

The Smithfield Town Council held its regular meeting on Tuesday, October 9th, 2018. The meeting was called to order at 7:30 p.m. Members present were Mr. T. Carter Williams, Mayor; Mr. Michael Smith, Vice Mayor; Mrs. Denise Tynes, Mr. Randy Pack, Ms. Valerie Butler, Mr. Wayne Hall, and Ms. Beth Haywood. Staff members present were Mr. Brian S. Thrower, Town Manager; Mrs. Lesley King, Town Clerk; Mr. William G. Saunders IV, Director of Planning, Engineering and Public Works; Ms. Ellen Minga, Town Treasurer; Mr. William H. Riddick, III, Town Attorney; Mrs. Ashley Rogers; Director of Human Resources, Mrs. Amy Novak, Director of Parks and Recreation, Ms. Judy Winslow, Director of Tourism; Mr. Bill Davidson, Planning Commission member; Mr. Charles Bryan, Vice Chairman for the Planning Commission, Mr. Matthew Rogers, Deputy Chief of Police, and Mr. John Settle; Planning and Zoning Administrator. There were approximately eighteen (18) citizens present. The media was represented by Mr. Frederick Lee of the Smithfield Times.

Mayor Williams – Good evening ladies and gentlemen. Welcome to the Smithfield Town Council meeting of October 9th, 2018. It is now 7:30 p.m. I would like to introduce Boy Scout Troop 36. They will come forward and lead us in the Pledge.

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

Mayor Williams – Thank you for being here. The first order of business tonight is our Informational Section. The first item is the Manager's Report with Mr. Brian Thrower.

Town Manager – Honorable Mayor and Council, the September Activity Report is in your packet. I will be glad to answer any questions if anyone has any.

Mayor Williams – Thank you, Mr. Thrower. We will now move to Public Comments. The public is invited to speak to Council on any matter except for scheduled public hearings. Comments are limited to five minutes per person please. Any required response from the town will be provided in writing following the meeting if you so desire. Please state your name and address as you come to the podium. Do we have anyone who would like to come up for public comments?

Town Manager – The first speaker is Mr. Ruby Holloway.

Mr. Holloway – I live at 206 Great Springs Road. I just wanted to tell you a little bit about my life here in Smithfield. In 2001, my wife and I realized a dream when we bought our first home. I have been a lifelong resident of Smithfield and we were excited to make this our home. We had no thoughts of being rescued by boat from our home

five years later in 2006. On the morning of October 6th, I had planned a hunting outing with my friend. I woke up around 3:00 a.m. to the alarm clock and decided that the winds were too strong for me to go sit out in a tree and wait for a deer to pass. I called my friend to tell him that I would not be going and I went back to bed. I was awakened again around 6:00 a.m. to my neighbor on the answering machine screaming for help. That is how quickly the waters came up. When I woke up at 3:00 a.m. it was not even raining. I called her to see what was wrong and she told me to look outside. I found that our family van was completely under water; but the rains were not done. I was able to get to my johnboat and get my family and neighbors to safety. When it was all over, we had fifteen feet of rain water at my house. Since 2006, we have lost several vehicles to high water. My garage has been flooded many times. We have had several things destroyed by high water. We have had to treat our house several times for mold. Again, on September 9th of this year, after a sleepless night of watching the rain and the water rise; we were rescued again by boat. We were thankful that this time our rescue workers had a boat to come and get us. Again, we lost everything in the lower level of my house. We lost baby pictures of our sons. I lost fifteen years of pictures of me coaching teams. I lost the privilege of bringing a company vehicle home because my company does not trust that we will not have another flood and possibly lose another one of their vehicles. It was asked why we live there. In 2006, we had to take a SBA loan to rebuild our home. We did not have flood insurance. We did not know we were in a flood zone. We are actually not in a flood zone. We had to take the loan to rebuild. To sell our home, we have to pay that SBA loan back. It is just something that we are not able to do. If we were able to sell it, we would buy another home in Smithfield. We love this town. I love being a part of this community and we love the people here. Because of the history of our home, who would buy it? Who would we feel comfortable selling it to knowing the history ourselves? I am here to ask you to please consider a voluntary buyout of my home and help us to relocate. Thank you.

