0	0	0	0	15.5
Town Training Day	0	0	0	0	0	0	0	0
Community Relations	0	7	6.5	0	0	0	0	13.5
Other	0	0	3	0	0	0	0	3

Reporting Period: 5/1/2013 thru 8/29/2013

Total Deposits for May 2013 - \$18,904.86 / Town Services deposits \$348.00

Trx. Type	Date	Invoice No.	Pay Type	Check No.	Group	Event	Res ID	Book ID	Amount
Invoice	5/21/2013	TS1667			Smithfield High School	Smithfield High Shakespeare in the Park	2144		25.00
Invoice	5/23/2013	TS1668			Department of Conservation and Recreation	DCR Conference	2232		400.00
Invoice	5/29/2013	TS1670			King's Fork High School	Kings Fork Prom	2090		200.00
								Total	625.00
Payment	5/2/2013	1662	Check	4376	Smithfield Station	Smithfield Station Group	2200		200.00
Payment	5/16/2013	1649	Check	7948	Smithfield Women's Club	Smithfield Women's Club	1963		362.00
Payment	5/29/2013	TS1667	Check	30319	Smithfield High School	Smithfield High Shakespeare in the Park	2144		25.00
								Total	587.00
Deposit	5/2/2013		Visa	Visa	Case and Piske Wedding and Reception	Case and Piske Wedding and Reception	2139		700.00
Deposit	5/3/2013		Check	6290	Waters and Hirst Reception	Waters and Hirst Reception	1886		300.00
Deposit	5/3/2013		Visa	Visa	Hollinden and Burns Wedding and Reception	Hollinden and Burns Wedding and Reception	2053		1,009.65
Deposit	5/3/2013		Check	1243	Hollinden and Burns Wedding and Reception	Hollinden and Burns Wedding and Reception	2053		100.00
Deposit	5/6/2013		Visa	Visa	Heal and Wood Wedding and Reception	Heal and Wood Wedding and Reception	2183		600.00
Deposit	5/7/2013		Check	1160	Kirby-Fox Wedding & Reception	Kirby-Fox Wedding & Reception	2246		700.00
Deposit	5/7/2013		Visa	Visa	Morningstar and Janisse	Morningstar and Janisse Reception	1872		53.36
Deposit	5/9/2013		Check	1007	Newsome-Johnson Wedding & Reception	Newsome-Johnson Wedding & Reception	2248		600.00
Deposit	5/9/2013		Money Order	2114654	Smith-Rodgers Wedding & Reception	Smith-Rodgers Wedding & Reception	2142		700.00
Deposit	5/13/2013		Visa	Visa	Pere and Kearns Reception	Pere and Kerns Reception	2250		1,120.00
Deposit	5/14/2013		Visa	Visa	Case and Piske Wedding and Reception	Case and Piske Wedding and Reception	2139		21.00
Deposit	5/14/2013		Check	4046	Smith-Rodgers Wedding & Reception	Smith-Rodgers Wedding & Reception	2142		50.00
Deposit	5/15/2013		Check	1080	Isle of Wight Commission on Aging	Senior Fish Fry	1652		50.00
Deposit	5/15/2013		Check	16810	Genieve Shelter	Genieve Shelter Walk a Thon	2105		25.00
Deposit	5/17/2013		Master Card	Master Card	Harris and Jones Wedding and Reception	Harris and Jones Wedding and Reception	2088		100.00
Deposit	5/17/2013		Visa	Visa	Case and Piske Wedding and Reception	Case and Piske Wedding and Reception	2139		105.00

Reporting Period: 5/1/2013 thru 8/29/2013

Total Deposits for May 2013 - \$18,904.86 / Town Services deposits \$348.00

Trx. Type	Date	Invoice No.	Pay Type	Check No.	Group	Event	Res ID	Book ID	Amount
Deposit	5/20/2013		Visa	Visa	McGrew and Dougherty Wedding and Reception	McGrew and Dougherty Wedding and Reception	2162		865.00
Deposit	5/20/2013		Visa	Visa	Spink-Goss Wedding & Reception	Spink-Goss Wedding & Reception	1943		665.75
Deposit	5/20/2013		Visa	Visa	Proffit-Culpepper Wedding & Reception	Proffit-Culpepper Reception	2154		213.75
Deposit	5/21/2013		Money Order	21038439148	Mann and Wynn Wedding and Reception	Mann and Wynn Wedding and Reception	2260		400.00
Deposit	5/21/2013		Check	1606	Hancock and Brooks Wedding and Reception	Hancock and Brooks Wedding and Reception	2069		375.00
Deposit	5/22/2013		Check	1022	Proffit-Culpepper Wedding & Reception	Proffit-Culpepper Reception	2154		663.75
Deposit	5/23/2013		American Express	American Express	Pittman and Riddick Reception	Pittman and Riddick Reception	2107		640.00
Deposit	5/23/2013		American Express	American Express	Pittman and Riddick Reception	Pittman and Riddick Reception	2107		185.00
Deposit	5/24/2013		Check	2492	Powers and Fincham Wedding and Reception	Powers and Fincham Wedding and Reception	1951		743.00
Deposit	5/24/2013		Master Card	MC	Knowles and Simms Wedding and Reception	Knowles and Simms Wedding and Reception	1837		942.00
Deposit	5/24/2013		American Express	Amex	Auby-Lilly Reception	Auby-Lilly Reception	2264		700.00
Deposit	5/28/2013		Master Card	MC	Tate Vow Renewal	Tate Vow Renewal	2207		350.00
Deposit	5/28/2013		Check	5698	Lester and Crocker Wedding and Reception	Lester and Crocker Wedding and Reception	2116		566.45
Deposit	5/29/2013		Check	10526	Kiwanis Southeast District Conference	Kiwanis Mid Winter Conference	2263		300.00
Deposit	5/29/2013	TS1670	Check	9432	King's Fork High School	Kings Fork Prom	2090		1,750.40
								Total	15,594.11
								Grand Total	-15,556.11

