## SMITHFIELD TOWN COUNCIL AGENDA

## October 4<sup>th</sup>, 2016 at 7:30 p.m.





#### A. INFORMATIONAL SECTION:

- 1. <u>Manager's Report</u>
  - a. September Activity Report

#### B. <u>UPCOMING MEETINGS AND ACTIVITIES:</u>

October 4 - 7:30 p.m. – Town Council Meeting

October 10 - Town Administrative Offices Closed in Observance of Columbus Day

October 11 - 6:30 p.m. – Smithfield Planning Commission Meeting
October 18 - 6:30 p.m. – Board of Historic and Architectural Review

October 24 - 4:00 p.m. – Town Council Committee Meetings (Consecutive)

Police Committee

Water and Sewer Committee

Finance Committee

October 25 - 4:00 p.m. – Town Council Committee Meetings (Consecutive)

Parks and Recreation 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 and include your preferred method of contact. Comments are limited to five (5) minutes per person. Any required response(s) from the Town will be provided in writing following the meeting.

- A. Briefing by Mr. Dick Grice, Isle of Wight County Board of Supervisors, Smithfield District
- B. Presentation from Western Tidewater Free Clinic by Stephie Broadwater

#### D. <u>Council Comments</u>

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

#### E. Summary of Consent Agenda Items

- a. Police Committee Chair, Mrs. Denise N. Tynes
- b. Finance Committee Chair, Mr. Randy Pack

## **CONSENT AGENDA ITEMS**

C1. Resolution to Approve Street Closure Request for the Smithfield High School Homecoming Parade, Friday, October 14<sup>th</sup> from 4:15 to 5:15 p.m.

TAB # 1

Police Committee Chair, Mrs. Denise Tynes

- C2. Resolution to Approve Traffic Assistance Request for the Smithfield 6 Pack and Toast of Town 3K Sunday, November 6<sup>th</sup>, 2016 from 3:00 p.m. to 5:00 p.m.

  Police Committee Chair, Mrs. Denise Tynes
- C3. <u>Invoices Over \$10,000 Requiring Council Authorization</u>

Finance Committee Chair, Randy Pack

- a. GET Solutions (Sports Complex) \$13,540.00
- b. Godwin Pumps (Emergency Bypass Pump @ Wellington Pump Station) \$59,328.13
- c. REW Corporation (Installation of Emergency Bypass Pump \$39,900.00
- d. Bayside Harley Davidson (Police Motorcycles) \$46,163.84
- C4. Motion to Authorize the Town Treasurer to Purchase a Refurbished AS400 IBM Printer Finance Committee Chair, Mr. Randy Pack
- C5. <u>Motion to Adopt Personal Property Tax Relief Act (PPTRA) Percentage of 50%</u> Finance Committee Chair, Mr. Randy Pack

## **ACTION SECTION**

- 1. PUBLIC HEARING: Machinery and Tools Tax Proposed Change TAB #3
  - a. Staff Presentation by Town Treasurer, Ms. Ellen Minga
  - b. Public Hearing Open
  - c. Public Hearing Closed
  - d. Consideration by Finance Committee Chair, Mr. Randy Pack

2.	<b>PUBLIC HEARING:</b>	<b>Grant of Easement to Smithfield Foods (DRAFT)</b>	<b>TAB # 4</b>

- e. Staff Presentation by Town Attorney, William H. Riddick, III
- f. Public Hearing Open
- g. Public Hearing Closed
- h. Consideration by Public Works Committee Chair, Mr. Michael Smith

#### 3. Additional Invoice Over \$10,000 Requiring Council Authorization:

Finance Committee Chair, Mr. Randy Pack

**TAB # 5** 

a. Kimley Horn Associates (Sport Complex)

\$69,624.65

- 4. <u>Motion to Award Site Work Contract for Joseph W. Luter, Jr. Sports Complex</u>
  Mr. William H. Riddick, III, Town Attorney (Forthcoming)
- 5. <u>Motion to Approve the Town Council Meeting Minutes of September 6<sup>th</sup>, 2016</u> Mr. William H. Riddick, III, Town Attorney
- 6. New Business:
- 7. <u>Old Business</u>:
- 8. Closed Session
- 9. Adjournment

TO: SMITHFIELD TOWN COUNCIL

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

**TOWN MANAGER** 

SUBJECT: MONTHLY ACTIVITY REPORT – SEPTEMBER 2016

#### **TOWN MANAGER'S OFFICE:**

- a. Attended the following meetings and activities: Smithfield Kiwanis Club Board of Directors, HRPDC CAO Meeting in Virginia Beach which included Chief Bowman and all Chiefs of Police in the region, welcome reception of new County Administrator Randy Keaton, Public Works confined space safety training and accreditation meeting, VDOT representative regarding town Urban Fund projects, orientation for new HR Director Ashley Rogers, VML Insurance Programs Fall Workshop in Williamsburg with Ashley, Chamber of Commerce Student Leadership Institute Kickoff with Chief Bowman, Pinewood Heights Management Team meeting, and ICMA Annual Conference in Kansas City, MO.
- b. Utilized one day of vacation leave to participate in City of Suffolk fundraiser for the United Way. Utilized two days of vacation leave to visit my parents in Illinois following the ICMA Conference.

#### **TOWN CLERK'S OFFICE:**

- a. Transcribed and proofed the monthly minutes from Town Council, Planning Commission and Board of Historic and Architectural Review.
- b. Prepared September Town Council Committee Agenda and October Town Council Agenda.
- c. Attended Town Council Committee meetings on September  $19^{th}$  and  $20^{th}$  and prepared summary reports from committees.
- d. Attended Pinewood Heights Management Team Meeting, September 20<sup>th</sup> at the Smithfield Center.

#### TREASURER'S OFFICE:

- a. Continued moving forward via status calls and updates with MUNIS conversion.
- b. Prepared for FY2016 audit and assisted auditors on site with annual field work the week of September 19.
- c. Prepared bank reconciliations for council committee meetings on September 19.
- d. Received real estate and personal property files from IOW County and are working with Bright and Associates on data conversion to prepare annual billings.
- e. Attended VIP Trustees meeting on September 23 in Richmond to discuss a new VIP Stable NAV Liquidity Pool. The pool was approved by the Trustees and will be offered beginning October 3.
- f. Took a vacation day on September 26.
- g. Attended VRS Roundtable discussion in York County with Ashley Rogers.
- h. Completed August financial statements.

#### **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 9 water samples and have them tested, flush
 water lines, repair water leaks, repair radio reads after each reading if needed,
 maintenance on town owned buildings.

#### 1. Sewer Line Repairs and Maintenance:

- a. Located and repaired sewer line laterals in various locations.
- b. Sewer air release valve inspection completed.

#### 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 inspections

**Inspected Structure** 

Inspect and clean pumps

Level system check

Test limit switches

Bar screen cleaning

Rain gauge cleaning

C.REW has started work on installing bypass pump at Wellington pump station.

- D. Morris Creek pump station on one pump with a bypass pump in place.
- E. Cresent pump station waiting on new pump to come. Set up bypass pump to have on site as back up.

#### 3. Water line Repairs and Maintenance

- a. Installed and relocated water service for 208 and 210 Azalea Dr.
- b. Repaired water leak found on main water main at 210 Azalea Dr.
- c. Replaced oil water service line at 200 East St.
- d. Replaced 5ft of water service line at 228 Grandville Arch
- e. Lewis Construction Company installing water service lines on Lumar Rd to house with water line in the backyards.

#### 4. Well Repairs and Maintenance

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

#### 5. Water Treatment Plant

- a. Daily lab analysis, monthly sampling and reports for VDH, HRSD, DEQ and RO contractors.
- b. Performed monthly routine tasks including but not limited to:
  - 1. Daily Inspection of RO Plant and grounds.
  - 2. Monthly Tank inspections.
  - 3. Inspect and exercise plant generator monthly.
  - 4. Fill anti-scalant day tank.
  - 5. Truck Inspections.
  - 6. Routine service of lime system.
  - 7. Service online fluoride and chlorine analyzers.
  - 8. Calibrate online turbidimeter and pH meter.
  - 9. Check and replace air filters
  - 10. Test Alarms.
- c. RO Plant generator coolant leak was repaired and new batteries were installed.
- d. RO Plant staff installed 12 new Toray membranes in RO skid 3<sup>rd</sup> stage.
- e. Operator Dale Wall attended Water Jam in VA Beach earning continuing education credits.

- f. Plant Manager Jack Reed attended Mid-Atlantic Public Works Institute Leadership program Session 3-Finance, Law and Media.
- g. Plant operators repaired leak on RO skid permeate header.

#### 6. <u>Safety</u>

- a. Monthly truck inspections
- b. All Public Works employees attended Confined Space training.

#### 7. Windsor Castle Park

- a. Cleaned off and repaired walking trails as needed. Trash cans, recycle bins, information stands and doggie bags are emptied, cleaned or refilled as needed on Mondays and Fridays.
- b. A general inspection of the park is conducted weekly to ensure that all park amenities are in good condition and are not in need of maintenance or repair. This inspection includes walking of the trails to inspect all pedestrian bridges, overlooks, and to identify possible problems with the trails. In addition inspections are made to the kayak launch and fishing pier to identify possible maintenance issues.
- c. Repairs made to trails after being identified during routine inspections.
- d. Installed some of the missing signage and ordered more signs.