Mayor Williams – Thank you, Mr. Holloway. We appreciate you coming.

Town Manager – The next speaker is Mrs. Rebecca Holloway.

Mrs. Holloway – Good evening. I live at 206 Great Springs Road. On September 9th, we were rescued by boat from our home due to rising water. One time would be enough for that but we have experienced that twice. Whenever the forecast calls for

rain, most people are able to relax or even enjoy sleeping to the sound of rain on their rooftop. We experience constantly getting up to check the level of the water to make sure the yard is okay or if we need to move our vehicles. The area where our homes are built, according to many longtime residents, always has had problems with flooding. It was asked by someone in our own Public Works Department why do those people live there? Well, the question is why were houses built there in the first place for people to live in? We would not knowingly buy a home knowing that we would have to repair it two times from flooding. We have also lost several cars from flooding or have to deal with the constant stress of the certainty of it happening again. At this point, I do not feel that it is no longer a possibility of it possibly happening; but better yet, when it is going to happen. The first time we experienced major flooding we were able to get out with our own boat and help our neighbors. Our youngest son experienced nightmares after the event. He was only five at the time. We did not have flood insurance. We are not in a flood zone and it was not required nor did we know the history of that area. We had to get an SBA loan and it took six months for us to rebuild our home. Since then, we have dealt with many numerous floods. Some were minor but the most recent was major. Unless you have experienced something like this, it is hard to put into words and it is hard for you to understand; but one flood is too many. You work hard to obtain your belongings and to have a house that floods is heartbreaking. It is heartbreaking when you have to throw away your memories and your life and to have people not understand or ask you why you live there is even more heartbreaking. We just ask that you please consider buying these homes and not allowing anyone else to live there and experience what we have experienced. I feel like this is the only solution to this problem as the years that we have lived there we have never seen any solution since then that has worked. We have always had issues with flooding. Whether people realize it or not, every time it rains our yard floods. We just want what everyone else has. We just want to live in our home and have peace of mind. Thank you so much for your time.

Mayor Williams – Thank you, Mrs. Holloway. To let you know, we are very well aware of this. Several Town Council members have been down there. One has talked to someone who lives down there. We are well aware of it and are working on it. The government is so slow. We are working on it and will certainly get back with you. Please

leave your information with the Town Manager or the Town Clerk and we will keep in touch and let you know where we are and what we are doing.

Councilwoman Haywood – I would like to add that we are looking into having a meeting with the people in the neighborhood to talk to them and understand the problems better and see what we can do to come up with a solution.

Town Manager – The next speaker is Mr. Mark Gay.

Mr. Gay – Good evening, members of Council and Mr. Thrower. I do not mean to make light of the comments that were just made. We all know the gravity of them and the importance of them. Mine are of a different nature and I will be brief. I took some time this weekend to review the comments from the September Public Buildings and Welfare Committee meeting. One could argue that it was the modern day equivalent of the gunfight at the OK Corral. There appears to have been quite a bit of overreach by multiple parties in the room. I am not interested in revisiting the battlefield; but in moving forward toward a constructive end. First, I would like to talk about the Wombwell House. Earlier in September, I had the opportunity to speak with Mr. Thrower and Mrs. Butler, separately, about the topic of the draft agreement. I explained my concerns with liability issues and with my belief that Preserve Smithfield does not have the means available to accomplish preservation ends by December of this year. I made that very clear. The house incurred substantial damage at the hands of the fire department in late June. None of which has been repaired to date. The relocation site that was offered by a well-intended citizen simply does not work. The locations which might work along Riverview Street have not been offered by the owners. A potential site in Riverview Park and the old dump site has not been coordinated with or approved by the county which takes time. The cost of relocating the structure from its present location remains unknown to us. At the recent meeting of the Board of Historic and Architectural Review, Mr. Hill indicated that he would call me. I am still waiting for that call. Yet, if I read correctly in the committee summary, several of you are still hung up on the fact that we have not signed and returned the document that Mr. Riddick handed me in early July a few minutes prior to the Town Council meeting. Mind you, that document had not been coordinated with any of you and had not even been reviewed by Mr. Thrower until just before our meeting together last month. Some even went so far as to allege that Preserve Smithfield is not interested in working in good faith with the town since we will