May 2013

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3	4
						Smithfield Prom MH plus Suites 400
5	6	7	8	9	10	11
TRIAD MH plus Suites 340	TRIAD MH plus Suites 340	Kitchen Inventory Kitchen 2 Town Council A&B 20	Staff Retreat	JROTC Banquet MH 90	Porter and Phelps Reception MH 120	Morningstar and Janisse Reception A 10 Morningstar and Janisse Reception MH 150
12	13	14	15	16	17	18
Mother's Day		Pinewood Heights Meeting C&D 12 Planning Commission A&B 20	Senior Fish Fry MH 160 Town Health Benefits Meeting C&D 20	Quarterly Update MH 200		Case and Piske Wedding and Reception MH plus Suites 90
19	20	21	22	23	24	25
Hollinden and Burns Wedding and Reception MH plus Suites 110	Committee Meetings C&D 20 IOW Schools Retirement Banquet MH 120	BHA&R A&B 12 Committee Meetings C&D 12 Crimeline C&D 20 Schoolhouse Meeting C&D 20 Smith-Rodgers Rehearsal Deck 10	Staff Meeting C&D 12	Relay Survivors Banquet MH plus Suites 300	Sat Rate Helen Off Kings Fork Prom MH plus Suites 350	Helen Off Melissa Off Berdick and Rhoads Reception MH 150
26	27	28	29	30	31	
Sat-Rate Helen Off Melissa Off Traven Off Smith-Rodgers Wedding & Reception MH plus Suites 125	Memorial Day Helen Off Melissa Off Traven Off Memorial Day Service Memorial Lawn 100	Traven Off AV Installation Clean Carpets	Traven Off AV Installation Clean Carpets	Traven Off AV Installation	Courtney Off Traven Off Spink-Goss Rehearsal Deck 20	

Smithfield Center Discounts May 2013

Booking Date	Event Name	Room Code	Discount Percent
5/1/2013	Staff Meeting	C&D	100.00%
5/3/2013	Smithfield Prom Setup	MH plus Suites	50.00%
5/4/2013	Optimist May 5K	Courtyard	0.00%
5/4/2013	Smithfield Prom	MH plus Suites	50.00%
5/5/2013	TRIAD	MH plus Suites	100.00%
5/6/2013	TRIAD	MH plus Suites	100.00%
5/7/2013	Town Council	A&B	100.00%
5/9/2013	JROTC Banquet	MH	100.00%
5/10/2013	Porter and Phelps Reception	MH	0.00%
5/10/2013	Coppage-Carleton Setup	Riverfront	0.00%
5/11/2013	Morningstar and Janisse Reception	A	0.00%
5/11/2013	Morningstar and Janisse Reception	MH	20.00%
5/11/2013	Coppage-Carleton Wedding & Reception	Riverfront	0.00%
5/12/2013	Coppage-Carleton	Riverfront	0.00%
5/14/2013	Planning Commission	A&B	100.00%
5/14/2013	Pinewood Heights Meeting	C&D	100.00%
5/15/2013	Town Health Benefits Meeting	C&D	100.00%
5/15/2013	Senior Fish Fry	MH	0.00%
5/16/2013	Quarterly Update	MH	0.00%
5/18/2013	Mustang Show	Main Street	0.00%
5/18/2013	Case and Piske Wedding and Reception	MH plus Suites	0.00%
5/18/2013	MacDiarmid and White Wedding and Reception	Riverfront	0.00%
5/18/2013	Windsor Castle Anniversary Celebration	Riverfront	100.00%
5/19/2013	Quantz Wedding & Reception	MH plus Suites	0.00%
5/19/2013	Hollinden and Burns Wedding and Reception	MH plus Suites	0.00%
5/20/2013	Committee Meetings	C&D	100.00%
5/20/2013	IOW Schools Retirement Banquet	MH	50.00%
5/21/2013	BHA&R	A&B	100.00%
5/21/2013	Committee Meetings	C&D	100.00%
5/21/2013	Schoolhouse Meeting	C&D	100.00%
5/21/2013	Crimeline	C&D	100.00%
5/21/2013	Smith-Rodgers Rehearsal	Deck	0.00%
5/22/2013	Staff Meeting	C&D	100.00%
5/23/2013	Relay Survivors Banquet	MH plus Suites	0.00%
5/23/2013	Johnston-Sheumaker Set	Riverfront	0.00%
5/24/2013	Kings Fork Prom	MH plus Suites	0.00%
5/24/2013	Johnston-Sheumaker Wedding & Reception	Riverfront	0.00%
5/25/2013	Berdick and Rhoads Reception	MH	0.00%
5/25/2013	Johnston-Sheumaker Set	Riverfront	0.00%
5/26/2013	Stephenson-Knightnor Wedding & Reception	MH plus Suites	0.00%
5/26/2013	Stephenson-Knightnor Wedding & Reception	MH plus Suites	0.00%
5/26/2013	Smith-Rodgers Wedding & Reception	MH plus Suites	0.00%
5/27/2013	Memorial Day Service Rain Site/Restrooms	MH	100.00%
5/31/2013	Spink-Goss Rehearsal	Deck	0.00%