#### 8. Fog/Backflow Programs

- a. Fog inspections on FSE and monitoring of grease disposal is ongoing with a good level of compliance and cooperation from local businesses.
- b. Equipment (Sludge Judge) was purchased to better monitor the pumping of grease interceptors.
- c. The following locations had FOG inspections conducted this month
  - i. Tops China
  - ii. Wendy's
  - iii. Cockeyed Roster
  - iv. Jalapenos'
  - v. Sista's Café
  - vi. Dominoes
  - vii. Pizza Hut
  - viii. Subway
  - ix. Old Bay Seafood
  - x. Anna's Pizza
  - xi. Hunan Express

d. Backflow test reports are being submitted by residents and business with a good level of cooperation from the public. Plan review and inspections are conducted on all new commercial structures to ensure they meet town requirements

#### 9. Miscellaneous

- a. Grounds crews cut grass at town-owned property and rights-of-way weekly and empty trash cans on Monday and Friday
- b. Minor repairs at Town Hall and town buildings.

#### **PLANNING AND ZONING:**

- 1. Planning Commission September 13, 2016
  - A. Preliminary and Final Site Plan Review Joseph W. Luter, Jr. Sports Complex 900
     W. Main St. Town of Smithfield, applicant Approved.
- 2. Rezoning Applications under review
  - None
- 3. Special Use Permit Applications under review
  - None
- 4. <u>Subdivision and Site Plans under review</u>
  - A. Parking Lot Expansion 111 North Church St. Smithfield Co., applicant.
  - B. Clontz Park Public Boat Ramp Facility Clontz Way Town of Smithfield, applicant.
  - C. Recycling Facility 83 Pagan Road Bay Disposal, applicant.
- 5. <u>Subdivision and Commercial Sites Under Construction and Inspection</u>
  - A. Church Square, Phase I (95% complete)
  - B. Smithfield Manor Townhomes (95% complete)
  - C. Lakeview Cove Condos (75% complete)
- 6. Board of Historic & Architectural Review September 20, 2016

- A. Detached Sign 132 Main Street Landmark Jennifer Gangemi, applicant Approved.
- B. Exterior Renovation 220 Astrid Street Non-Contributing Mary Kathleen Donovan, applicant Approved.
- C. Demolition / Replacement of Primary Structure 222 Astrid Street Non-Contributing Carl Lewis, NDS Services LLC, applicants Demolition and new home approved with conditions that siding be Hardie Board rather than vinyl and porch be redesigned to match the style of existing porch.
- D. Garden Shed 308 First Street Non-Contributing Claire Lewis, applicant –
   Approved.
- E. Demolition / Replacement of Accessory Structure 111 North Church Street Contributing Matt Liberman, Smithfield Foods, Inc., applicants Approved.
- F. Siding Color and Window Change 204 Grace Street Landmark Darvie Werling, Werling Construction Corp., applicants Color approved and vinyl windows with exterior muntins approved for sides and rear of home.
- G. Historic District Designation Review Astrid Street & Cary Street

#### 7. <u>Board of Zoning Appeals – September 20, 2016</u>

No meeting held.

#### **ENGINEERING**

- A. Church Square, Phase I, contractor has installed E & S controls as required by the Town and the approved site plans. Homes are under construction as per market demand.
- B. Lakeview Cove is now under new ownership. All E & S controls have been installed previously by the contractor as per the approved site plans and required by the Town.
- C. Blair Brother's Contr. Contractor regraded roadside ditch on Smithfield Blvd. and cleaned entrance pipe near sanitary sewer pump station. Contractor also repaired sinkhole areas around drop inlet in backyard of 203 Winchester Place. Contractor repaired outfall ditch and reinstalled rip-rap on Lytham in the Cypress Creek subdivision. Contractor milled out asphalt section on both sides of crosswalk located at the Post Office on Main Street and re-installed a 1 ½ inch asphalt surface.
- D. Erosion & Sedimentation control field inspections were performed and appropriate reports filed on the following active project: Moody Properties. Also Erosion & Sedimentation control field inspections for single family dwellings

were performed at 14 locations throughout the Town and required reports were filed.

- E. Field inspections were held this month involving the Smithfield Lake Dam. No major structural deficiencies were found at this time.
- F. Cypress Creek Development; Contractor C. A. Barrs Constr., all work on project has now been completed including the roadway asphalt surface. The project is now under its one year warranty period.

# COMMITTEE SUMMARY REPORTS

TO: SMITHFIELD TOWN COUNCIL

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

TOWN MANAGER

SUBJECT: INFORMATIONAL REPORT FOR THE POLICE COMMITTEE MEETING

HELD ON MONDAY, SEPTEMBER 19<sup>TH</sup>, 2016

The Police Committee met Monday, September 19<sup>th</sup>, 2016 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. Andrew C. Gregory, Vice Mayor. Other Council members present were Mr. Michael Smith, Dr. Milton Cook, Mr. Randy Pack, and T. Carter Williams, Mayor. Staff members present were Mr. Peter M. Stephenson, Town Manager; Ms. Lesley King, Town Clerk; Ms. Ellen Minga, Town Treasurer; Mr. Steve Bowman, Smithfield Police Chief; and Ms. Amy Musick, Director of Parks and Recreation. Also in attendance were Mr. Rick Bodson, Mr. Gerald Gwaltney, and Ms. Judy Winslow. There was no media represented.

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

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

1. Street Closure Request for the Smithfield High School Homecoming Parade, Friday, October 14<sup>th</sup>, 2016 from 4:15 p.m. to 5:15 p.m. – Ms. Musick reported that this year's homecoming parade was originally to be held on Saturday, October 29<sup>th</sup> from 9:00 am to 10:00 am. Dr. Cook expressed concern on how this would affect the businesses along Main Street on a Saturday. Chief Bowman and Ms. Musick explained that this is a very short parade and the street would be only closed to through traffic for a short period of time. Dr. Cook asked if the town had received an application for the parade date from Smithfield High School. Ms. Musick stated that she has not received an application as of yet but had received information from Tourism on the date and time. Dr. Cook asked that Ms. Musick double check with the school system on the date. Since committee Ms. Musick has received a completed application from Smithfield High School requesting a street closure for their homecoming parade for Friday, October 14<sup>th</sup>, from 4:15 pm to

- 5:15 pm. The School Board denied the schools request to have the homecoming parade on Saturday, October 29<sup>th</sup>.
- 2. <u>Traffic Assistance for the Smithfield 6 Pack and Toast of Town 3K Run on Sunday, November 6<sup>th</sup>, 2016 from 3:00 p.m. to 5:00 p.m. Ms. Musick explained that this is a new event sponsored by the Wharf Hill Brewing Company. The run will start at Wharf Hill Brewing and run sequentially to Smithfield Station, Taste of Smithfield, Smithfield Bakery, Smithfield Inn, and the Smithfield Winery to enjoy a small taste of their beverage at each location before continuing on to finish at Wharf Hill Brewing Company for an end of run party. There will be no street closure for this event; however for the safety of the runners they are requesting traffic assistance from 3 pm to 5 pm. Committee had no concerns and recommends approval of new event.</u>

# B. MATTERS DISCUSSED BY COMMITTEE WHICH WILL <u>NOT</u> BE ON THE COUNCIL'S AGENDA.

- 1. Operational Updates Mrs. Tynes reported that in light of the recent bombings in New York and New Jersey she would like to acknowledge and thank all first responders around the country. She asked Chief Bowman to thank his department for their service to our community. Chief Bowman stated that the Police Department has been preparing for a very busy schedule of upcoming special events. As far as crime goes uneventful is a good word. Committee thanked Chief Bowman for the update.
- 2. Additional Item Discussed: Special Events Mayor Williams expressed concern that in the next few months the town has a lot of events coming up in the historic district. He stated the he has had a lot of people voicing their concerns about the Christmas Parade and the Santa Breakfast not being on the same day. Mayor Williams asked if committee should consider having a representative from Town Council serve on the town's Special Events Committee. Mr. Pack did not think that it was necessary as many of us are already involved in the backgrounds of planning these events. Chief Bowman mentioned that the Special Events Committee was created to take some of the work off the Town Council when it comes to planning and details of an event. Dr. Cook stated at the end of the day the Town Council does make the decision to approve or not approve and event. Since committee Mayor Williams has talked with Parks and Recreation Committee Chair, Ms. Connie Chapman, and she has agreed to serve on the town's Special Events Committee that meets on a quarterly basis.

The meeting adjourned at 4:23 p.m.

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, SEPTEMBER 19<sup>TH</sup>, 2016

The Water & Sewer Committee held a meeting on Monday, September 19<sup>th</sup>, 2016 at 4:23 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee members attending were Mr. Andrew Gregory, Vice Mayor; Mr. Michael Smith, and Mrs. Denise Tynes. Other Council members present were Dr. Milton Cook, Mr. Randy Pack, and T. Carter Williams, Mayor. Staff members present were Mr. Peter M. Stephenson, Town Manager; Ms. Lesley King, Town Clerk; Ms. Ellen Minga, Town Treasurer; Also in Attendance were Mr. Rick Bodson, Mr. Gerald Gwaltney, and Ms. Judy Winslow. There was no media present.

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

# A. MATTERS DISCUSSED BY COMMITTEE WHICH <u>WILL NOT</u> BE ON THE COUNCIL'S AGENDA

B. Operational Updates – The Town Manager reported that Public Works Superintendent, Jessie Snead, and Reverse Osmosis Plant Manager, Jack Reed, are currently attending the third of four seminars through the Virginia American Public Works Association (APWA) in Woodbridge this week. The last seminar will be held next spring in Richmond. He explained that they were going to have Jamie Weist of Kimley Horn Associates here today to give an update on where we are with the town's concentrate discharge; however it has been deferred until next month so Mr. Snead and Mr. Reed will be here. The Town Manager also reported that Smithfield Foods has moved ahead with scheduling the work for the installation of the Observation Well Nest that will be put in next to the Town Manager's Office. The first well that is being installed the closest to the Town Manager's Office is called a rotosonic bore. Work should begin next week. The Virginia Department of Environmental Quality (DEQ) has reviewed the project and approves of the timeframe. The agreement between the state and the Town of Smithfield is still forthcoming. Maintenance however in the end will be maintained by the state and the asset will be owned by the town.