not sign the agreement exactly as Mr. Riddick drafted it. I noticed yesterday afternoon, as I returned home from a business trip, that the Wombwell House is still standing. That is a good thing. In fact, the structure appears to have neither impeded nor obstructed any of the opening fanfare at the nearby sports complex. So, I have taken Mr. Riddick's draft and I have made recommended changes to the document that better align available resources to accomplish preservation of that structure. The most critical resource is time; time to protect the house from further deterioration, time to secure cost estimates and accomplish fundraising, time to convince the county of the merits of using a part of the old Riverview Park as a viable location. I have made copies for Mr. Thrower and Mrs. Butler. I will be happy to provide the electronic copies tomorrow morning so people can edit or make constructive comments. We are a collegial body. I am confident that there will be some further give and take as we go forward. Lastly, allow me to say a few words about the preservation of the Thomas Pierce home, the outbuildings, and the Pierce farm. I reminded the BHAR three weeks ago that it has now been more than two years since they voted to enforce the demolition by neglect ordinance and proceedings against the owner of Pierceville. Two years which involved an estimated \$75,000.00 to preclude further deterioration. Town Council upheld that vote and further upheld, unanimously, the rejection of the owners request to raze Pierceville in lieu of making the ordered repairs. A second request to raze was rejected, unanimously, by the BHAR nearly a year ago and remains on appeal to this Council. If I understand correctly, the Town Attorney opined two weeks ago that it remains in the town's best interest not to pursue the courts enforcement of demolition by neglect or even to settle Mrs. Delk-Crocker's lawsuit against the town. Mr. Thrower, I ask that you provide a brief explanation of the legal reasoning that supports such an assertion. If fails the common sense test. The Thomas Pierce home and farm is rich in colonial Virginia history. It is even older and more historically significant than Windsor Castle. The Pierceville structures themselves are authentic, architectural treasures to be preserved. My strong recommendation is that Mrs. Butler's committee be empowered to coordinate directly with the Trust for Public Land. We do not have much time to spare. Thank you for your time.

Mayor Williams – Those are all of the signups for tonight. Is there anyone else who would like to speak?

Ms. Cheryl Windt – I live at 12485 Foursquare Road in Windsor, Virginia. I am friends with Becky and Ruby Holloway. I was the first one on the list but I wanted them to talk first. After they spoke, I was just wondering if there is anything the Town Council can do because we are expecting between 5" to 5 ½" inches of rain Thursday evening into Friday. I know there is a subdivision in Virginia Beach that has the same kind of issues with flooding. They said that next year they will reroute the water so it will not flood in that area; but until then they will pump the water so that it will not flood the homes. I do not know if the town has the ability to do something like that. If you know where the 7-Eleven is across from Powerhouse Equipment, there is a modular house that was just put in about a year ago. There is a little road and then four houses and these are all of the houses that are getting damage from the water. I do not know if it is a matter of cleaning out the ditches because the water is coming from up higher. The people that live up on the hill cannot come out because of the flood water. Then you have the rescue squad over there and they cannot even come through. Something needs to happen in the meantime so that they do not get damage and people do not get hurt. I do not know if that is something that could be done for this next rain event. Thank you.

