

The Smithfield Board of Historic and Architectural Review held its regular meeting on Tuesday, June 18th, 2019. The meeting was called to order at 6:30 p.m. Members present were Mr. Trey Gwaltney, Chairman; Mr. Chris Torre, Vice Chairman; Ms. Julia Hillegass, Mr. Russell Hill, Mr. Ronny Prevatte, and Mr. David Goodrich. Mr. Gary Hess was absent. The staff members present were Mr. John Settle, Community Development & Planning Director; and Mr. William H. Riddick III, Town Attorney. There were eight citizens present, including Diana McFarland of the Smithfield Times.

Chairman Gwaltney – I would like to welcome everyone to the June meeting of the Board of Historic and Architectural Review. The first item on our agenda is the Planning and Zoning Administrator's Report.

Community Development & Planning Director – Thank you, Mr. Chairman. There are just two items tonight on the Planning and Zoning Administrator's Report. The first is town staff has sent a notice of violation to the owners of 206 Riverview Avenue, the exterior appearance of the building differs significantly from what was approved by the BHAR at its November 21st, 2017 meeting. Staff has also administratively approved the relocation of the red telephone box from its current position at the western corner of 115 Main Street to a new position on the same property, immediately west of the western corner of 103 Main Street. The last item on the Administrator's Report is that the name of the report probably will be changing to Community Development & Planning Director's Report. I was promoted this past month to the position of Director of Community Development & Planning.

Chairman Gwaltney – Congratulations! Next on the agenda is Upcoming Meetings and Activities. The list is provided for you to review. The next item on the agenda is Public Comments. We have no one signed up for public comments. Next is Board Member Comments. There were no board member comments.

Chairman Gwaltney – Next on the agenda is a Color Change – 102 Commerce Street – Non-Contributing – Robert & Cynthia Kelly, applicants. Can we have a staff report?

Community Development & Planning Director – Thank you, Mr. Chairman. This is a color change for 102 Commerce Street. The applicants have applied to paint the exterior of the building "Smoky Azurite." The trim will be painted "Evening Shadow." Staff does recommend approval. There are two color samples that were provided by the applicants.

Chairman Gwaltney – Is there anyone to speak on this application?

Mr. Robert Kelly – I live at 102 Commerce Street. The house needs to be painted. We have owned it for three years. It is supposed to be a Williamsburg blue.

Chairman Gwaltney – Are there any comments or questions from the board? The picture that I am looking at has three colors. We have the color samples for the trim and the stucco. I would be surprised if this green shutter would look good on this color of siding.

Mr. Kelly – The green color in the picture is an awning.

Chairman Gwaltney – What color will the shutters be?

Mr. Kelly – We would like to paint them the “Evening Shadow” color and the garage door as well.

Chairman Gwaltney – Will the casing around the windows be the same color as the shutters?

Mr. Kelly – Yes.

Vice Chairman Torre – I would like to make a motion to approve the application as presented.

Mr. Goodrich – Second.

Chairman Gwaltney - A motion has been made and properly seconded to approve as presented. All those in favor signify by saying aye, all opposed say nay.

On call for the vote, six members were present. Chairman Gwaltney voted aye, Vice Chair Torre voted aye, Mr. Goodrich voted aye, Mr. Hill voted aye, Mr. Prevatte voted aye, and Ms. Hillegass voted aye. There were no votes against the motion. The motion passed.

Chairman Gwaltney – Next on the agenda is a Fence – 105 Cary Street – Contributing – Diana McFarland, applicant. Can we have a staff report?

Community Development & Planning Director – Thank you, Mr. Chairman. This is an application for a fence at 105 Cary Street which is contributing. The applicant has applied to install a six foot tall wooden dog-eared fence across the middle of the rear yard of the property, along the southeast boundary line, and tying into the southern corner of the primary building. This fence will replace a wire fence that exists along the southeast boundary line. Several illustrations were provided with the staff report. Staff recommends that this application be approved under the condition that the proposed fence be either stained or painted white.

Chairman Gwaltney – Is there anyone to speak on this application?