- C. Additional Item Discussed: Cary Street Water Tower Mr. Smith mentioned that he had talked with Mr. Griffin in regards to the water issue at a residents house on Cary Street next to the town's water tower. The resident has asked what can be done about the water that runs across his property when the Cary Street Water Tank is flushed by Public Works staff. The Town Manager stated that as of today the Cary Street Water Tank is offline. It will remain as a historic structure but will no longer be used so flushing the tank should not be necessary. Mr. Smith stated that Mr. Griffin was also getting a price on having a pipe put for the water to run through if was ever necessary for the water tank to be flushed again. Mr. Smith thought that taking the tank offline should satisfy the resident.
- D. <u>Additional Item Discussed: Sewer Leak on North Church Street</u> Mayor Williams asked if there was an update on what happened in court with the property at 406 North Church Street. The Town Attorney stated that he would follow-up and let him know.

The meeting adjourned at 4:34 p.m.

TO: SMITHFIELD TOWN COUNCIL

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

**TOWN MANAGER** 

SUBJECT: INFORMATIONAL REPORT FOR THE FINANCE COMMITTEE MEETING

HELD ON MONDAY, SEPTEMBER 19<sup>TH</sup>, 2016

The Finance Committee held a meeting on Monday, September 19<sup>th</sup>, 2016 at 4:34 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 Smith, Mrs. Denise Tynes, and T. Carter Williams, Mayor. Staff members present were Mr. Peter M. Stephenson, Town Manager; Ms. Lesley King, Town Clerk; Ms. Ellen Minga, Town Treasurer; and Mr. William H. Riddick, III, Town Attorney. Also in Attendance were Mr. Rick Bodson, Mr. Gerald Gwaltney, Commissioner of Revenue; and Ms. Judy Winslow. There was no media present.

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

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

Pre-Public Hearing Discussion: Machinery and Tools Tax Proposed Change, 1. Gerald Gwaltney, Commissioner of Revenue - Mr. Gerald Gwaltney was present and gave a history of how we got here. He explained that back in the 1970's it was decided to assess machinery and tools at 100% of the install cost with no depreciation. That has been in effect for forty years. He explained that based on recent conversations with economic development prospects, the County has determined that, in order to better position itself for future economic development opportunities, a re-examination of its machinery and tools tax methodology is in order. Letters have been sent out to all account holders outlining the proposed change. Citizens who wish to comment on the proposed change have until September 30<sup>th</sup> to submit comments. The proposed change would give a little more depreciation upfront for the manufacturer. It will apply a forty percent (40%) ratio to the original cost of the machinery and tools with no additional depreciation. The proposed change will be "revenue neutral" for tax year 2016, so those businesses paying Machinery and Tools taxes will not pay any more or less in taxes as a result of this adjustment. Ms. Minga explained that the town's current tax rate is \$0.15

per \$100 of the assessed value of machinery and tools. She also explained that to offset the 100% to 40% the town is proposing an increase in the tax rate to \$0.375 per \$100 of the assessments and this would levy approximately the same amount of total taxes from machinery and tools. Mr. Smith asked if agricultural equipment is exempt. Mr. Gwaltney replied that farm equipment was exempted in 2002. Mr. Smith expressed his concerns that in all fairness he feels that farm equipment should not be exempt and asked the Board of Supervisors revisit. Mr. Gwaltney stated that he would relay this message back to the Board of Supervisors. Mr. Gwaltney stated that the proposed change will be adopted by the Board at their October 20<sup>th</sup> meeting. The Town Attorney stated that the proposed change has been advertised as a public hearing for Town Council's October 4<sup>th</sup> meeting. Committee thanked Mr. Gwaltney for coming to explain the proposed change.

#### 2. <u>Invoices Over \$10,000 Requiring Council Authorization:</u>

a. GET Solutions (Sports Complex) \$ 13,540.00

This invoice was referred back to committee from the September 5<sup>th</sup> Town Council meeting for a review of charges, in particularly the \$1,000 charge for clearing for access, at the sports complex by Project Manager, Mr. Brian Camden. Mr. Camden explained that this fee was originally \$1,200.00 and he was able to negotiate down to \$1,000. There was quite a bit of clearing that had to be done to bore in certain areas on the site. Committee recommended approval of invoice.

b. Godwin Pumps

\$ 59.328.13

This invoice from Godwin Pumps is for the purchase of an emergency by-pass pump at Wellington Pump Station that was approved by Town Council at their April 5<sup>th</sup>, 2016 meeting. Committee recommends payment of invoice.

c. REW Corporation

\$ 39,900.00

This invoice from REW Corporation is for the installation of the emergency bypass pump at Wellington Pump Station that was approved by Town Council at their April 5<sup>th</sup> 2016 meeting. Committee recommends approval of invoice.

d. Bayside Harley Davidson

\$ 46,163.84

- Ms. Minga reported that the Police Department is now in possession of the two (2) new police motorcycles. Ms. Minga explained that the town had previously received a contribution from Smithfield Foods to pay for the motorcycles. Committee recommends approval of invoice.
- 3. Additional Item Discussed: Replacement of IBM Printer Ms. Minga stated that the computer conversion to MUNIS has been a very slow and painful process. At this time the MUNIS conversion will not go live until at least January 2017 as the town is now moving into tax season. She explained that with that said the Bright System that they are currently using is becoming obsolete. The Treasurer's Department has been unable to do updates on the Bright System for a couple of years. They continue to struggle with the AS400 IBM printer as part of the Bright System. She explained that

this past Friday they had to have a refurbished hard drive installed to finish their daily work. Ms. Minga expressed concern that with tax season upon us if they do not purchase an up to date refurbished IBM printer they could have issues. The cost of a refurbished IBM printer would be approximately \$15,500 and would come with software support. She explained that once the conversion to MUNIS is complete they will still need the IBM printer for history data for a while. Committee asked where the money would come from. Ms. Minga stated that it could come from Operating Reserves or the loan from Farmers Bank. Committee recommends approval of purchasing a refurbished IBM AS400 printer.

4. <u>Adopt Personal Property Tax Relief Act (PPTRA) Percentage</u> - Ms. Minga stated that the Personal Property Tax Relief is a calculation that the town does every year. It is an educated estimate based on a set amount from the state each year. It has remained pretty stable for the last few years at 51%; however this year it will be 50%. This item will be on Town Council's October 4<sup>th</sup> agenda for approval.

# B. MATTERS DISCUSSED BY COMMITTEE WHICH WILL <u>NOT</u> BE ON THE COUNCIL'S AGENDA.

- 1. <u>July Financial Statements and Graphs</u> Ms. Minga reported that there is not a lot of activity for July because everything hits in June prior to end of the fiscal year. Due to the committees being a week early this month and the auditors being here she was unable to prepare the August Financials for today's meeting. At this time revenues have been switched to delinquent accounts. As far as the expense, the majority of dues and subscriptions for this fiscal have been paid. The town has also paid the LODA insurance for the police officers. The LODA insurance did go up a little bit this year. Ms. Minga mentioned that Chief Bowman feels that the town may have overlooked the purchase of a third police vehicle during the budget process. She continues to look into this see if it was overlooked or not.
- 2. <u>August Cash Balances</u> Ms. Minga reported that cash balances remain pretty strong. The town's special project account has \$3 million in it and that is where the town will start pulling funds from to cover project expenses such as the sports complex and public boat ramp. The South Church Street project will be closed out soon. Ms. Minga also reported that the VML\VACo Investment Pool is down a little bit this month. She mentioned that she has a VML/VACo meeting this Friday to discuss more investment options. This will come back to committee next month for an update.

Water = \$395,131.20; Water Debt Service = \$728,945.51; Water Capital Escrow Availability Fees = \$475,422.41; Water Treatment Plant Escrow = \$112,212.34; Water Deposit Account = \$104,056.01; Water Development Escrow = \$103,205.18; Subtotal Water = \$1,918,972.65. Sewer = (\$95,740.22); Sewer Development Escrow =

\$361,110.94; Sewer Capital Escrow Availability Fees = \$889,575.94; Sewer Compliance = \$1,623,231.21; Subtotal Sewer = \$2,778,177.87. Highway = \$68,733.20. General Fund = \$1,862,492.57; Payroll = \$268,808.08; Money Market General Fund Town Bank = \$2,196.86; Business Super NOW-General Fund = \$33,296.41; Money Market General Fund Farmers Bank = \$291,011.18; General Fund Capital Escrow = \$215,702.48; Certificate of Deposit = \$526,498.74; Certificate of Deposit Police Dept = \$36,863.72; Special Project Account = \$3,047,920.19; Pinewood Heights Escrow = \$42,902.37; SNAP Program = \$2,294.75; Museum Account = \$135,765.19; Windsor Castle Acct \$50,500.00; Subtotal General Fund = \$6,516,252.54. TOTAL ALL FUNDS = \$11,282,136.26.

TRIAD Projected Budget – Ms. Minga stated that the Town has contributed for many years to the Isle of Wight County TRIAD. Prior to the Town hosting the event it was organized by Isle of Wight County. When the County stepped away from hosting the event the Town stepped in, with a lot of help form Mr. Kurt Beach, to continue offering this event to the senior citizens of Isle of Wight County. The purpose of the TRIAD Program is to reduce the fear of crime and empower seniors with the knowledge to avoid becoming a victim of crime and help them protect their life savings and property assets. The Town did not find out until the first of July, after this year's budget had been approved, that there will not be any grant money to help fund this event this year. past years the town has always paid \$1,650.00; however due to overall budget cuts on contributions the town approved \$3,120.00 for TRIAD with the town's portion being \$870.00 and grant funding of \$2,250.00. Ms. Minga explained that she wanted to make sure that council was aware that there will be no grant revenues received this year to offset this overall adopted budget of \$3,120.00 for TRIAD. She also stated that the Town of Windsor has already donated their \$1,000 contribution towards the event.