100% Discounts - 15 events
50% Discounts - 2 events
20% Discounts - 1 event

Smithfield/Isle of Wight Tourism Activity Report – May 2013

- Director attended the Isle of Wight Board of Supervisors Meeting 5/16/13.
- Director attended Smithfield Town Council Meeting 5/7/13.
- Held monthly Tourism Staff Meeting 4/11/13. All FT staff in attendance.
- Smithfield 2020 Meeting 5/1/13. For more info and minutes of Smithfield 2020 meeting, please visit www.smithfield2020.org
- Attended Historic Saint Luke's Board Meeting 5/1/13. Appointed as Chairman of the HSL Executive Director Search Committee. Search Committee Meetings held 5/20/13 and 5/30/13.
- Held Aiken & Friends Music Festival planning meeting 5/2/13. Green Room Event planning session 5/16/13 and 5/30/13.
- Attended United Way Final Funding meeting 5/2/13.
- Judged final Pork-A-Razz photo contest 5/2/13.
- Attended CVTA Thank the Visitor Day at Norfolk Airport 5/3/13.
- Farmers Markets held 5/4/13, 5/11/13, 5/18/13 and 5/25/13. FABULOUS attendance numbers! Its gonna be a great season!!!! The Farmers Market is open every Saturday until the end of October and for specialty markets in November and December. Attended Farmers Market SNAP meeting with Town Treasurer, Town Manager and Smithfield on the Move 5/6/13.
- Met with Leisure Publishing 5/6/13.
- Met with Core Branding Team 5/6/13.
- Met with WLQM about IOW Fair marketing for 2013 5/7/13.
- Speaker for HREDA Research Roundtable (Economic Development group for Hampton Roads) 5/8/13.
- Met with Restaurants on the Move to make marketing recommendations 5/8/13.
- Attended VA Beach National Tourism Week Awards Luncheon 5/10/13.

- Held Hospitality Hero/Community Ambassador/Pork-A-Razzi Award Event 5/10/13. Excellent attendance. More Hospitality Heroes nominated this year than ever before!
- Met with Bill Hopkins to determine placement for landscaping donation from Browders Fresh Pickin's 5/13/13. Council approved locations administratively at Council Committee.
- Attended Coastal Virginia Tourism Alliance meeting 5/15/13.
- Attended Wharf Hill Project meeting 5/15/13 and 5/30/13. Working with IOW County E.D. toward the best and greatest use of Wharf Hill.
- Attended IOW County Wellness Committee 5/15/13.
- Attended Sesquicentennial Meeting 5/16/13.
- Met with Russell Parrish about a new event for November 5/16/13.
- Held Mustang Roundup Special Event Saturday 5/18/13. Excellent turn-out of over 100 cars!
- Attended Paul D. Camp Community College Reception 5/18/13.
- Attended County Budget Session 5/20/13.
- Schoolhouse Museum Board meeting 5/21/13.
- Attended Council Committee meetings 5/21/13.
- Held Olden Days Planning Meeting 5/21/13 and Town Staff Olden Days planning meeting 5/23/13.
- Tourism Facebook postings throughout month.
- Attended Smithfield Staff Meeting 5/8/13, 5/22/13.
- Attended Certified Crime Prevention Community Committee 5/24/13.
- Met with Core Branding Team and Will Brunt with Smithfield Packing about coordinating Tourism and Smithfield Packing marketing and branding efforts 5/28/13.
- Director vacation 5/30/13 – 6/7/13.

- 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 for more details!

Thank you so much for funding the Dome Theater for the Smithfield Branch of Blackwater Regional Library. The program is scheduled for June 5. Beginning at 10:00, classes from Hardy and Westside Elementary Schools will be attending the Dome. Friends of the Smithfield Library are funding buses so students will attend absolutely free of charge.

Public shows will start at 2:30 and continue with new programs every 30 minutes. The last program begins at 5:00. I hope you will be able to stop by and view this outstanding program that your grant provided for our community.

With appreciation,

Ann DeLoach
Manager, Smithfield Branch
Blackwater Regional Library

**RESOLUTION TO APPOINT MEMBERS TO THE SMITHFIELD
COMMUNITY CRIME PREVENTION TEAM**

WHEREAS, on November 6, 2012 the Town Council of the Town of Smithfield resolved to participate in the Virginia Department of Criminal Justice Services Certified Crime Prevention Community Program; and

WHEREAS, the Certified Crime Prevention Program requires the formation of a multi-disciplinary, interagency, community crime prevention team; and

WHEREAS, the governing body fully supports all reasonable efforts to meet the DCJS requirements to become designated as a Certified Crime Prevention Community,

NOW THEREFORE BE IT RESOLVED, that the Town Council hereby appoints the following persons to serve on the Smithfield Community Crime Prevention Team, serving staggered terms of 12 and 18 months, charged with supporting the Smithfield Police Department develop, implement, and evaluate crime prevention strategies that will enhance the quality of life and public safety in the Town of Smithfield.

Adopted this 6th day of June 2013.

Members serving 18 month terms; ending December 31, 2014

Edmund Mortimer Catherine Vines

Joseph Reish Rick Bodson Kurt Beach

Members serving 12 month terms; ending June 30, 2014

Connie Chapman Bob Cole

Julie Petty Judy Winslow

TOWN OF SMITHFIELD,

T. Carter Williams, Mayor

Clerk

RESOLUTION
STREET CLOSURE FOR OLDEN DAYS

WHEREAS, the Town of Smithfield has, in years past, supported the Olden Days Festival organized by the citizens of the Town of Smithfield; and,

WHEREAS, the Olden Days Festival has become an event that is eagerly anticipated and enjoyed by the citizens of the town and visitors to the town; and,

WHEREAS, the Olden Days Steering Committee has requested that certain streets within the Town be closed during the festival; and,

WHEREAS, the Town Council desires to support and cooperate with the Olden Days Steering Committee, organizers of the Olden Days Festival by closing off certain of the town's streets in order to allow a safe and convenient environment for the Olden Days Festival.