Mayor Williams – Thank you for your input. We will be checking on it. Would anyone else like to speak for public comments? Hearing none, we will move to a Presentation by Western Tidewater Free Clinic by Mrs. Stefanie Broadwater.

Mrs. Broadwater – Good evening Mr. Mayor, members of Town Council, and staff. I live at 1027 Cypress Creek Parkway. I am here tonight as a Board member of the Western Tidewater Free Clinic. We also have Mr. Charlie Broadwater here from the Board as well. We, on behalf of our patients in the clinic are here to say thank you and provide a brief update. The Smithfield Town Council has been an annual financial supporter and partner of the Western Tidewater Free Clinic since April 2008. We are so grateful to you and really say a heartfelt thank you. For the 2018-2019 fiscal year, you are the only municipality to fully fund our budget request. Also, very coincidentally, your check arrived today and we thank you for that. Since our opening in June of 2007, WTFC has provided care to five 5,200 unduplicated patients who have been treated through 145,000 medical, dental, mental health and eligibility visits, and pharmacy consults. These patients have received over 231,000 free medications with a retail

value of almost \$44,000,000.00. As I have told you before, our patients are critically ill and having a health home allows them to receive the consistent care and support they so desperately need to reclaim and improve their health and their lives. This work would not be possible without you. Sadly, 2017 was a record setting year for treating patients at Western Tidewater Free Clinic and 2018 looks like it will be another. We are anticipating treating over 1,700 in 2018 through over 20,000 visits. On average, it costs the clinic \$1,200.00 to care for one patient for one year. Your funding for fiscal year 2018/2019 will provide yearlong comprehensive care to 34 patients through an estimated 428 visits. I know you all like the details. Let me speak to you just a little bit about the Town of Smithfield proper. For the last 12 month period ending June 30th, we have treated 113 patients specifically from the town limits proper. They have been seen through 1,412 visits. They have received free medications with a value of almost \$400,000.00 and received services valued in excess of \$100,000.00. We also had 43 patients who received their eligibility work at the Isle of Wight Health Department. They got to do that important step here locally instead of having to drive to Suffolk. We are happy to be here in the community to be able to do that here. I thought you would appreciate knowing that it is not just Council locally that supports the clinic. We have 22 volunteers from this area. In 2017, we had 46 donors gave an excess of \$74,000.00. We appreciate every bit of that local support for the mission. Usually, I share a patient story with you. However, tonight, I want to share some news. I figured you would all ask me about it anyway. As you are aware, the Commonwealth of Virginia has decided effective January 1st, 2019 to expand Medicaid. Our existing patients will be impacted by this change. With a shortage of medical providers to accept new Medicaid patients many of our patients will be unable to secure the quality care that Western Tidewater Free Clinic has provided them. To ensure our current patients continue to receive access to comprehensive healthcare, the Board of Directors has decided that WTFC will accept Medicaid focused primarily on our existing patients. We are committed to providing the continuity of care for these patients who have found a health home at WTFC. Again, with much gratitude, thank you for your investment in the mission of the Western Tidewater Free Clinic. The care is free to our patients but it is certainly not free to provide that level of care. Volunteers and partnerships with local businesses, municipalities, organizations, and individuals make our work possible. For every dollar

donated, we provided between \$7.00 and \$8.00 in medical services. It continues to be a strong return on investment. Thank you. I am happy to answer any questions.

Mayor Williams – You do such a wonderful job we never have any questions. We appreciate it. We now have a Briefing by Mr. Dick Grice, Isle of Wight County Board of Supervisors, Smithfield District.