The meeting adjourned 5:12 p.m.

TO: SMITHFIELD TOWN COUNCIL

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

TOWN MANAGER

SUBJECT: INFORMATIONAL REPORT FOR THE PARKS AND RECREATION

COMMITTEE MEETING HELD ON TUESDAY, SEPTEMBER 20<sup>TH</sup>, 2016

The Parks and Recreation Committee held a meeting on Tuesday, September 20<sup>th</sup>, 2016 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; and Mrs. Denise Tynes. Other Council members present were: Mr. Andrew Gregory, Vice Mayor; Dr. Milton Cook and Mr. T. Carter Williams, Mayor. Staff members present were Mr. Peter M. Stephenson, Town Manager; Ms. Lesley King, Town Clerk; Mr. William H. Riddick, III, Town Attorney; Mr. Wayne Griffin, Town Engineer; Mr. William G. Saunders, IV, Planning and Zoning Administrator; Ms. Amy Musick, Director of Parks and Recreation; and Ms. Judy Winslow, Director of Tourism. Also in attendance were Mr. Jamie Weist of Kimley-Horn Associates; and Mr. Rick Bodson. There was no media present.

Parks and Recreation Committee Chair, Ms. Connie Chapman called the meeting to order.

# A. MATTERS DISCUSSED BY COMMITTEE WHICH WILL <u>NOT</u> BE ON THE COUNCIL'S AGENDA.

1. Operational Update – Ms. Musick reported that September has been a busy month at the Center and there has been some activity at Windsor Castle. Upcoming events to note include: Aiken Fest at the Smithfield Little Theater on September 24<sup>th</sup>; Bacon Fest at Windsor Castle on October 1<sup>st</sup>; Hog Jog Run and the Fall Vintage Market on October 8<sup>th</sup>; Smithfield High School Homecoming Parade on October 14<sup>th</sup>; Souper Saturday at Trinity Church, Ruritan Car show in the Smithfield Center parking lot and Isle of Wight Education Foundation Gala at the Smithfield Center on October 15<sup>th</sup>; Smithfield Century Bike Tour at Windsor Castle on October 22<sup>nd</sup>; and lastly, Hamoween on October 31<sup>st</sup>. Upcoming projects at the Smithfield Center include painting the concrete awning supports at the front entrance of the Center and new flooring for the bathrooms. Ms. Musick reported that the playground people are on the grounds at Windsor Castle Park;

however due to weather are not getting much done. Committee asked if they were getting paid by the day. Ms. Musick replied that they are paid a flat amount regardless of how long it takes to finish. Ms. Musick stated that fencing for the toddler area was not included in the original cost so this will come back to committee with options on fencing once the size of the fenced area is determined. Ms. Musick reported that the Department of Historic Resources has conditionally approved the restoration project at Windsor Castle. Two Town Council members, Dr. Milton Cook and Ms. Connie Chapman, have joined the Windsor Castle Foundation Board. The Town Attorney stated that at this time the LLC still does not have an agreement between the Windsor Castle Foundation Board, Smithfield Foods and the Town of Smithfield. Ms. Musick reported that kayak rentals have done well this year and September 25th is the last day of the season. The Trail Doctors continue to work on stilt grass eradication every Thursday and have almost completed the Tree of Heaven removal. Ms. Musick stated that according to Mr. Steve Senkovich most of the Trees of Heaven that remain are male and will not need to be removed. Ms. Musick stated that the public boat ramp and the architectural plans for the sports complex are out to bid and will be due by October 6<sup>th</sup>. Dr. Cook asked what the timeframe was for the completion of the public boat ramp. The Town Manager stated that the bids are due in on October 6th so it should be approved at the November Town Council meeting. Once the notice of award is sent out the project should be complete in 180 days. Mr. Weist stated that all the work for the boat ramp that needs to be done in the water will be done first so by the time it gets to the time of year that you are not allowed in the water that portion will be done.

2. Memorandum of Understanding (MOU) between the Town of Smithfield and Isle of Wight County for the Joseph W. Luter, Jr. Sports Complex - The Town Manager explained that, on February 18th, 2016, Isle of Wight County Board of Supervisors agreed to donate \$250,000.00 to be paid to the Town of Smithfield at \$50,000.00 a year for the next five years. At the time of the approval the county had mentioned some stipulations that they wanted to see in the Memorandum of Understanding (MOU) between the Town and County. The Town Attorney explained one area of concern was 5B of the draft MOU in regards to regular use. The Town states that for regular use a "reasonable fee" will be charged by SRA for the usage of the facility commensurate with other regional sports complex fees and charges. The County Attorney struck out "reasonable fee" to just say a "fee" would be charged. In that same paragraph, it says that SRA shall develop a schedule of fees for regular use which shall be subject to review and approval by the Town. The County Attorney added that the fees for regular use shall be subject to review by Town and County. Dr. Cook expressed concern in the fact that the County should not have any say in setting fees for the sports complex. The Town Attorney stated that most of the changes to the MOU were minor with the exception of paragraph 5B. Committee asked if there was a timeline to have the MOU in place. The Town Attorney stated that there was no timeline but the town will not get the County's \$50,000 for this year until the MOU is approved and signed. He stated that he will convey Town Council's concerns to County Attorney, Mark Popovich, and bring back next month for further discussion.

3. Pre-Public Hearing Discussion: Lease with Smithfield Recreation Association (SRA) – The Town Attorney explained that a long lease must be treated like the recent Franchise Agreement with Smithfield Station; therefore there will be no public hearing at Town Council's October 4<sup>th</sup> meeting. It will come back to October committee to be on the November 1<sup>st</sup> Town Council agenda. In the meantime, the town needs to determine what SRA will be responsible for when it comes to maintenance at the sports complex. Ms. Musick stated that she would set up a meeting to discuss responsibilities with town staff and a representative from SRA.

The meeting adjourned at 4:32 p.m.

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, SEPTEMBER 20<sup>TH</sup>, 2016

The Public Works Committee held a meeting on Tuesday, September 20<sup>th</sup>, 2016 at 4:32 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee members attending were: Mrs. Denise Tynes, and Dr. Milton Cook. Other Council members present were: Mr. Andrew Gregory, Vice Mayor; Ms. Connie Chapman, and T. Carter Williams, Mayor. Staff members present were Mr. Peter M. Stephenson, Town Manager; Ms. Lesley King, Town Clerk; Mr. William H. Riddick, III, Town Attorney; Mr. William G. Saunders, IV, Planning and Zoning Administrator; Mr. Wayne Griffin, Town Engineer; and Ms. Judy Winslow, Director of Tourism. Also in attendance were Mr. Jamie Weist of Kimley-Horn Associates and Mr. Rick Bodson. There was no media present

Public Works Committee Member, Mrs. Denise Tynes, called the meeting to order.

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

1. Pre-Public Hearing Discussion: Shared Use Agreement with Smithfield Foods – The Town Attorney stated that this public hearing is for an Easement Agreement for forty years which outlines the use of the new parking lot located at 220 North Church Street. Smithfield Foods is paying to have a parking lot constructed for their use during their office hours; however the Town of Smithfield and the Smithfield Little Theater will have the right to use the parking lot when they need extra parking at other times. Committee recommends approval of Easement Agreement between Smithfield Foods and the Town of Smithfield.

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

1. Virginia Department of Transportation (VDOT) Urban Fund Allocations and 2016 Virginia Appropriation Act – The Town Manager explained that all local government managers were notified by the Commonwealth Transportation Board that any remaining funds, in the VDOT Urban Fund in our case, as of January 1<sup>st</sup>, 2018 will be transferred to the new 'State of Good Repair' program, unless these funds are allocated to a fully funded and active local project. The town currently has \$2,190,200 in Urban Funds that we must use or lose. Back in December 2013 Town Council adopted a resolution authorizing Urban Funds to be allocated to Segment 3 of the Isle of Wight County park to park trail project. Since that time no further action has been taken by the town as the county has been working on Segments 1 and 2 of the project. In order to get Segment 3 programmed by VDOT an adopted Memorandum of Agreement (MOA) Staff is recommending that this MOA be between the town and county is required. drafted and that up to \$1.3 million remain committed to the county's park to park trail project. At this time the town would need to begin looking at design alternatives in this corridor of South Church Street. Dr. Cook expressed his concern over a ten (10) foot strip of asphalt going down the east side of South Church Street for the multi-use path. He stated that many of the businesses in this area have limited parking as it is and taking ten (10) more feet for the multi-us path and the buffers on each side of the path will make parking even more limited. Dr. Cook suggested that sidewalks and curbs on both sides of the road in this area would make this area of South Church Street much more appealing. The Town Manager stated that this is not an option due to stormwater management regulations. Mr. Jamie Weist of Kimley-Horn Associates was present and stated that they could have choke points along the path were the width could be reduced to eight (8) feet. Committee asked if VDOT would allow that the entire stretch in front of the businesses on South church Street be considered a choke point. Staff was not sure but could certainly ask VDOT. Discussion was also held on where alternative paths could be directed rather than going down South Church Street. Mr. Saunders stated that surveys have been done and South Church Street was the option with the least amount of resistance. Mr. Weist suggested taking an aerial shot with both the ten (10) foot and eight (8) foot path so committee would have a visual of what it would look like along South Church Street. The Town Manager stated that with \$1.3 million dollars allocated to this project the town still has \$1 million to allocate to other local projects. Vice Mayor Gregory stated that, typically, VDOT will only allow funds to be allocated to one project at a time and wanted to know if they are being lax on this policy to allow us to use all of the funds. The Town Manager stated that was correct. VDOT is willing to work with the town to help get funds allocated to an active project. He explained that it has been determined that a right turn lane is warranted, for safety reasons, on West Main Street/ Route 258 at the entrance of the Joseph W. Luter, Jr. Sports complex. Staff is

recommending that this right turn lane be identified and Urban Funds be allocated for this project. Staff has talked with VDOT about extending the sidewalk from the Sports Complex to Westside Elementary entrance. Staff will be communicating with School Superintendent and County Administrator to discuss land disposition for the sidewalk. The entire project will cost approximately \$400,000 to \$450,000. With still approximately \$500,000 remaining in Urban Funds staff is requesting an intersection analysis for South Church Street at the Route 10/258 Bypass/Benns Church Boulevard as part of the town's comprehensive planning efforts. Vice Andrew Gregory also asked for staff to look at the cost to have streetlights added to Cypress Creek Bridge and Battery Park Road as discussed in past years. The Town Manager stated that this item will come back to committee next month because a resolution will need to be done at Town Council's November 1<sup>st</sup> meeting to allocate funds.