NOW, THEREFORE, BE IT RESOLVED that on Friday, June 28, 2013, the following streets or portions of streets shall be closed from 4:45 p.m. until 9:00 p.m.: Main Street from its intersection with North and South Church Streets to its intersection with Institute Street; and,

BE IT FURTHER RESOLVED that on Saturday, June 29, 2013 Main Street from its intersection with North and South Church Streets to its intersection with Underwood Lane shall be closed from 7:00 a.m. to 5:00 p.m.; S. Mason Street from its intersection with Main Street to its intersection with Cedar Street shall be closed from 7:00 a.m. until 5:00 p.m.; and N. Mason Street from its intersection with Main Street to its intersection with Grace Street shall be closed from 7:00 a.m. until 5:00 p.m.; and,

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

Adopted this 4th day of June, 2013.

TOWN COUNCIL OF THE
TOWN OF SMITHFIELD

By _____
T. Carter Williams, Mayor

ATTEST:

Clerk

RESOLUTION TO AUTHORIZE FIREWORKS DISPLAY

WHEREAS, for several years the citizens of and visitors to the Town of Smithfield have enjoyed a fireworks display in celebration of Independence Day; and,

WHEREAS, the Isle of Wight County Parks and Recreation Department has offered to coordinate a fireworks display on the third of July in observance of Independence Day and has requested that the Town allow the use of the public park on the north side of the Pagan River for the staging of the fireworks display; and,

WHEREAS, the Isle of Wight County Parks and Recreation Department has requested that the Town contribute a sum not to exceed Two Thousand Dollars (\$2,000.00) to help defray the cost of the fireworks display; and,

WHEREAS, the Town Council deems it to be in the best interests of the Town and its citizens to honor our nation on Independence Day.

NOW, THEREFORE, BE IT RESOLVED that the Town Council does hereby confirm the Town Manager's decision to authorize the Isle of Wight Parks and Recreation Department to make use of the Town's public park on the north side of the Pagan River for the purpose of staging a fireworks display on the third of July, 2013 in observance and celebration of Independence Day provided that the Isle of Wight Parks and Recreation Department coordinate such a fireworks display with the Town's Police Chief, Fire Chief and Town Manager; and,

BE IT FURTHER RESOLVED, that the sum of Two Thousand Dollars (\$2,000.00) is hereby appropriated as the Town's contribution to defray the cost of the fireworks display

Adopted this 4th day of June, 2013.

TOWN COUNCIL OF THE
TOWN OF SMITHFIELD

By _____
T. Carter Williams, Mayor

ATTEST:

Clerk

AN ORDINANCE TO AMEND CHAPTER 78 OF THE CODE OF THE TOWN OF SMITHFIELD, VIRGINIA, AS AMENDED, IN ORDER TO REGULATE THE USE OF GOLF CARTS UPON THE PUBLIC STREETS.

WHEREAS, the Town Council of the Town of Smithfield deems it necessary and in the best interest of its citizens to amend the provisions of Chapter 78 of the Town Code to regulate the use of golf carts upon the public streets of the town.

NOW, THEREFORE, BE IT AND IT IS HEREBY ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SMITHFIELD, VIRGINIA:

1. That Section 78 of the Code of the Town of Smithfield, Virginia is hereby amended by the repeal of Sections 78-303 and 78-304 and the revision and amendment of Section 78-307 of Article VII, as follows:

CHAPTER 78

TRAFFIC AND VEHICLES

ARTICLE VII. GOLF CARTS

Sec. 78-300. **Authority to regulate.**

Pursuant to § 46.2-676(F) of the Code of Virginia (1950) as amended, the Town of Smithfield is authorized, by ordinance, to impose limitations and restrictions on the operation of golf carts upon public highways within the town.

Sec. 78-301. **Definitions.**

The following terms, wherever used herein, shall have the respective meanings assigned to them unless a different meaning clearly appears from the context: Golf cart means a self-propelled vehicle having at least four wheels, which is designed to transport persons playing golf and their equipment on a golf course.

Sec. 78-302. ~~Required safety equipment.~~ **REPEALED**

~~In addition to any safety equipment required by the Code of Virginia for golf carts, such shall have the following safety equipment installed:~~

- ~~(1) Speed governor if gasoline powered.~~
- ~~(2) Safety lap belts.~~

Sec. 78-303. ~~Town safety inspection.~~ **REPEALED**

~~Golf carts shall pass a safety inspection at least once yearly. Such safety inspection shall be conducted by an official inspection station as such are designated in accordance with § 46-2-1163 of the Code of Virginia (1950) as amended or by a business which is engaged in the sale of golf carts. Such safety inspection shall only cover the following items:~~

- ~~(1) Rubber or equivalent tires.~~
- ~~(2) Windshield wipers if equipped with permanent windshield.~~
- ~~(3) Horn, adequate steering gear, brakes, emergency or parking brake, one mirror, adequately fixed driver's seat.~~
- ~~(4) All other factory installed safety or mechanical systems, including checking for gasoline or propane leaks.~~
- ~~(5) Speed governor if gasoline powered.~~
- ~~(6) Safety lap belts.~~

Sec. 78-304. **Insurance required.**

Every golf cart and driver thereof shall be covered by an insurance policy. Such policy shall meet the minimum liability amounts contained in § 46-2-472 of the Code of Virginia (1950) as amended, and provide coverage during the operation of the golf cart upon public highways.

Sec. 78-305. **Operation on public highways.**

It is unlawful to operate a golf cart on a public highway within the Town of Smithfield unless the following requirements are met.