Supervisor Grice – Good evening. I represent the Smithfield District. Your county Board of Supervisors has met four times since I last met with this distinguished body. At the Board's September 6th work session, the Board was provided an update by Kimley Horn on a wetlands study we had undertaken for the 965 acre Phase III properties at the Shirley Holland Industrial Park. To our own disappointment, approximately 70% of the property is likely to now be declared wetlands and will likely cease or cause development delays in the future. It seems that the Department of Agriculture recently changed and is now declaring the Loblolly Pine a vegetation indicating wetlands. Thus, yellow pine historically grown throughout the southeast coastal areas commonly grown and harvested every 20 years or so then replanted makes the area wetlands. This recent Loblolly classification is being looked into by the Board. At this meeting, we reached a consensus of how the Board's opening invocation will be administered going forward. This action was required to comply with the 4th District Court ruling on the Lund vs. Rowan County case. The Board will be reaching out to local community pastors, priests, and church leaders to open our meetings. The Board continues to believe that it can use all the prayer it can get. New business at the work session included the appointment of an interim County Attorney. We appointed Smithfield's Mr. Bobby Jones. We reached an agreement on participating members of the Blackwater Project Task Force. We agreed that in light of the county's current debt posture, financial position, and recent School Board recommendation of capital needs of some \$78,000,000.00 the county needs to form a Strategic Capital Plan Commission. If anyone wishes to serve on this commission, please feel free to contact me. Our participating members will be required to provide their own crystal balls. That was my attempt at humor for the evening. It is the best I can do. On September 10th, we called a special meeting about the impending hurricane and the Governor declaring a Zone A storm surge area evacuation. We felt a special meeting was needed to determine our emergency readiness and to set a 'go' and 'no go' time for the Isle of Wight County Fair. The

following morning the Fair was cancelled and on Friday evening we opened one shelter at the Windsor High School. The shelter was closed Saturday morning as no one sought shelter. By the way, our shelters open to not only Isle of Wight County citizens but anybody moving this direction. We could have people from Virginia Beach or other areas coming to us. It is the reason we opened and we are required to do so. We will receive a report on costs associated with these actions shortly. On September 20th at our regular meeting, VACO presented an achievement award to the county for its development of GIS mapping program assisting with the management of stormwater program. The county also awarded its second public service award for 2018. Ms. Lois Tokarz with our Tourism Department was the recipient for her outstanding work and artistry skills used throughout the county. Having her talents on staff, we have saved the county an estimated \$75,000.00. At the meeting, we held three public hearings. We had an application for a congregate housing facility in the General Commercial zone and it was denied. Applications for a trucking facility being converted to an office and warehouse with minor revisions to the county ordinances to comply with the new state code changes were approved. We received an update on the third round of the Comprehensive Plan meetings. They have now been concluded. The Smithfield District meeting at the Smithfield Center was well attended at both sessions. I applaud Smithfield's residents for their participation. It is good to see public participation in a most important planning process that will influence management of county's future growth. During the new business segment of that agenda, the Board expressed its displeasure with the way money specifically allotted for school safety was being coordinated and spent. After review of a \$65,000.00 door lock implementation and the failure of having the project coordinated through county staff as promised, the Board mandated an administrative review process prior to the school awarding new orders for material or labor from allocated safety funds. The balance of the \$800,000.00 is still available for items specifically requested; but will require a team effort and administrative review before the money is spent. Our most recent meeting was an Intergovernmental meeting between your county Board and all four of our state legislative representatives. At the October 4th meeting, we had the opportunity to converse with Senators Norman, Lucas, Cosgrove as well as House of Representative Brewer. The discussion included but was not limited to state budget concerns, school

funding, Medicare, unfunded mandates, VDOT, and numerous other issues that impact the county and its two towns. Attendance at this meeting was sparse. If interested, you can watch the meeting on the county website and click on recorded meetings. I think you will find the conversation very open and very much on point of what the state is coordinating with the county. I also look forward to another later this week between the county and the two towns. This is the second annual meeting with our state legislators during my tenure. We thank them for their participation. It is always good to have an open dialogue with state representatives since they are sending down money. We encourage them to keep doing it. Are there any questions or concerns from anyone?