Ms. Diana McFarland – I live at 105 Cary Street. I would like to replace the fence. I am not against painting or staining the fence but there are a lot around town that are not stained or painted. Is this a new thing?

Chairman Gwaltney – I think it has been in place since the fences were built.

Ms. McFarland – The fence behind the Smithfield Times is not stained or painted.

Chairman Gwaltney – Over the last two years we have had a lot of fences and we feel a lot of the weathering on the prefabricated fences is not favorable. We have approved a lot of fences based on their style with the condition that they be sealed in some way- either painted, stained, or sealed with a clear coat to help protect them from the weather. Since we have started doing that, I don't think many have come before us without that condition. Are there any comments or questions from the board?

Mr. Hill – Is the finished side of the fence going to be facing out?

Ms. McFarland – Yes.

Mr. Goodrich – I would like to make a motion to approve the application as presented under the condition that the fence be stained or painted white.

Ms. Hillegass – Second.

Chairman Gwaltney - A motion has been made and properly seconded to approve as presented under the condition that the fence be stained or painted white. All those in favor signify by saying aye, all opposed say nay.

On call for the vote, six members were present. Chairman Gwaltney voted aye, Vice Chair Torre voted aye, Mr. Goodrich voted aye, Mr. Hill voted aye, Mr. Prevatte voted aye, and Ms. Hillegass voted aye. There were no votes against the motion. The motion passed.

Mr. Goodrich – I think we need to point out that I don't think a lot of times homeowners understand that you can get color stains. You can get a white stain because white paint is going to peel off.

Chairman Gwaltney – Next on the agenda is a Siding Change – 113 South Mason Street – Landmark – Dale & Sonja McGiboney, applicants. Can we have a staff report?

Community Development & Planning Director – Thank you, Mr. Chairman. This is an application for a siding change at 113 South Mason Street. The applicants have applied to replace the existing wood bead siding on either side of the primary building

with James Hardie smooth-beaded siding of a tan color, bordered by gray-colored James Hardie trim. The applicants insist that the proposed material's color is as close to the color of the existing siding and trim as possible. Staff recommends that this application be approved as submitted. The applicants have provided a sample of the siding.

Chairman Gwaltney – Is there anyone to speak on this application?

Mr. Dale McGiboney – I live at 113 South Mason Street.

Chairman Gwaltney – Are there any comments or questions from the board? Is the sample that we have for the siding or the trim pieces?

Mr. McGiboney – It is for the siding. There are two colors of trim one is gray and the other is dark green. The gray around the border and edges will be replaced with the sample provided.

Community Development & Planning Director - To clarify for the board, the trim is the gray color on the inside of the illustration.

Chairman Gwaltney – Is it your plan to match what is there now?

Mr. McGiboney – As closely as possible.

Chairman Gwaltney – Is it the siding not the color that you are trying to change?

Mr. McGiboney – Yes.

Chairman Gwaltney – What plans do you have involving the porch?

Mr. McGiboney – So far I have none. We are concerned more with the north and south face and the trim.

Chairman Gwaltney – Are you going to try to get paint that matches the color?

Mr. McGiboney – We will make sure it is a uniform color with all the gray trim visible on the front of the house.

Chairman Gwaltney – Are there any questions or comments from the board?

Mr. Prevatte – You can get Hardie paint formulations to match all of their products. They can match it exactly.

Mr. McGiboney – That sounds good. We have not begun the work with the contractor but we will let him know about it.

Chairman Gwaltney – Is this the sample of the color but not the siding, which will be a beaded siding?

Mr. McGiboney – Correct.

Mr. Goodrich – I would like to make a motion to approve the application as presented.

Ms. Hillegass – Second.

Chairman Gwaltney - A motion has been made and properly seconded to approve as presented. All those in favor signify by saying aye, all opposed say nay.

On call for the vote, six members were present. Chairman Gwaltney voted aye, Vice Chair Torre voted aye, Mr. Goodrich voted aye, Mr. Hill voted aye, Mr. Prevatte voted aye, and Ms. Hillegass voted aye. There were no votes against the motion. The motion passed.