- (1) Golf carts may be operated on the highways of the Town of Smithfield that allow a maximum speed of 25 mph in areas of permitted operation as set forth in Sect. 78-307 of this ordinance..
- (2) Golf carts must display a slow-moving vehicle emblem in conformity with § 46-2-1081 of the Code of Virginia (1950) as amended.
- (3) Golf carts shall be operated only between sunrise and sunset.
- (4) No person may operate a golf cart unless that person is licensed to drive upon highways of the Commonwealth of Virginia and then, only in accordance with such driver's license.
- (5) Golf carts must be operated in accordance with all applicable state and local laws and ordinances, including all laws, regulations and ordinances pertaining to the possession and use of alcoholic beverages.
- (6) Only the number of people the golf cart is designed to seat may ride on a golf cart. Additionally, passengers shall not be carried on the part of a golf cart designed to carry golf bags.
- (7) Golf carts must be operated to the extreme right of the roadway and must yield to all vehicular and pedestrian traffic.
- (8) Golf carts shall not be operated in bicycle lanes or on sidewalks.
- (9) Golf carts shall not be operated during inclement weather, nor when visibility is impaired by weather, smoke, fog, or other conditions.
- (10) Golf carts may not cross over the highways of the Town of Smithfield that allow a speed of more than 25 mph.

(11) The chief of police, or his designee, may prohibit the operation of golf carts on any highway if the chief determines that the prohibition is necessary in the interest of safety.

Sec. 78-306. Local vehicle license.

No golf cart shall be used on the public highways unless it has obtained a Town of Smithfield Vehicle License. No vehicle license shall be issued until the owner of the golf cart presents evidence that the golf cart is insured in accordance with the requirements of § 78-304 and the golf cart has been received and passed a safety inspection required by § 78-303. The golf cart license shall be issued by the Town Treasurer. The fee for such license shall be \$10.00 per year.

Sec. 78-307. Golf cart zones.

Golf carts are permitted on the public highways in all areas within the Town having a speed limit of twenty-five mile per hour or less. ~~the following areas or zones within the Town:~~

~~Waterford Oaks
Grimesland
Cypress Creek
Wellington
Smithfield Forest/Moone Plantation~~

~~These zones are shown on the map attached hereto as Exhibit "A":~~

Sec. 78-308. Liability disclaimer.

This chapter is adopted to address the interest of public safety. Golf carts are not designed or manufactured to be used on the public streets and the Town of Smithfield in no way advocates or endorses their operation on public streets or roads. The Town of Smithfield has no liability under any theory of liability and the Town assumes no liability for permitting golf carts to be operated on public streets and roads under special legislation granted by the Virginia General Assembly. The Town of Smithfield, by regulating such operation is merely trying to address obvious safety issues and adoption of this article is not to be relied upon as a determination that operation on public streets is safe or advisable if done in accordance with this article. All persons who operate or ride upon golf carts upon public streets or roads do so at their own risk and peril, and must be observant of, and attentive to the safety of themselves and others, including their passengers, other motorists, bicyclists and pedestrians. Any person who operates a golf cart is responsible for procuring liability insurance sufficient to cover the risk involved in using a golf cart on the public streets and roads.

Sec. 78-309. Penalties for violation.

A violation of any provision of this article shall be punishable as follows:

The first violation shall be deemed a civil matter and shall be punishable by a fine of not more than \$150.00

The second violation within a twelve (12) month period shall be punishable as a class 2 misdemeanor.

The third or subsequent violation within a twelve (12) month period shall be punishable as a class 1 misdemeanor.

2. This ordinance shall become effective immediately upon adoption.

ADOPTED this 4th day of June, 2013.

Clerk

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SMITHFIELD, VIRGINIA, APPROVING AN AGREEMENT TO RELOCATE THE BOUNDARY LINE OF THE TOWN OF SMITHFIELD AND AUTHORIZING THE FILING OF A JOINT PETITION PURSUANT TO SECTION 15.2-3106 ET SEQ. OF THE CODE OF VIRGINIA (1950), AS AMENDED, TO APPROVE THE AGREEMENT

WHEREAS, the Town of Smithfield and the County of Isle of Wight have entered into negotiations regarding a voluntary change of the boundary line between the Town and the unincorporated portions of the County; and

WHEREAS, the Town and the County are now prepared to enter into an agreement that will bring within the Town two tracts of land presently lying within the unincorporated portions of the County to the east and southwest of the existing Town boundaries; and

WHEREAS, the proposed change of boundaries will facilitate the provision of water and sewer services that are essential to the development of a residential subdivision and a rescue squad facility to be located within certain portions of the territory to be incorporated into the Town; and

WHEREAS, the incorporation of such property into the Town will make possible the development of public baseball fields that will be used by many residents of the Town and surrounding areas; and

WHEREAS, other urban services provided by the Town also will benefit the development proposed for the areas to be incorporated into the Town; and

WHEREAS, the incorporation of additional land within the Town will help maintain the Town of Smithfield as a viable unit of local government by expanding its tax resources.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Smithfield, Virginia, at a regularly scheduled meeting of the Town Council held on June 4, 2013:

1. That the Town Council of the Town of Smithfield hereby approves a Boundary Line Adjustment Agreement Between The County Of Isle Of Wight And The Town Of Smithfield (the "Agreement"), a copy of which is attached hereto, and hereby authorizes and directs its Mayor to execute the Agreement on behalf of the Town.

2. That the Town Manager, the Town Attorney, and special legal counsel are hereby directed to petition the Circuit Court of Isle of Wight County to establish the new boundary line of the Town in accordance with the Agreement, pursuant to Section 15.2-3106 *et seq.* of the Code of Virginia (1950), as amended.