Councilman Pack – Back to the cancellation of the Fair, I was wondering if there was any event insurance for it. I know you have a lot of volunteers who spend a lot of time on planning and deposits have to be made. Is there any potential to recoup that?

Supervisor Grice – There is no insurance. The cost of the insurance would exceed any revenues that we could recoup. We could buy insurance but then we would have to turn around and spend everything and refund the coffers of the Fair. I will tell you that we have had some of the entertainers and some of the other participants have been very, very gracious and are not charging us. We thank them for that.

Councilman Pack – I will let you know that, several years ago, I was involved with the Bacon, Bourbon, and Beach Music Festival here in town which we had to cancel. We were able to purchase event insurance for that and all of the events we do for Smithfield VA Events. We found it to be very reasonable. At that time, we had about \$250,000.00 in expenditures that they were able to refund to us. While difficult and much easier to have the program, I believe the cost was somewhere between \$6,000.00 to \$9,000.00 per event to do that. From past experience, it may be worth looking into for you guys.

Supervisor Grice – We will certainly entertain looking at that again. However, we have looked at it on several other occasions and it has been prohibitive; primarily, due to the duration of the event. It is an extended period of time. It goes into the millions.

Councilwoman Tynes – You spoke about the Shirley Holland Park possibly being identified as wetlands now. I wanted to ask you a question about future development there. I am thinking that would be a problem because most of the development in that park is industrial. Would that prohibit further development do you think?

Supervisor Grice – We have an engineering study ongoing on that project. I cannot really tell you the impact yet. We have identified certain areas that are not impacted; but in many instances you have to cross the wetlands to get to it because it is an interior location. It is all being addressed right now. We are waiting for the final report and hope to have that prior to the end of this month. Then, we will have to talk to the Army Corps of Engineers. Are there any other questions or comments? Thank you.

Mayor Williams – Thank you, Mr. Grice. We will now move to Council Comments.

Councilwoman Tynes – I would like to tell you about 2018 VML Conference. We had it last week in Hampton. It is why we are having our meeting tonight because we were in Hampton last Tuesday. We had an enjoyable time. Councilwoman Butler, Councilman Hall, Councilwoman Haywood, and I were in attendance. We also had our Town Manager, Brian Thrower, there as well. Our new VML President is Anita Price. She is from Roanoke. Next year, we will be having the annual conference in Roanoke. The outgoing President, Dr. Pat Woodberry, is from Newport News. We had an enjoyable time. Hopefully, you may hear some things about some of our Council members in the future. Thank you.

Mayor Williams – I would like to recognize Dr. Milton Cook who is here tonight. He was a long time Council member. Welcome. We are glad you are here. I miss you being up here trying to keep me straight. We also have a special guest. She is a young lady from the local high school. She has been to several committee meetings and two or three Council meetings. She is very interested in government. She is Ms. Annie Ing. I would like for everyone to applaud her. Not many people come here and want to hear what is going on with the grownups. I would like to give you one of our Town of Smithfield lapel pins. Thank you for coming. I will not be here in twenty years; but you may be looking at the future President of the United States. She is a smart girl. I know her very well. We will now move to our Summary of the Consent Agenda Items.

Councilman Pack – The Mayor asked me to give a brief overview of our consent agenda items in general; not specific to this meeting. Our Council is setup a little bit differently than most government bodies in a way that, I think, is more efficient. We have committee meetings on the 4th consecutive Monday and Tuesday of each month. At the top of your agenda this evening, you will notice that we had them on October 22nd and 23rd at 3:00 p.m. We have divided our Council up into six different committees. Three of

them meet on Monday and the other three meet on Tuesday. It is an informal way of discussing town business. We are not limited to five minutes at the podium. We have back and forth discussion with residents that have concerns. We discuss more openly and casually some of the events in town. If we come to a conclusion at any of these meetings where we feel we are all in agreement and that we would like to send this to Council for consideration, we put the items on the consent agenda. It speeds up our program tonight. We do not have to hash out each item individually during the Council meeting. Tonight, we have seven items on the consent agenda. We will go through them with each Chairperson from that committee who will explain them in brief detail. We have all come to a reasonable conclusion that we would like to approve an item as presented. We always have the option to discuss it further by pulling it from the consent agenda and make it an action item. We do this if something needs further consideration. We find it to be a more efficient way to work and get through our evening without the public having to be here until midnight.