The meeting adjourned at 5:15 p.m.

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, SEPTEMBER 20<sup>TH</sup>, 2016

The Public Buildings and Welfare Committee held a meeting on Tuesday, September 20<sup>th</sup>, 2016 at 5:15 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee members attending were: Dr. Milton Cook, Chair; and Ms. Connie Chapman. Other Council members in attendance were Mr. Andrew Gregory, Vice Mayor, and Mr. T. Carter Williams, Mayor. Staff members present were Mr. Peter M. Stephenson, Town Manager; Ms. Lesley King, Town Clerk; Mr. William H. Riddick, III, Town Attorney; and Mr. William G. Saunders, IV, Planning and Zoning Administrator. There was no media present.

Public Buildings and Welfare Committee Chair, Dr. Milton Cook called the meeting to order.

# A. MATTERS DISCUSSED BY COMMITTEE WHICH WILL <u>NOT</u> BE ON THE COUNCIL'S AGENDA.

1. Pinewood Heights Relocation Project Phase III Update – The Town Manager reported that Mr. Dodson of Community Planning Partner's monthly report was included in the packet for Phase III. He stated that Phase III is moving along. Owners at 21,23,36, and 38 Jamestown have sold their homes and relocated. The 33 Jamestown owner is waiting to close and relocate; this should be done before the end of September. Four renters have relocated with two becoming homeowners. 27A, 27B, 28A, and 28B have also relocated. Offer letters were mailed to the landlords of the now vacant rental units of 27A, 27B and 28A Jamestown Avenue and they should close in late October. The Town Manager explained that, unlike Phase I and II, Phase III is not segmented where the town must do certain properties first. This will help to keep the Phase III moving at a steady pace. Dr. Cook asked about the abandoned well at the end of Jamestown Avenue. The Town Manager explained that the well is town owned and has been filled in due to state standards. The Town Manager also reported that staff continues to work on the

relocation of the last property, 111 Carver Avenue, in Phase II so that we can demolish those units. The next Pinewood Heights Management Team meeting will be held on November 15<sup>th</sup>, 2016.

Meeting adjourned at 5:20 p.m.

# **ACTIVITY REPORTS**

## SMITHFIELD POLICE DEPARTMENT MANAGER'S REPORT September 2016

## **Committees and Projects:**

09/06

09/28

Bancroft

09/06	Town Council mtg – Center – Chief Bowman
09/07	Mock Accreditation – Newport News Sheriff's Office – Kristi Jenkins
09/07	C.H.I.P. met with Calvin of the School System regarding new chairs, tables for
	Homework Station at Jersey Park – Kurt Beach
09/07	Hampton Roads Planning District Chief Administrative Officers mtg – Virginia
	Beach – Chief Bowman
09/09	Law Enforcement Graduation - Crater Criminal Justice Training Academy,
	Petersburg – Deputy Chief Howell
09/09	Chamber of Commerce Awards Banquet - Cypress Creek Clubhouse - Chief
	Bowman
09/13	TRIAD mtg – IOW Courthouse – Kurt Beach
09/14	Department Head – Center – Chief Bowman
09/19	Ribbon Cutting – Hope Presbyterian Church – Chief Bowman
09/20	C.H.I.P. Presentation – Western Tidewater Community Services – Suffolk – Kurt
	Beach
09/20	Crime line mtg – Center – Deputy Chief Howell, Sgt. Meier, Kurt Beach, Annette
	Crocker
09/21	Interagency Code Enforcement mtg – Town Hall – Kurt Beach
09/22	Regional Radio meeting – Center – Chief Bowman, Deputy Chief Howell, Sgt.
	Meier
09/24	Police Officer Testing – Main Street Baptist – Sgt. Meier, Annette Crocker
09/26 - 28	Accreditation – Caroline County Sheriff's Office – Kristi Jenkins
<u>Training</u>	
09/07 - 09	TacOps Conference – Alexandria, VA – Sgt. Araojo, Officer Powell (24 hrs.)
09/19 - 23	In-Service Training – York/Poquoson Sheriff's Office – Officer Washington (40
05/15 25	hrs.)
09/26 - 30	CIT Core Class – Suffolk PD – Chief Bowman, Officer Adams, Officer Gutierrez
03720 00	(40 hrs.)
09/26 - 30	Security Assessment for Crime Prevention Practitioners – VSP Headquarters,
	Richmond – Officer R. Howell (40 hrs.)
<b>In-House T</b>	raining raining
	<del></del>

ERT Range Training - Franklin PD Range - Sgt. Araojo, Officer Adams, Officer

Color Guard Training - Sgt. Jones, Officer Wright, Officer Johnson, Officer

Powell, Officer Phillips, Officer Johnson, Officer Wooley

## **Community Relations**

00/00	DIA AL CALLOCOLO DE C
09/02	Ride Along – Josef Lee - Officer Bancroft
09/06 - 30	School Zone - Westside Elementary - Chief Bowman, Sgt. Araojo, Sgt. Jones,
	Officer Phillips, Officer Gutierrez, Officer Cook, Officer Bancroft, Officer
	Washington, Officer Wright, Officer Seamster, Officer Johnson
09/14	Homework Station - Jersey Park/Woods Edge Apts Officer Bancroft, Kurt
	Beach
09/16	Security - Isle of Wight County Fair – Officer R. Howell, Officer Phillips
09/17	Ride Along – Mikayla Scoville – Officer Bancroft
09/17	Security - Isle of Wight County Fair – Sgt. Miller, Officer Johnson
09/25	Neighborhood Watch – Berkeley St./Mount Vernon Court – Officer Phillips
09/27	Neighborhood Watch mtg – Covenant Place – Sgt. Miller
09/28	Homework Station – Jersey Park/Woods Edge Apts. – Officer Cook

## **Investigations:**

Case#: 2016-00735
Location: Smithfield Foods
Offense: PWID Marijuana
Disposition: Cleared by Arrest

On 9/9/16 a supervisor from the plant was moving boxes and observed a red bag fall from a hiding place. When the bag hit the ground a mason jar filled with marijuana came out of the bag. The supervisor took the bag and its contents to the HR Manager's office. Officers were called to the plant. Inside the bag was a piece of mail that returned to an employee of the plant. Officers watched the security footage of the employee coming into the entry gate and observed him holding the same red bag. The suspect, Arthur Townsend, was charged with possession with intent to distribute marijuana.

Case#: 2016-00740
Location: Rte. 10/Main St
Offense: DUID, Stolen Vehicle
Disposition: Cleared by Arrest

On 9/11/16 Officers received a call that a woman was slumped over the steering wheel of a vehicle in the middle of the intersection Rte. 10 and Main St. As officers were in route the vehicle had been pushed to the commuter lot and the female was walking towards 7-Eleven. The officer arrived on scene and spoke with the female. He could tell that she was highly intoxicated. He found needle caps in her vehicle. He asked her if she was on any kind of drugs and she stated that she used to shoot up but does not do that anymore. She explained the needles were for her dog's medication. The officer took her to the hospital for a blood draw. While he was bringing her back to the PD he was alerted that dispatch received a hit on the vehicle for a stolen vehicle out of Surry County. The subject was charged with DUID and unauthorized use of a motor vehicle.

## September 2016

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
					Courtney Off Summer Series Concert -The Tams MHSu 400	Courtney Off Gorham and Russell Wedding and Reception MHSu 80
4	5	6	7	8	9	10
Courtney Off Dawson and White Wedding and Reception MHSu 274	Labor Day-Sat Rate Courtney Off	Herbert Off Smithfield Meeting C&D 25 Town Council A&B 20 WCFB Meeting D 10	Herbert Off Smithfield Audit Interviews Suites 16	Herbert Off 10:30 AM Hiller Inspection	Herbert Off	Herbert Off Gillam and Glanville Reception MH 90
11	12	13	14	15	16	17
Herbert Off		Planning Commission A&B 20 TRIAD Meeting C&D 25	Staff Meeting A&B 20	IOW Fair A Night to Remember MH 150 Smithfield Women's Club Suites 80 Sports Complex Pre-Bid Meeting MH 20	IOW Fair 50th Anniversary Carrollton Fire MH 120	Melissa Off IOW Fair Thomas and Moore Wedding and Reception MHSu 150
18	19	20	21	22	23	24
Melissa Off IOW Fair Krauss and Mackenstadt Wedding and Reception MHSu 130	Melissa Off Committee Meetings C&D 10	Melissa Off BHAR A&B 20 Committee Meetings C&D 10 Crime Line Meeting C&D 10 Dominion Safety Meeting Set-Up MH 200 Pinewood Heights Meeting A&B 20 Schoolhouse Committee C&D 10	Melissa Off Dominion Safety Meeting MHSu 200	Melissa Off Job Fair C&D 50 Presentation of Radio System A&B 30	Lisa Off Melissa Off Tatum and Hirsh Wedding and Reception MHSu 90	Melissa Off Aiken Fest Connell-Piquette Wedding & Reception MHSu 85