3. That the new boundary line shall become effective at midnight on June 30, 2013. In the event the Circuit Court of Isle of Wight County has not entered a final order by that date, the new boundary line shall become effective at midnight on the last day of the month during which a final court order has been entered.

4. That this resolution shall be effective immediately upon adoption.

IN WITNESS WHEREOF, the Town Council has caused this resolution to be duly executed on its behalf by its Mayor and attested by its Clerk.

Adopted: June ____, 2013

TOWN OF SMITHFIELD, VIRGINIA

By _____
Mayor

ATTEST:

Town Clerk

Exhibit to Town Resolution

[Insert copy of Boundary Line Adjustment Agreement between the County
of Isle of Wight and the Town of Smithfield]

CERTIFICATE

The undersigned Town Clerk of the Town of Smithfield, Virginia, hereby certifies that the foregoing constitutes a true, correct, and complete copy of a Resolution adopted by the Town Council of the Town of Smithfield, Virginia, following a public hearing held on June 4, 2013. I hereby further certify that the foregoing Resolution was adopted at a regularly scheduled meeting during which a quorum was present. The vote of the members of the Town Council upon the resolution was as follows:

Member	Present/Absent	Vote
T. Carter Williams		
Andrew C. Gregory		
Constance Chapman		
Michael G. Smith		
P. Milton Cook		
Denise N. Tynes		
Randolph H. Pack		

Witness my hand and the seal of the Town of Smithfield, Virginia, this ____ day of June, 2013.

Town Clerk, Town of Smithfield, Virginia

[SEAL]

**ANNEXATION WAIVER AGREEMENT BETWEEN
THE COUNTY OF ISLE OF WIGHT AND THE TOWN OF SMITHFIELD**

This Agreement (the "Agreement") is made and entered into this ____ day of June, 2013, by and between the County of Isle of Wight, Virginia (the "County"), a political subdivision of the Commonwealth of Virginia, and the Town of Smithfield, Virginia (the "Town"), a municipal corporation of the Commonwealth of Virginia (jointly, the "Parties").

WHEREAS, the Parties hereto have entered into negotiations (i) regarding a voluntary change of the boundaries of the Town that would incorporate into the Town certain territory lying within the unincorporated portions of the County and located generally to the east and southwest of the Town's existing corporate limits and (ii) regarding future proceedings by which the Town may seek to annex other land within the County;

WHEREAS, the Parties hereto have entered into a separate agreement (the "Boundary Line Adjustment Agreement"), pursuant to Chapter 31, Article 2 (§§ 15.2-3106 *et seq.*) of Title 15.2 of the Code of Virginia (1950), as amended, and dated June ____, 2013, by which the County and the Town have agreed that the boundary line of the Town should be modified by incorporating within the Town certain territory lying within the unincorporated portions of the County and located generally to the east and southwest of the Town's existing corporate limits;

WHEREAS, the territory to be incorporated into the Town pursuant to the Boundary Line Adjustment Agreement consists of a tract of land containing 184.052 acres adjoining Battery Park Road and a tract of land containing 78.7101 acres adjoining Great Springs Road; and

WHEREAS, the County and the Town desire to resolve additional matters in this Agreement involving certain limitations on future annexation proceedings.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained and in the Boundary Line Adjustment Agreement, the parties agree with each other as follows:

1. During the ten-year period following the date on which the Boundary Line Adjustment Agreement is approved by the Town and the County, the Town agrees that it will not file any annexation notice with the Commission on Local Government or institute any court action for annexation against the County, pursuant to Title 15.2, Chapter 32, Article 1 of the Code of Virginia (1950), as amended, or any successor provisions. This waiver of annexation rights shall not bar the Town from annexing any area of the County with the County's consent.

2. This Agreement shall not be effective unless and until the Town and the County adopt the Boundary Line Adjustment Agreement, in accordance with the procedures required by Chapter 31, Article 2 (§§ 15.2-3106 *et seq.*) of Title 15.2 of the Code of Virginia (1950), as amended, and unless and until the Circuit Court of Isle of Wight County has entered a final order approving the Boundary Line Adjustment Agreement, and that order no longer is subject to an appeal.

COUNTY OF ISLE OF WIGHT

By _____
JoAnn W. Hall
Chairman, Board of Supervisors

ATTEST:

Carey Mills Storm, Clerk

TOWN OF SMITHFIELD

By _____
T. Carter Williams, Mayor

ATTEST:

Lesley J. King, Town Clerk

Dominion Virginia Power
1601 Hamilton Avenue
Portsmouth, VA 23707
Web Address: www.dom.com



May 20, 2013

Peter Stephenson, Town Manager
Town of Smithfield
P. O. Box 246
Smithfield, VA 23431

RE: Right of Way Agreement

Dear Mr. Stephenson:

Dominion VA Power has a proposed project located on the Town of Smithfield property at 2209 N. Church Street where we want to close the underground loop serving the Smithfield Center and Smithfield Foods to enable them to be fed from both directions in an effort to reduce outages and outage time. In order to do this, we are requesting your approval of an easement.

Enclosed find an original Right of Way Agreement granting Dominion VA Power this easement. Please review the agreement at your earliest convenience, sign and initial the Agreement where indicated, have the document notarized and return the original to me in the enclosed postage paid self-addressed envelope. The copy is for your records.

If you have any questions concerning this document, please contact me at 757/393-3969. If you have any questions concerning the design/construction, please contact Daniel Lee, project designer, at 757/255-3013.

Sincerely,

A handwritten signature in cursive script that reads "Jeanie K. Stallings".