Chairman Gwaltney – Next on the agenda is a Color & Material Change – 220 Astrid Street – Non-Contributing – Mary Donovan, applicant. Can we have a staff report?

Community Development & Planning Director – Thank you, Mr. Chairman. This is a color and siding change for 220 Astrid Street. The applicant has applied to install “Mushroom Bisque” colored Allura fiber cement siding of a simulated cedar shake style. The trim will be white PVC. There is currently no siding on the primary building. Staff recommends that this application be approved as submitted. The applicant provided a color sample.

Chairman Gwaltney – Is there anyone to speak on this application?

Ms. Mary Donovan – I live at 220 Astrid Street. I have brought a sample of the siding. It has a fifty year warranty instead of a thirty.

Chairman Gwaltney – Are there any comments or questions from the board? Is this the window and door configuration that you want?

Ms. Mary Donovan – Yes.

Mr. Goodrich – This is a great transformation from the first time you came. I think the siding is going to look nice on the house. I would like to make a motion to approve the application as presented.

Ms. Hillegass – Second.

Chairman Gwaltney - A motion has been made and properly seconded to approve as presented. All those in favor signify by saying aye, all opposed say nay.

On call for the vote, six members were present. Chairman Gwaltney voted aye, Vice Chair Torre voted aye, Mr. Goodrich voted aye, Mr. Hill voted aye, Mr. Prevatte

voted aye, and Ms. Hillegass voted aye. There were no votes against the motion. The motion passed.

Chairman Gwaltney – Next on the agenda is a Color & Material Change – 362 South Church Street – Contributing – Daniel Stanton & Joni Spear, applicants. Can we have a staff report?

Community Development & Planning Director – Thank you, Mr. Chairman. This is an amendment of a prior approval. The applicant has applied to modify the owners' previous BHAR approval from Tuesday, May 15th, 2018, on which date the applicants received an approval to replace the existing white vinyl siding and green vinyl trim with a light-gray colored James Hardie siding and trim. The fascia and soffit will be a light-gray colored composite. The existing wooden windows will be replaced with black fiberglass composite windows of a two over one single-hung sash pattern. The window will be white PVC. Two windows on the left side of the house will be deleted. The wooden stoop on the rearward side of the building will be replaced with a stoop of the same size, constructed of treated lumber, and featuring spindled railings. The front porch columns and railings will be replaced by wooden or composite materials of a square or round style and white in color. The applicant now wishes to leave the fascia and soffit white in color, replace the existing white colored square wooden columns with white colored round fiberglass columns, and replace the existing wooden blue colored decking boards on the front porch with timber Tech decking boards of an Amazon Mist color. Staff recommends that this application be approved as submitted. The applicant provided a sample of the decking material.

Chairman Gwaltney – Is there anyone here to speak on this application?

Mr. Daniel Stanton – I live at 362 South Church Street.

Chairman Gwaltney – Are there any comments or questions from the board?

Mr. Prevatte – The crew that put the siding on did a really good job.

Vice Chairman Torre – Can you describe the appearance of the fiberglass columns?

Mr. Stanton – The house across the street used fiberglass around their columns.

Vice Chairman Torre – Have you seen them in person?

Mr. Stanton – No.

Mr. Hill – They look very similar to wood. You can't tell the difference.

Ms. Hillegass – You can't tell even up close.

Mr. Goodrich – All of mine are fiberglass and I thought they were wood until this year.

Mr. Hill – On this type of house we like to see a tongue and groove material so it still looks like a porch not a deck. It is made by AZEK and is tongue and groove so it looks like a porch floor. Have you looked at the product?

Mr. Stanton – No.

Mr. Hill – It is made by AZEK so it comes in fifteen different colors. It looks better for a porch instead of a deck.

Mr. Stanton – Is it tongue and groove?

Mr. Hill – Yes. Do you have a problem with changing that?

Mr. Stanton – I don't have a problem with that.

Mr. Hill – I just think it would look better.

Mr. Stanton – Is it similar in cost?

Mr. Hill – Yes.

Mr. Goodrich – The house has been transformed probably more than any house in town. It is a beautiful job.