## September 2016

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
25	26	27	28	29	30	
Melissa Off Watson-Hunter Wedding & Reception MHSu 160	Courtney Off VA Police Work Dog Association MH 100	Women's Connect Meeting MH 80	11:30 AM Staff Training-Crowd Control	Chamber Board of Directors Strategic Planning C&D 20 VA Police Work Dog Association MH 125	Painting Projects	

#### Smithfield Center - September 2016 - Monthly Report

Booking Date	Building Code	Room Code	Group	Event Name	Group City	How did you hear about us	Pricing Plan	Discount Percent	Venues	Town Services
9/2/2016	Center	MHSu	Smithfield Times	Summer Series Concert -The Tams	Smithfield	Town Event	g.) Sponsored	100.00%		
9/3/2016	Center	MHSu	Gorham and Russell Wedding and Reception	Gorham and Russell Wedding and Reception	Norfolk	Word of Mouth	A.) Standard-Fri, Sat, Sun	0.00%	\$2,023.84	
9/4/2016	Center	MHSu	Dawson and White Wedding and Reception	Dawson and White Wedding and Reception	Chesapeake	Word of Mouth	A.) Standard-Fri, Sat, Sun	0.00%	\$2,350.00	
9/6/2016	Center	A&B	Town of Smithfield	Town Council	Smithfield	Town Event	h.) Town	100.00%		
9/6/2016	Center	C&D	Smithfield Foods Corporate a	Smithfield Meeting	Smithfield	Returning Client	D.) Resident -Weekday	0.00%	\$200.00	
9/6/2016	Center	D	Windsor Castle Foundation Board	WCFB Meeting		Town Event	h.) Town	100.00%		
9/7/2016	Center	Suites	Smithfield Foods Executive Office a	Smithfield Audit Interviews	Smithfield	Returning Client	C.) Standard-Weekday	0.00%	\$200.00	
9/9/2016	Center	МН	Gillam and Glanville Wedding and Reception	Gillam and Glanville Set	Carrollton	Word of Mouth	B.) Resident-Fri, Sat, Sun	0.00%		
9/10/2016	Center	МН	Gillam and Glanville Wedding and Reception	Gillam and Glanville Reception	Carrollton	Word of Mouth	B.) Resident-Fri, Sat, Sun	0.00%	\$1,350.00	
9/13/2016	Center	A&B	Town of Smithfield	Planning Commission	Smithfield	Town Event	h.) Town	100.00%		
9/13/2016	Center	C&D	Isle of Wight County	TRIAD Meeting	Isle of Wight	Returning Client	g.) Sponsored	100.00%		
9/14/2016	Center	A&B	Town of Smithfield	Staff Meeting	Smithfield	Town Event	h.) Town	100.00%		
9/15/2016	Center	МН	Dwayne Wilson	A Night to Remember	Smithfield	Returning Client	D.) Resident -Weekday	0.00%	\$500.00	\$180.00
9/15/2016	Center	МН	Town of Smithfield	Sports Complex Pre-Bid Meeting	Smithfield	Town Event	h.) Town	100.00%		
9/15/2016	Center	Suites	Smithfield Women's Club	Smithfield Women's Club	Smithfield	Recurring Event	Resident -Weekday	50.00%	\$200.00	
9/16/2016	Center	МН	Carrollton Volunteer Fire Department	50th Anniversary Carrollton Fire	Carrollton	Word of Mouth	g.) Sponsored	100.00%		
9/17/2016	Center	MHSu	Thomas and Moore Wedding and Reception	Thomas and Moore Wedding and Reception	Portsmouth	Word of Mouth	A.) Standard-Fri, Sat, Sun	0.00%	\$1,850.00	
9/18/2016	Center	MHSu	Krauss and Mackenstadt Wedding and Reception	Krauss and Mackenstadt Wedding and Reception	Newport News	Word of Mouth	B.) Resident-Fri, Sat, Sun	0.00%	\$1,400.00	
9/19/2016	Center	C&D	Town of Smithfield	Committee Meetings	Smithfield	Town Event	h.) Town	100.00%		
9/19/2016	WCP	Riverfront	Fit in Your Health	Tabata Group Exercise Class		Word of Mouth	A.) Standard-Fri, Sat, Sun	0.00%		
9/20/2016	Center	A&B	Town of Smithfield	BHAR	Smithfield	Town Event	h.) Town	100.00%		
9/20/2016	Center	A&B	Town of Smithfield	Pinewood Heights Meeting	Smithfield	Town Event	h.) Town	100.00%		
9/20/2016	Center	C&D	Town of Smithfield	Crime Line Meeting	Smithfield	Town Event	h.) Town	100.00%		
9/20/2016	Center	C&D	Town of Smithfield	Schoolhouse Committee	Smithfield	Town Event	h.) Town	100.00%		
9/20/2016	Center	МН	Dominion Virginia Power	Dominion Safety Meeting Set-Up	Richmond	Returning Client	C.) Standard-Weekday	0.00%		
9/21/2016	Center	MHSu	Dominion Virginia Power	Dominion Safety Meeting	Richmond	Returning Client	C.) Standard-Weekday	0.00%	\$600.00	
9/22/2016	Center	A&B	Town of Smithfield	Presentation of Radio System	Smithfield	Town Event	h.) Town	100.00%		
9/22/2016	Center	C&D	All For You In Home Care	Job Fair	Suffolk	Word of Mouth	C.) Standard-Weekday	0.00%	\$200.00	
9/23/2016	Center	MHSu	Tatum and Hirsh Wedding and Reception	Tatum and Hirsh Wedding and Reception	Chesapeake	Word of Mouth	A.) Standard-Fri, Sat, Sun	0.00%	\$2,069.60	
9/24/2016	Center	MHSu	Connell-Piquette Wedding & Reception	Connell-Piquette Wedding & Reception	Portsmouth	Word of Mouth	A.) Standard-Fri, Sat, Sun	0.00%	\$1,950.00	
9/25/2016	Center	MHSu	Watson-Hunter Wedding & Reception	Watson-Hunter Wedding & Reception	Hampton	Word of Mouth	A.) Standard-Fri, Sat, Sun	0.00%	\$2,080.00	
9/26/2016	Center	МН	Isle of Wight County	VA Police Work Dog Association	Isle of Wight	Returning Client	h.) Town	100.00%		
9/27/2016	Center	МН	Smithfield Foods Corporate a	Women's Connect Meeting	Smithfield	Returning Client	C.) Standard-Weekday	0.00%	\$400.00	
9/29/2016	Center	C&D	Isle of Wight Chamber of Commerce	Chamber Board of Directors Strategic Planning	Smithfield	Returning Client	D.) Resident -Weekday	0.00%	\$200.00	

Deposit Totals for September \$11,390.44 Venue Rental Deposits \$180.00 Town Services Deposits \$17,573.44 \$180.00

## Smithfield/Isle of Wight Tourism Activity Report –SEPTEMBER 2016

- Director attended Smithfield Town Council Meeting 9/6/16.
- Smithfield Farmer's Markets held 9/3,10,20,17/16. Farmer's Markets will be open each Saturday through October from 9 a.m. to noon. Wednesday Farmer's Markets held in Carrollton were discontinued this month.
- Held "live" HAM CAM tourism minute on the web. Museum will be broadcasting a Museum Minute on every Tuesday at 12:05 p.m. and Tourism will be broadcasting a Tourism Minute on every Thursday at 12:05 p.m. to highlight something special going on!
- Agenda Review meeting 9/1/16.
- Constitutional Presentation for DAR 9/7/16.
- Aiken & Friends Music Fest Open Mic contest held 9/1/16. Logistics planning meeting held 9/21/16. Festival held at SLT 9/23-24/16. Clean-up 9/25/16.
- Vintage Market Planning Meeting held 9/2/16.
- Worked with the Summer Concert Series TAMS concert 9/2/16.
- Burlap Trail FAM Tour Franklin 9/6/16.
- Smithfield 2020 meeting held 9/7/16. Reconvened after summer break.
- Chamber Student Leadership Institute meeting held 9/7/16. First Session held 9/20/16. Director is co-facilitator of program.
- Welcome Reception for new County Administrator, Randy Keaton held 9/8/16.
- Director vacation 9/9-9/16.
- IOW County Fair 9/14-18. Tourism Staff manned Information Booth at the Fair.
- County Staff Meeting 9/19/16.
- Tourism Staff Meeting held 9/19/16.

- Christmas in Smithfield Event meeting 9/21/16; 9/22/16.
- VACVB Conference Call 9/23/16.
- Historic Saint Luke's nominating committee meeting 9/23/16.
- Attended the County formal E.D. announcement 9/27/16.
- Prep for Bacon, Bourbon & Beach Music Fest 9/27-30/16. Festival held on 10/1/16.
- Attended Council Committees 9/19-20/16.
- Smithfield Staff Meeting 9/14/16 and 9/28/16.
- Tourism Facebook postings and tweets throughout month. Update website events and *Where the Locals Go* event promotion newsletter weekly. This e-newsletter combines tourist events and the Farmer's Market information.
- Weekly individual meetings with staff to address concerns and review projects.