Jeanie K. Stallings
Right of Way Agent II

Enclosures



Right of Way Agreement

THIS RIGHT OF WAY AGREEMENT, is made and entered into as of this _____ day of _____, 2013, by and between

TOWN OF SMITHFIELD

("GRANTOR") and VIRGINIA ELECTRIC AND POWER COMPANY, a Virginia public service corporation, doing business in Virginia as Dominion Virginia Power, with its principal office in Richmond, Virginia ("GRANTEE").

WITNESSETH:

1. That for and in consideration of the sum of One Dollar (\$1.00) cash in hand paid and other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, **GRANTOR** grants and conveys unto **GRANTEE**, its successors and assigns, the perpetual right, privilege and non-exclusive easement over, under, through, upon and across the property described herein, for the purpose of transmitting and distributing electric power by one or more circuits; for its own internal telephone and other internal communication purposes directly related to or incidental to the generation, distribution, and transmission of electricity, including the wires and facilities of any other public service company in aid of or to effectuate such internal telephone or other internal communication purposes; and for lighting purposes; including but not limited to the right:

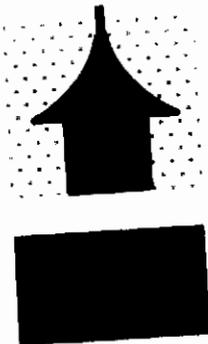
1.1 to lay, construct, operate and maintain one or more lines of underground conduits and cables including, without limitation, one or more lighting supports and lighting fixtures as **GRANTEE** may from time to time determine, and all wires, conduits, cables, transformers, transformer enclosures, concrete pads, manholes, handholes, connection boxes, accessories and appurtenances desirable in connection therewith; the width of said non-exclusive easement shall extend fifteen (15') feet in width across the lands of **GRANTOR**; and

Initials: _____

This Document Prepared by Virginia Electric and Power Company and should be returned to:
Dominion Virginia Power, 1601 Hamilton Avenue Portsmouth VA 23707 .

(Page 1 of 5 Pages)
DVPIDNo(s). 26-13-0034
Tax Map No. 21-A-01-067A

Form No. 728493-1 (Apr 2013)
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Right of Way Agreement

2. The easement granted herein shall extend across the lands of **GRANTOR** situated in Smithfield, Virginia, as more fully described on Plat(s) Numbered 26-13-0034, attached to and made a part of this Right of Way Agreement; the location of the boundaries of said easement being shown in broken lines on said Plat(s), reference being made thereto for a more particular description thereof.

3. All facilities constructed hereunder shall remain the property of **GRANTEE**. **GRANTEE** shall have the right to inspect, reconstruct, remove, repair, improve, relocate on the easement, and make such changes, alterations, substitutions, additions to or extensions of its facilities as **GRANTEE** may from time to time deem advisable.

4. **GRANTEE** shall have the right to keep the easement clear of all buildings, structures, trees, roots, undergrowth and other obstructions which would interfere with its exercise of the rights granted hereunder, including, without limitation, the right to trim, top, retrim, retop, cut and keep clear any trees or brush inside and outside the boundaries of the easement that may endanger the safe and proper operation of its facilities. All trees and limbs cut by **GRANTEE** shall remain the property of **GRANTOR**.

5. For the purpose of exercising the right granted herein, **GRANTEE** shall have the right of ingress to and egress from this easement over such private roads as may now or hereafter exist on the property of **GRANTOR**. The right, however, is reserved to **GRANTOR** to shift, relocate, close or abandon such private roads at any time. If there are no public or private roads reasonably convenient to the easement, **GRANTEE** shall have such right of ingress and egress over the lands of **GRANTOR** adjacent to the easement. **GRANTEE** shall exercise such rights in such manner as shall occasion the least practicable damage and inconvenience to **GRANTOR**.

6. **GRANTEE** shall repair damage to roads, fences, or other improvements (a) inside the boundaries of the easement (subject, however, to **GRANTEE**'s rights set forth in Paragraph 4 of this Right of Way Agreement) and (b) outside the boundaries of the easement and shall repair or pay **GRANTOR**, at **GRANTEE**'s option, for other damage done to **GRANTOR**'s property inside the boundaries of the easement (subject, however, to **GRANTEE**'s rights set forth in Paragraph 4 of this Right of Way Agreement) and outside the boundaries of the easement caused by **GRANTEE** in the process of the construction, inspection, and maintenance of **GRANTEE**'s facilities, or in the exercise of its right of ingress and egress; provided **GRANTOR** gives written notice thereof to **GRANTEE** within sixty (60) days after such damage occurs.

Initials: _____



(Page 2 of 5 Pages)
DVPIDNo(s). 26-13-0034

Right of Way Agreement

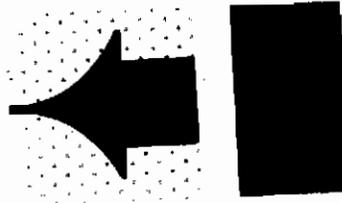
7. **GRANTOR**, its successors and assigns, may use the easement for any reasonable purpose not inconsistent with the rights hereby granted, provided such use does not interfere with **GRANTEE'S** exercise of any of its rights hereunder. **GRANTOR** shall not have the right to construct any building, structure, or other above ground obstruction on the easement; provided, however, **GRANTOR** may construct on the easement fences, landscaping (subject, however, to **GRANTEE'S** rights in Paragraph 4 of this Right of Way Agreement), paving, sidewalks, curbing, gutters, street signs, and below ground obstructions as long as said fences, landscaping, paving, sidewalks, curbing, gutters, street signs, and below ground obstructions do not interfere with **GRANTEE'S** exercise of any of its rights granted hereunder. In the event such use does interfere with **GRANTEE'S** exercise of any of its rights granted hereunder, **GRANTEE** may, in its reasonable discretion, relocate such facilities as may be practicable to a new site designated by **GRANTOR** and acceptable to **GRANTEE**. In the event any such facilities are so relocated, **GRANTOR** shall reimburse **GRANTEE** for the cost thereof and convey to **GRANTEE** an equivalent easement at the new site.