Mr. Hill – I would like to make a motion to approve as presented under the condition that the proposed replacement front porch decking boards be substituted with an AZEK tongue and groove material.

Ms. Hillegass – Second.

Chairman Gwaltney - A motion has been made and properly seconded to approve as presented under the condition that the proposed replacement front porch decking boards be substituted with an AZEK tongue and groove material. All those in favor signify by saying aye, all opposed say nay.

On call for the vote, six members were present. Chairman Gwaltney voted aye, Vice Chair Torre voted aye, Mr. Goodrich voted aye, Mr. Hill voted aye, Mr. Prevatte voted aye, and Ms. Hillegass voted aye. There were no votes against the motion. The motion passed.

Mr. Stanton – Is it possible to add something. It is a door change. The current door has large cracks.

Front Door – 362 South Church Street

Mr. Stanton – The door was on some property on Church Street.

Chairman Gwaltney – Is this the door you plan to use on the house?

Mr. Stanton – Yes. Further modifications would be a frosting on the perimeter of it and a clear circle in the middle with a frosted “S.”

Chairman Gwaltney – Will it be painted?

Mr. Stanton – It will be stained. It will be a natural wood color.

Mr. Goodrich – I would like to make a motion to approve the front door as presented.

Ms. Hillegass – Second.

Chairman Gwaltney - A motion has been made and properly seconded to approve the front door as presented. All those in favor signify by saying aye, all opposed say nay.

On call for the vote, six members were present. Chairman Gwaltney voted aye, Vice Chair Torre voted aye, Mr. Goodrich voted aye, Mr. Hill voted aye, Mr. Prevatte voted aye, and Ms. Hillegass voted aye. There were no votes against the motion. The motion passed.

Chairman Gwaltney – Next on the agenda is Signage – 513 Main Street – Unclassified – Smithfield Church Manor, LP, applicant. Can we have a staff report?

Community Development & Planning Director – Thank you, Mr. Chairman. This is an application for after-the-fact review and decision by the board. The applicant has applied to construct a new PVC 24.5 square foot, sixty-nine inch tall detached sign on the premises. This sign conflicts with the Smithfield Zoning Ordinance Section 10.K.3.b.1, as it exceeds an area of sixteen square feet. However, the BHAR may approve this sign, pursuant to the Smithfield Zoning Ordinance Section 10.K.1.c. This sign replaced an earlier sign of a similar material and configuration. At some point prior to the installation of this sign, the owner and/or applicant erected three flag signs to the rear of this sign, which conflict with the Smithfield Zoning Ordinance Section 10.H.2. Staff recommends that this application be approved under the condition that the three flag signs be removed. Applicable illustrations have been attached.

Chairman Gwaltney - Is there anyone here to speak on this application?

Ms. Nona Hipp – I live at 1216 Hickman Arch, Virginia Beach. The sign was put there when we rehabilitated the property in 2005. The sign was rotting and falling down so we replaced the sign.

Ms. Hillegass – Have you already removed the flag signs?

Ms. Hipp – I will take the flag signs down tomorrow.

Chairman Gwaltney – Are there any questions or comments from the board?

Mr. Goodrich – I would like to make a motion to approve the signage as presented under the condition that the three flag signs be removed.

Mr. Hill – Second.

Chairman Gwaltney - A motion has been made and properly seconded to approve the signage as presented under the condition that the three flag signs be removed. All those in favor signify by saying aye, all opposed say nay.

On call for the vote, six members were present. Chairman Gwaltney voted aye, Vice Chair Torre voted aye, Mr. Goodrich voted aye, Mr. Hill voted aye, Mr. Prevatte voted aye, and Ms. Hillegass voted aye. There were no votes against the motion. The motion passed.

Chairman Gwaltney – Next on the agenda is a Historic Preservation Overlay (HPO) Violation – 135 Sykes Court – Non-Contributing – Elwin Kessler, owner. Can we have a staff report?