<u>Upcoming Events: See www.VisitSmithfieldVa.com for more details!</u>

## **ZONING PERMITS AUGUST 2016**

PERMIT #	CONSTRUCTION TYPE	PROJECT	ADDRESS	CONTRACTOR/ OWNER
6653	SHED	WELLINGTON ESTATES	305 QUEEN COURT	DAVID MORGAN
6654	SHED	JOHN ROLFE ESTATES	720 WEST ANDREWS CROSSING	PERCY BROWN
6655	COVERED PORCH AND MOVE FENCE	GRIMESLAND	1302 WILSON ROAD	LOUNET HUNT
6656	CONCRETE PATIO	BUSINESS Q-DADDYS	1007 S. CHURCH STREET	Q-DADDYS NORMAN WITTEN
6657	SINGLE FAMILY DWELLING	WELLINGTON ESTATES	609 WESMINSTER REACH	AFFORDABLE HOMES

# RESOLUTION STREET CLOSURE FOR HOMECOMING PARADE ROUTE

WHEREAS, the Smithfield High School has proposed to hold a Homecoming Parade on Friday, October 14, 2016 at 4:15 p.m.; and,

WHEREAS, the Smithfield High School has requested that certain streets within the Town be closed for the Homecoming parade; and,

WHEREAS, it appears to the Town Council that the brief time during which these streets will be closed for the parade will not work undue hardship on the residents and businesses along the parade route; and,

WHEREAS, the Town Council desires to cooperate with the organizers of the Smithfield High School by closing off certain of the town's streets in order to allow a safe and convenient parade route and environment for the parade.

NOW, THEREFORE, be it resolved that on Friday, October 14, 2016, the following streets or portions of streets shall be closed from 4:15 p.m. until the conclusion of the Homecoming parade: a portions of Cary Street to its intersection with Grace Street, Grace Street from its intersection with Main Street to its intersection with N. Mason Street, Main Street from its intersection with Grace Street to its intersection with N. Mason Street; N. Mason Street from its intersection with Main Street to its intersection with Grace Street.

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

Adopted this 4<sup>th</sup> day of October, 2016.

TOWN COUNCIL OF THE

	TOWN OF SMITHFIELD				
ATTEST:	By T. Carter Williams, Mayor				
Lesley G. King, Clerk	-				

### RESOLUTION

# CLOSURE OF STREETS FOR "SMITHFIELD 6-PACK AND TOAST OF TOWN 3K" EVENT

WHEREAS, a committee has formed for the purpose of sponsoring a six kilometer run race and a three kilometer walk event to be known as the "Smithfield 6-Pack and the Toast of Town 3K"; and,

WHEREAS, the committee has requested that all or portions of Main Street, Hill Street, South Mason Street, Drummonds Lane, Jericho Road, Cedar Street, Institute Street, Grace Street, James Street, Washington Street, Thomas Street, Luter Drive and Commerce Street, all as shown on the attached sketches, be closed on Sunday, November 6, 2016 from 3:00 p.m. to 4:00 p.m. to be used as the race and walking courses and to permit a safe environment to conduct the events; and,

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

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

NOW, THEREFORE, be it resolved that on Sunday, November 6, 2016, all or portions of Main Street, Hill Street, South Mason Street, Drummonds Lane, Jericho Road, Cedar Street, Institute Street, Grace Street, James Street, Washington Street, Thomas Street, Luter Drive and Commerce Street, all as shown on the attached sketches, be closed from 3:00 p.m. to 4:00 p.m., to permit a safe environment for conducting a six kilometer road race and a three kilometer walking event; and that the closure of these street shall be subject to such rules, guidelines and procedures as may be established by the Town Manager and the Chief of Police.

Adopted this 4<sup>th</sup> day of October, 2016.

TOWN COUNCIL OF THE TOWN OF SMITHFIELD

	By
	T. Carter Williams, Mayor
ATTEST:	
Clerk	

NOTICE OF PUBLIC HEARING TOWN COUNCIL OF THE TOWN OF SMITHFIELD

amended, that the Town Council of the Town of Smithfield, Virginia, will hold a public hearing at

Notice is hereby given pursuant to Section 58.1-3007 of the Code of Virginia (1950), as

the regular meeting of the Town Council in the council chambers in The Smithfield Center, 220 N.

Church Street, meeting room A, Smithfield, Virginia, on Tuesday, October 4, 2016, at 7:30 p.m. to

consider the adoption of the following ordinance:

AN ORDINANCE TO INCEASE THE TAX RATE LEVIED AS TO MACHINERY AND TOOLS

The current tax rate is \$0.15 per \$100 of the assessed value of machinery and tools. The

County of Isle of Wight is changing the methodology for the assessment of machinery and tools.

The proposed methodology for assessment of machinery and tools will apply a forty percent (40%)

ratio to the original cost of machinery and tools with no annual depreciation. This is a reduction

from a one hundred percent (100%) ration of the original cost of machinery and tools.

The Town Council of the Town of Smithfield is proposing an increase in the tax rate to

\$0.375 per \$100 of the assessed value of machinery and tools. The proposed change in the rate

when applied to the new assessments would levy approximately the same amount of total taxes

from machinery and tools.

Any person desiring to be heard in favor of or in opposition to or to express his or her views

with respect to the aforesaid Ordinance may appear at the hearing and be heard. The full text of the

Ordinance is available for inspection in the office of the Town Manager, 911 S. Church Street,

Smithfield, Virginia 23430.

TOWN OF SMITHFIELD, VIRGINIA

By: Lesley G. King, Clerk

Publish: September 21, 2016

NOTICE OF PUBLIC HEARING TOWN COUNCIL OF THE TOWN OF SMITHFIELD

Notice is hereby given pursuant to the requirements of Section 15.2-2100 et seq. of

the Code of Virginia, (1950), as amended, that the Town Council of the Town of Smithfield,

Virginia, will hold a public hearing at the regular meeting of the Town Council in the

council chambers in The Smithfield Center, 220 N. Church Street, meeting room A,

Smithfield, Virginia, on Tuesday, October 4, 2016 at 7:30 p.m. to consider an ordinance to

approve the conveyance of an easement to Smithfield Foods, Inc. on a portion of the

property owned by the Town adjacent to The Smithfield Center for the purpose of

construction and use of a parking lot by Smithfield Foods, Inc. The property is located at

220 N. Church Street, (Tax Map Parcel nos. 21A-01-067A).

Any person affected by or interested in the aforesaid matter may appear at the

hearing and be heard. The full text of the Ordinance is available for inspection in the office

of the Town Manager, 911 S. Church Street, Smithfield, Virginia 23430.

TOWN OF SMITHFIELD, VIRGINIA

BY: Lesley Greer, Clerk

Publish: September 21 and 28, 2016

Prepared By and Return To: McGuireWoods LLP 1750 Tysons Boulevard, Suite 1800 McLean, Virginia, 22102 Attn: E. Kristen Moye, Esq.

Tax Map No: 21A-01-067A

### **DEED OF EASEMENTS**

(Parking Lot)

THIS DEED OF EASEMENTS ("<u>Deed</u>") is made as of \_\_\_\_\_\_, 2016, by and between TOWN OF SMITHFIELD, a municipal corporation ("<u>Grantor</u>"), and SMITHFIELD FOODS, INC., a Virginia corporation, its successors and assigns ("<u>Grantee</u>").

### WITNESSETH:

WHEREAS, Grantor is the owner of certain property known as Tax Map Number 21A-01-067A, located in Isle of Wight County, Town of Smithfield, Virginia, as more particularly described and shown on <u>Exhibit A</u>, attached hereto and incorporated herein (the "<u>Property</u>");

WHEREAS, Grantee has (or will) construct an <u>additional</u> surface parking lot consisting of thirty-two (32) parking spaces with a storm water management system and appurtenant facilities on a portion of the Property as shown on <u>Exhibit B</u>, attached hereto and incorporated herein (the "<u>Parking Lot</u>"); and

WHEREAS, Grantee desires Grantor to grant and convey unto Grantee, and Grantor has agreed to grant and convey unto Grantee, certain easements over the <a href="Property">Property</a> and Parking Lot on the terms and conditions set forth herein.

### **AGREEMENT**

NOW, THEREFORE, in consideration of the sum of Ten Dollars (\$10.00), cash in hand paid, and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor does convey to Grantee the following easements:

1. <u>Grant of Easements.</u> Grantor hereby grants and conveys unto Grantee, its employees, agents, representatives, invitees, successors and assigns, the following easements: (i) a perpetual vehicular and pedestrian ingress, egress and access easement on, over and across the <u>Property and the Parking Lot</u> for the purpose of access to and from Grantee's adjacent property (the "Access Easement"), and (ii) a perpetual and exclusive easement to access and use all thirty-two (32) of the parking spaces in the Parking Lot for the purposes of parking automobiles and other similar vehicles (the "Reserved Parking Space Easement") and (iii) a perpetual easement to access, use, operate, construct, maintain and repair a storm water management system and appurtenant facilities (the "Storm Water Easement"). The Access Easement, and the Reserved Parking Space Easement and the Storm Water Easement shall collectively be

Comment [ES1]: How many on Town's property and how many on the Theater's?

Comment [ES2]:

referred to as the "<u>Easements</u>". Grantee's use of the Easements shall be without charge to Grantee and to Grantee's employees, agents, representatives, invitees, successors and assigns.