8. **GRANTEE'S** right to assign or transfer its rights, privileges and easements, as granted herein, shall be strictly limited to the assignment or transfer of such rights, privileges and easements to any business which lawfully assumes any or all of **GRANTEE'S** obligations as a public service company or such other obligations as may be related to or incidental to **GRANTEE'S** stated business purpose as a public service company; and any such business to which such rights, privileges and easements may be assigned shall be bound by all of the terms, conditions and restrictions set forth herein.

9. If there is an Exhibit A attached hereto, then the easement granted hereby shall additionally be subject to all terms and conditions contained therein provided said Exhibit A is executed by **GRANTOR** contemporaneously herewith and is recorded with and as a part of this Right of Way Agreement.

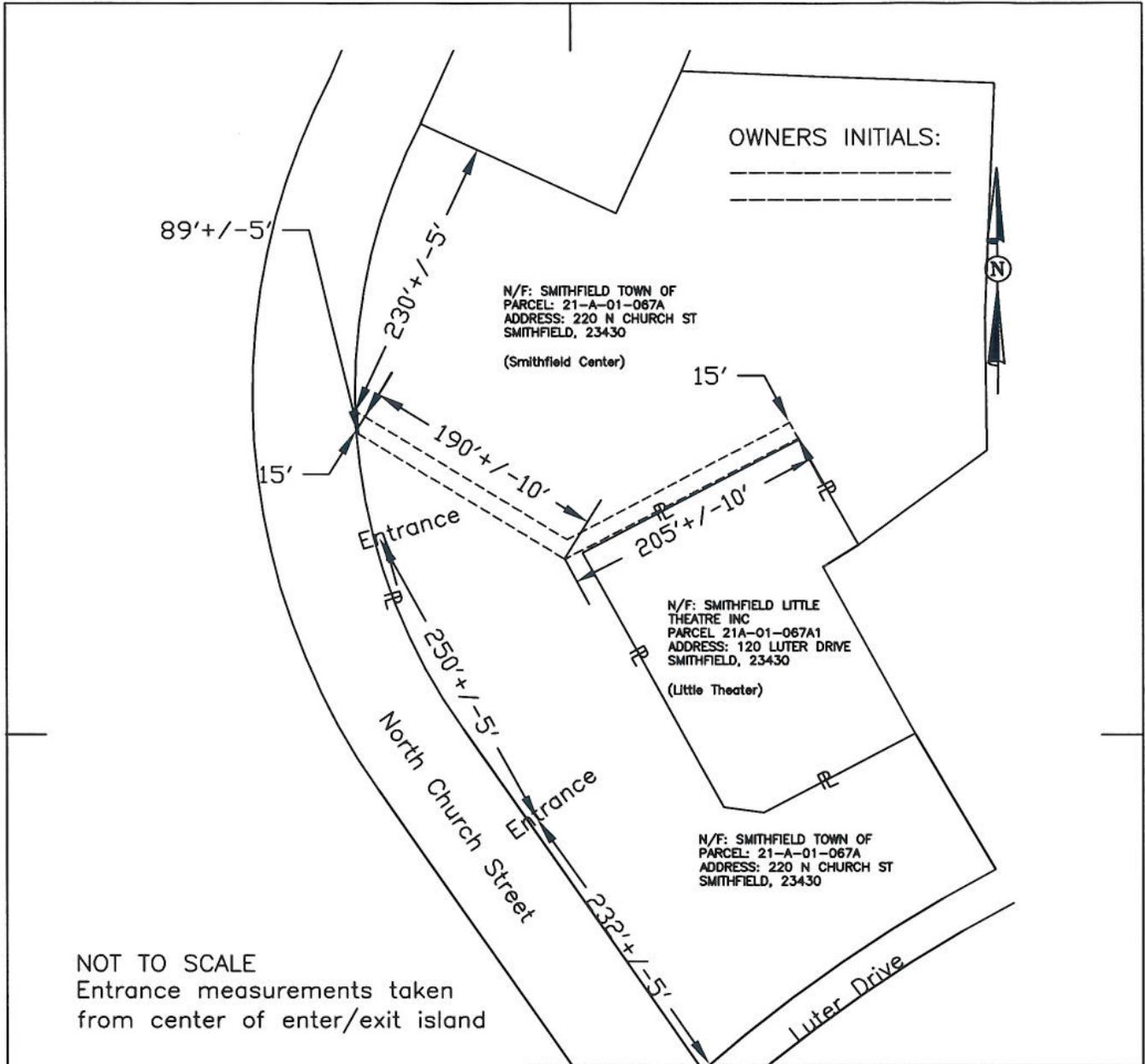
10. Whenever the context of this Right of Way Agreement so requires, the singular number shall mean the plural and the plural the singular.

Initials: _____



(Page 3 of 5 Pages)
DVPIDNo(s). 26-13-0034

Form No. 729493-3 (Apr 2013)
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Legend

- Location of Boundary Lines of Right-of-Way 15' in Width.
- ==E== Indicates Property Line is Right-of-Way Boundary 15' in Width.

Plat to Accompany Right-of-Way Agreement		
VIRGINIA ELECTRIC AND POWER COMPANY doing business as Dominion Virginia Power UG		
District CHUCKATUCK		
District-Township-Borough ISLE OF WIGHT	County-City SMITHFIELD	State VA
Office CHUCKATUCK	Plat Number 26-13-34	
Estimate Number 7506647	Grid Number M2023	
Date 5/23/2013	By Daniel Lee	