Town Attorney – You have a photograph of the house and it clearly needs some maintenance but that is not the issue. The issue is that, as a result of all the Pierceville litigation that we have just gone through it was brought to my attention and therefore to the town's attention that over the years the law with respect to the enforcement of the maintenance provisions of our ordinances has been deemed to be unenforceable. I believe back in the 70's the town acting through the Historic Board brought a suit against Dr. Rae Parker for his house on Main Street. We went to the circuit court and Judge Godwin issued an order that said he was in violation of the town's ordinance and the court required Dr. Parker to fix the house. We have since used that several other times and no one has ever challenged our ability to do so. We did this with the Williams' house on Mason Street across from Mr. Gwaltney. We did the shoe shop at the bottom of the hill. Mrs. Crocker wouldn't allow us on her property for the longest time. We got a court order sometime in 2009 to allow us but by the time we got there it was abundantly clear that the house was a mess. The damage far exceeded what was really under our purview because it was structural so we passed the buck to the County Building official. She was still living in the home. It was deemed to us to be more a health and safety issue than it was a historic preservation matter. That went on and on for quite some time. You as a board got interested once again. The whole issue was deferred because as part of the rezoning application for the Pierceville property the applicant was making

a proposal that he as part of the rezoning would fix up the house, which would have made everyone happy. The problem with that was the proposed development was deemed by the Town Council and Planning Commission not to be appropriate or consistent with the overall general plan for the town. The type of subdivision that they wanted to do was not deemed to be something that would benefit the town. Then it was dumped in your lap once again. You as a board voted to require them to maintain the residence. We went through a lot of negotiations with the owners. We tried to get them to mothball it. We had offers by private citizens to pay to have it mothballed. She resisted at every turn. Your decisions were appealed to the town council and the town council upheld your decision. Then they appealed that to the circuit court where it kind of lingered for a while because they chose not to do anything about it. They asked for permission to demolish by-right and we denied that. They went back to circuit court and our legal counsel in Richmond retained by our insurer advised us that the law around this has evolved. The legislation has not changed. The original statues that permitted the creation of the historic board are all the same. But over the years the interpretation of those statues has kind of evolved. Most importantly there was a 2007 attorney general opinion that said that under the Dillion Rule in Virginia it specifies that localities can only do what the general assembly says you can do. The statue that created our historic preservation ordinances doesn't give us specific authority to require maintenance through the historic preservation ordinance. Therefore, our attorney said you can't do this. We agreed to settle the case by dismissing the suit and the order requiring maintenance. The decision by the town council upholding your decision has been vacated. We cannot require them through the historic preservation ordinance to maintain the residence. That is the same thing we are trying to do with Mr. Kessler's property. We cannot do that. Mr. Kessler's property needs maintenance. There is no question about that. We are going to try to skin the cat a different way. The town manager came from Emporia and they had a good level of success enforcing maintenance through the building code. But our problem is the Town of Smithfield doesn't enforce the building code. We are working on that. We are trying to figure out a way where town staff can adopt a building code and assume some authority so we can make people maintain their residence through a different means. I think everybody agrees that we need to make people maintain their properties. That is why we cannot act on the Kessler matter tonight because we don't have the legal authority to do that. It

is my recommendation to you that you dismiss this action. We cannot act on it since we know it is illegal. I talked to the town manager this week, and we are actively pursuing a method to do this because it needs to be done. The Pierceville thing is another issue and we will see where that goes. We can perhaps use the maintenance provisions to go in that direction with Pierceville if it comes to that. There are other properties around the town that require maintenance. We are not going to do it through this board. You still have the authority to do all the things that you did tonight when people want to make changes to structures in the historic district. Your function is to determine appropriateness. If you read your guidelines that is what it talks about. Whenever you are making decisions think of it in that term. You may not like it but you cannot substitute your taste for somebody else's taste. You can say this is appropriate or not appropriate. Kind of like the flooring issue that Mr. Hill brought up. It is appropriate to consider what a front porch on a historic house looks like. Well it doesn't look like a deck so that was an appropriate comment. Those are the kind of things that you need to consider. You do a wonderful job. We have done all that tonight. Everybody made appropriate suggestions and that is how it is supposed to work. Staff tries to guide them. If people would follow these people they wouldn't have any trouble with the historic board but when they try to do things cheap or try to substitute their personal preference for what is appropriate then you run into conflict. That is why agenda item number eleven needs to be dismissed or have no action taken on it. I talked to Mr. Gwaltney and we thought this would be a good opportunity to explain all this so that you as a board would understand what we are doing and why we are doing it.