- 2. <u>Term of Easements</u>. The Easements shall in continue in perpetuity.
- 3. <u>Use of Easements</u>. Grantee and its employees, agents, invitees, licensees, lessees, successors and assigns shall have full and free use of the Easements for the purposes named, and shall have all rights and privileges reasonably necessary to the exercise of the Easements. Grantor reserves the right to make any use of the Easements which may not be inconsistent with the rights herein granted to Grantee or interfere with the use of the Easements by Grantee for the purposes herein named.
- 4. <u>Reserved Parking Space Easement</u>. Notwithstanding anything to the contrary, Grantee may utilize the Reserved Parking Space Easement only during the hours of \_\_\_\_\_ AM to \_\_\_\_ PM on business days (i.e., Monday through Friday, excluding New Year's Day, Memorial Day, July 4<sup>th</sup>, Labor Day, Thanksgiving Day and Christmas Day) (such times being referred to herein as the "<u>Grantee Parking Hours</u>"). Grantor may utilize the Parking Lot only during none Grantee Parking Hours.
- 5. <u>Maintenance</u>. Grantee shall reasonably maintain the Parking Lot. Such maintenance shall include snow and ice removal, filling of potholes, asphalting and striping of parking spaces. <u>Furthermore, Grantee shall also reasonably maintain the Storm Water Easement.</u>
- 6. <u>Indemnification</u>. To the extent permitted by law, each party shall defend, indemnify and hold the other party harmless from and against any and all loss, cost, expense, claims, damages, suits, litigation or liability (including, but not limited to, reasonable attorneys' fees) resulting from the other party's use or occupancy of the Parking Lots. To the extent permitted by law, each party shall defend, indemnify and hold the other party harmless from and against any and all mechanic's liens encumbering the Parking Lot arising out of the use by such party of the Parking Lot or its own adjacent property by such party or any of its tenants, licensees, contractors, agents, employees or occupants.
- 7. <u>Insurance</u>. Grantee and Grantor shall each maintain commercial general liability insurance, to include bodily injury, personal injury, and property damage coverage, written on an occurrence basis with a company licensed to transact business in Virginia, in a commercially reasonable amount to cover construction, development, operation, use, inspection and maintenance of the Parking Lot and the Storm Water <u>Easement</u> and any damage or loss suffered or incurred by Grantor or Grantee, their representatives and agents resulting from such work and use. Grantee shall require, during times of maintenance or repair, that all contractors performing work in the Parking Lot and Storm Water <u>Easement</u> maintain general liability, auto liability, excess liability, workers compensation and employer's liability insurance coverage in commercially reasonable amounts, with Grantor named as an additional insured on such policies.

Grantee and Grantor shall provide to the other party evidence of insurance as reasonably requested by such party from time to time.

- 8. <u>Attorney's Fees.</u> In the event any party hereto institutes any proceeding against any other party with respect to any controversy or matter arising out of this Deed, the prevailing party shall be entitled to recover from the nonprevailing party such prevailing party's reasonable attorney's fees and costs incurred in connection with any such proceeding.
- 9. <u>Rights and Remedies</u>. It is expressly understood and agreed that upon a breach of this Deed by any party to this Deed, the nonbreaching owner shall have any and all rights and remedies for such breach at law or in equity, including specific performance.
- 10. <u>Governing Law</u>. This Deed shall be governed by and construed in accordance with the laws of the Commonwealth of Virginia.
- 11. <u>Entire Agreement</u>. The terms and conditions set forth in this Deed represent the entire agreement and understanding of Grantor and Grantee with respect to the subject matter hereof and supersedes all prior agreements, oral or written, and all other communications between the parties relating to such subject matter. This Deed may not be modified or amended except by a writing signed by both parties.
- 12. <u>Partial Invalidity</u>. If any provision of this Deed shall be deemed invalid or unenforceable, the remainder of this Deed in its application shall not be affected by such partial invalidity but shall be enforced to the fullest extent permitted by law as if such invalid or unenforceable provision was never a part hereof.
- 13. <u>Covenants Running with Land</u>. The agreements and covenants stated herein are covenants running with the land, which are and shall be binding upon Grantor and Grantee, and their successors and assigns.
- 14. <u>Counterparts</u>. This Deed and any subsequent amendments hereto may be executed in any number of counterparts, each of which, when executed, shall be deemed to be an original, and all of which shall be deemed to be one and the same instrument. Facsimile transmission signatures shall be deemed original signatures.

[Signatures follow]

WITNESS the following signatures and seals.

# **GRANTOR**:

TOWN OF SMITHFIELD, a municipal corporation

	By: Name: Title:	
COMMONWEALTH OF VIRGINL COUNTY OF ISLE OF WIGHT, to	,	
	as acknowledged before me this, as	
Smithfield, a municipal corporation,	on behalf of the Town.	
	Notary Public	
My Commission Expires:		
Registration Number:		

WITNESS the following signatures and seals.

	GRANTEE:
	SMITHFIELD FOODS, INC., a Virginia corporation
	By: Name: Title:
, 2016, by	t was acknowledged before me this day of, as of Smithfield
Foods, Inc., a Virginia corporation	on, on behalf of the company.
	Notary Public
My Commission Expires:	
Registration Number:	

# EXHIBIT A

# **PROPERTY**

(Cover Page)

# EXHIBIT B

# PARKING LOT

# INVOICES - OVER \$10,000.00 REQUIRING COUNCIL AUTHORIZATION



TOWN OF SMITHFIELD ATTN: LESLEY KING 310 INSTITUTE STREET SMITHFIELD, VA 23430

Please send payments to: KIMLEY-HORN AND ASSOCIATES, INC. P.O. BOX 75557 BALTIMORE, MD 21275-5557

Federal Tax Id: 56-0885615

Invoice No: 8286817 Invoice Date: Aug 31, 2016 Invoice Amount: \$69,624.65

Project No: 116499011.3

Project Name: JOE LUTER SPORTS COMPLEX

Project Manager: WEIST, JAMIE

Client Reference:

For Services Rendered through Aug 31, 2016

### **COST PLUS MAX**

Description	Contract Value	Amount Billed to Date	Previous Amount Billed	Current Amount Due
ARCHITECTURAL DESIGN	24,465.55	24,465.55	24,465.55	0.00
EXPENSES	0.00	528.21	191.06	337.15
JOINT PERMIT APPLICATION	6,500.00	440.00	440.00	0.00
LIGHTING PLAN	1,500.00	342.50	225.00	117.50
MEETINGS AND COORDINATION	6,000.00	5,937.50	5,262.50	675.00
ON-SITE WELL/SEWER DESIGN	8,500.00	8,465.00	7,690.00	775.00
PLANTING AND IRRIGATION	1,500.00	1,500.00	0.00	1,500.00
PRELIM 35% SITE PLAN	13,500.00	13,397.50	13,397.50	0.00
RETAINING WALL SPECS	2,500.00	652.50	0.00	652.50
SITE PLANS	105,000.00	77,557.50	20,367.50	57,190.00
SW MANAGEMENT DESIGN	12,000.00	11,390.00	6,315.00	5,075.00
TRIP GEN/TURN WARRANT	12,500.00	4,987.50	1,685.00	3,302.50
Subtotal	193,965.55	149,663.76	80,039.11	69,624.65
Total COST PLUS MAX 69,624.65				69,624.65

Total Invoice: \$69,624.65



TOWN OF SMITHFIELD ATTN: LESLEY KING 310 INSTITUTE STREET SMITHFIELD, VA 23430 Invoice No: 8286817 Invoice Date: Aug 31, 2016

Project No:

116499011.3

Project Name:

JOE LUTER SPORTS COMPLEX

Project Manager: WEIST, JAMIE

# **COST PLUS MAX**

Task	Description	Hrs/Qty	Rate	Current Amount Due
SITE PLANS	PROFESSIONAL	157.5	130.00	20,475.00
		71.0	145.00	10,295.00
		8.0	180.00	1,440.00
	SENIOR PROFESSIONAL	1.5	200.00	300.00
		83.0	225.00	18,675.00
		4.5	250.00	1,125.00
	SENIOR TECHNICAL SUPPORT	26.0	150.00	3,900.00
	SUPPORT STAFF	3.5	90.00	315.00
		7.0	95.00	665.00
TOTAL SITE PLANS		362.0		57,190.00
PLANTING AND IRRIGATION	SENIOR PROFESSIONAL	3.0	200.00	600.00
		4.0	225.00	900.00
TOTAL PLANTING AND IRRIG	ATION	7.0		1,500.00
SW MANAGEMENT DESIGN	PROFESSIONAL	35.0	145.00	5,075.00
TOTAL SW MANAGEMENT DESIGN		35.0		5,075.00
MEETINGS AND COORDINATION	SENIOR PROFESSIONAL	3.0	225.00	675.00
TOTAL MEETINGS AND COORI	DINATION	3.0		675.00
ON-SITE WELL/SEWER DESIGN	PROFESSIONAL	2.5	130.00	325.00
	SENIOR PROFESSIONAL	2.0	225.00	450.00
TOTAL ON-SITE WELL/SEWER	DESIGN	4.5		775.00
RETAINING WALL SPECS	PROFESSIONAL	4.5	145.00	652.50
TOTAL RETAINING WALL SPECS		4.5		652.50
LIGHTING PLAN	PROFESSIONAL	0.5	145.00	72.50
	SUPPORT STAFF	0.5	90.00	45.00
TOTAL LIGHTING PLAN		1.0		117.50
TRIP GEN/TURN WARRANT	PROFESSIONAL	8.0	180.00	1,440.00
	SENIOR PROFESSIONAL	2.0	200.00	400.00
		6.5	225.00	1,462.50



TOWN OF SMITHFIELD ATTN: LESLEY KING 310 INSTITUTE STREET SMITHFIELD, VA 23430 Invoice No:

8286817

Invoice Date:

Aug 31, 2016

Project No:

116499011.3

Project Name:

JOE LUTER SPORTS COMPLEX

Project Manager: WEIST, JAMIE

Task	Description	Hrs/Qty	Rate	Current Amount Due
TOTAL TRIP GEN/TURN WARRANT		16.5		3,302.50
EXPENSES	PRINTING			115.75
	TRAVEL - OTHER			1.44
	BOND PLOTS	63.0	2.00	126.00
	MILEAGE ON PERSONAL VEHICLES	174.0	0.54	93.96
TOTAL EXPENSES		237.0		337.15
TOTAL LABOR AND EXPENSE	DETAIL			69,624.65

This page is for informational purposes only. Please pay amount shown on cover page.