Mr. Prevatte – How do you distinguish a deck from a porch?

Town Attorney – Front porches are front porches and rear decks are rear decks. I don't think that a deck on a historic house is appropriate but a porch is.

Mr. Prevatte – They used to lay them side by side and butt them up.

Chairman Gwaltney – They would match across the top and you had one flat surface as opposed to deck boards which are curved and usually have a gap in between.

Town Attorney – You will know it when you see it.

Mr. Hill – Well a deck has a hole between the joints.

Mr. Prevatte – I see them all the time.

Mr. Hill – I have never seen one in Smithfield. I have replaced ten or fifteen in town. A deck has a groove in between it that is a quarter inch gap.

Mr. Prevatte – What difference does it make with a groove?

Chairman Gwaltney – Does your porch have them?

Mr. Prevatte – I have tongue and groove.

Mr. Hill – This is not tongue and groove.

Mr. Prevatte – I am just asking what the difference is.

Mr. Hill – One has a hole in it and the other doesn't.

Mr. Prevatte – That is your opinion.

Mr. Hill – It is standard practice.

Town Attorney – You can have your opinion Mr. Prevatte and you can vote no.

Mr. Prevatte – Well you asked for comments.

Town Attorney – I am not talking about specific things like decks. I am talking about the whole process. Do you understand everything that I just explained to you?

Mr. Prevatte – I know exactly what you are saying.

Town Attorney – We are not going into a debate over decks and porches. I am talking about your role on what you can and can't do.

Mr. Prevatte – I understand what you are saying but maybe I just see it different.

Vice Chair Torre – Do you have any idea how long the process is going to take to develop the avenue that you are trying to develop?

Town Attorney – The building code is already in place. We know what we need to do. We are just trying to figure out a method. The town manager, staff, and I are going to talk with the county to figure out if we have to retain some authority over the building code. Right now it is all done through the county. There may come a time when the town takes over that function. That would probably be very well received by all the contractors that do work in the town. There seems to be an opinion that there is a black hole out there. Your plans go in and they never come out which is unfortunate. That is a money thing. We don't have enough staff as it is but with that would come fees which might be able to offset that. If the town is large enough, maybe we could justify that.

Vice Chair Torre – The only reason I asked is because there are a few houses on our street that need some work.

Town Attorney – We get it. This is not an unfounded complaint and everybody knows that. It is just a question of how you make them do it.

Chairman Gwaltney – You are trying to figure out a way that the town can enforce paint that is peeling on a house and beyond. I know there is a way you are able to enforce when the grass gets too high. It is all a maintenance thing.

Town Attorney – We have a specific code section in the town's code that deals with grass.

Chairman Gwaltney – Do we have one about houses?

Town Attorney – No we don't because it is a building code issue.

Chairman Gwaltney – Our jurisdiction over certain matters like this is likely to lessen to some degree. I am assuming the violation notice that they would receive on this particular house in the future would not come from us?

Town Attorney – It is not going to come from the historic board. It is going to come from the town code enforcement officer.

Chairman Gwaltney – That is after all the changes get made?

Town Attorney – Yes. Mr. Settle and I are going to make a recommendation to the Planning Commission at their next meeting to remove the offending unenforceable provisions of our code. At least that is what the town manager told me in an email yesterday.

Chairman Gwaltney – So there is no mechanism in place where we could report some homes that need repair and ask that staff look into it?

Town Attorney – You could say we notice that the house at such and such address is in a state of decline. We can direct staff to report this to the county code enforcement officer.

Mr. Hill – There is one thing that might help you with that, changing the siding on a house requires no permit from the county.

Town Attorney – Okay.

Chairman Gwaltney – As long as it meets the building code they don't care what you do with it.

Mr. Hill – It is just siding. Siding is not structural.

Town Attorney – I am advised that there are provisions that require that the siding be maintained. That is what we want. We want an ordinance somewhere that says property owners are required to maintain their property to a certain condition. So that when it is in violation, the code enforcement officer can take care of it. That is a lot easier than what we have been doing. With a violation you write them a letter and give

them a period of time to do the work. A violation of the zoning ordinance is a Class 1 misdemeanor. This is probably not a Class 1 misdemeanor, but if they don't do it then you take them to court. Then staff can show the judge a picture and tell him they have been sent notices but they will not fix it. Then they find them guilty. If it is a reoccurring offense, then they get a fine. It is probably less cumbersome and complicated than what we have been trying to do.

Chairman Gwaltney – I hope you all act swiftly in putting all of that into effect.

Ms. Hillegass – Do we need a motion?

Town Attorney – You need a motion to dismiss the action on the Kessler matter.

Ms. Hillegass – I would like to make a motion to dismiss the Kessler matter.

Mr. Goodrich – Second.

Chairman Gwaltney - A motion has been made and properly seconded to dismiss the Kessler matter. All those in favor signify by saying aye, all opposed say nay.

On call for the vote, six members were present. Chairman Gwaltney voted aye, Vice Chair Torre voted aye, Mr. Goodrich voted aye, Mr. Hill voted aye, Mr. Prevatte voted aye, and Ms. Hillegass voted aye. There were no votes against the motion. The motion passed.

Chairman Gwaltney – The next item on the agenda is the Approval of the May 21st, 2019 Meeting Minutes.

Town Attorney – I recommend approval of the minutes as presented.

Ms. Hillegass – So moved.

Mr. Goodrich – Second.

Chairman Gwaltney - A motion has been made and properly seconded to approve the minutes as presented. All those in favor signify by saying aye, all opposed say nay.

On call for the vote, six members were present. Chairman Gwaltney voted aye, Vice Chair Torre voted aye, Mr. Goodrich voted aye, Mr. Hill voted aye, Mr. Prevatte voted aye, and Ms. Hillegass voted aye. There were no votes against the motion. The motion passed.

Town Attorney – I have one thing I think you should probably consider. Ms. McFarland made a good point. If the town has a fence that we have not done what we are telling everybody else to do then I would recommend that we do it. If the fence

actually belongs to the town behind town hall that is not painted or stained then we need to take care of it.

Ms. Hillegass – I think it might be the Smithfield Times' fence.

Town Attorney – I think it might be the Smithfield Times fence too but let's find out. But if it is the town's fence then we need to comply with our own rules. So let's find out and report on that next month. We should treat everybody the same. Even if that was done at a time when we were not requiring that, we still need to bring it up to standards.

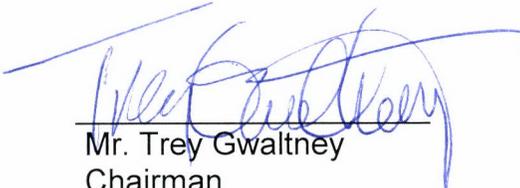
Chairman Gwaltney – Who will be checking into that?

Town Attorney – I will talk to Mr. Settle.

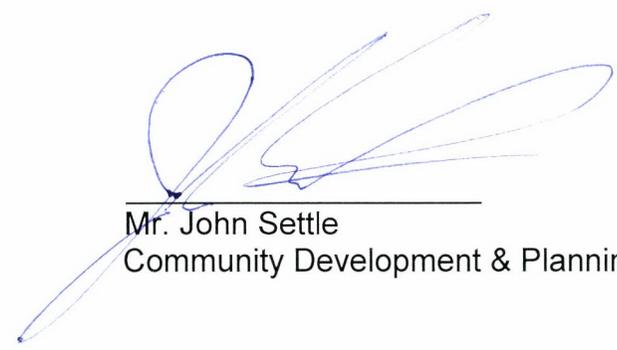
Chairman Gwaltney – You and Mr. Settle will handle that. We will look forward to a report in thirty days.

Chairman Gwaltney – Our meeting is adjourned.

The meeting adjourned at 7:25 p.m.



Mr. Trey Gwaltney
Chairman



Mr. John Settle
Community Development & Planning Director