Mayor Williams – We will now move to the consent agenda. Would any Council member like to pull an item for further discussion? Hearing none, we will move to our Police Committee Chair, Mrs. Denise Tynes.

Councilwoman Tynes – Police Committee Summary. I have two items on the consent agenda this evening. The first is a resolution to approve the street closure request for the Horsepower on Main Street Car Show on October 27th, 2018. This is an annual event. The next item is a resolution to approve the street closure request for the Halloween Safe Trick or Treat on October 31st, 2018 from 5:00 p.m. until 8:00 p.m. This is also an annual event. It is sponsored by the town and the businesses on Main Street. We would also like to recommend that parents bring their children to this event because it is a safety thing.

Mayor Williams – We will now move to our Water and Sewer Committee Chairman, Mr. Mike Smith.

Vice Mayor Smith – Water and Sewer Summary. We have a motion to renew the mechanical, electrical, and utility services contract with REW Corporation for one additional year. These people work in emergencies and also with other contracts we have for things that involve pump stations. Everyone is happy with their performance and their response. We recommend it for approval this evening.

Mayor Williams – We will now move to the Finance Committee Chairman, Mr. Randy Pack.

Councilman Pack – Finance Committee Summary. Thank you, Mr. Mayor. We have several invoices this evening over \$10,000.00 which require Council's authorization. The first is to Draper Aden Associates for \$19,239.45 for progress billing for several items around town. The next one is for REW Corporation for \$12,075.00 for the Crescent Street pump station fans. The Town Council approved these on January 3rd, 2018. The other REW invoice is for the Crescent Street pump station for the installation of a bypass pump for \$33,650.00. We have an invoice for the Windsor Castle Restoration project for \$200,000.00. This is a draw for the restoration work going on in the Windsor Castle Restoration historic easement. Since our Finance Committee meeting, we have two additional invoices. The first is to Summit Design for the work being done over at Pinewood Heights Relocation project for \$13,036.55. The next one is for something that is super cool and the police asked for. It is to Recon Robotics for \$17,674.00 and was approved on September 4th, 2018. I hope the Boy Scouts are paying attention. The Smithfield Police Department now has a robot that they can launch into a house through a window. It sits up kind of like a Segway. It has cameras on there so they can get in the house and look to see what may be in the house that may present a hazard for the officers or the people in the house. I thought it was pretty cool. It is like a drone on wheels that you launch into a building. We offered that for approval and they have taken possession of it. Our next item is a motion to adopt a Personal Property Tax Relief Act (PPTRA) percentage. This percentage is passed down to the state for personal property. Most of the time, the personal property will be on cars. This year's PPTRA was for 49.25% which is an increase from last year which was 48.5% so we are getting a little more relief for our personal property this year. Thank you.

Mayor Williams – We will now move to our Parks and Recreation Committee Chairman, Mr. Wayne Hall.

Councilman Hall – Parks and Recreation Committee Summary. Thank you, Mayor. We have a motion to approve the park project application for interpretative signage at Windsor Castle Park by the Master Naturalist. During committee, it was

discussed by Mrs. Novak that the signs would provide educational elements to Windsor Castle Park. It will aid in guided tours with school groups and adult groups. Thank you.

Mayor Williams – Our next item is by Public Buildings and Welfare Committee Chair, Mrs. Valerie Butler.

Councilwoman Butler – Public Buildings and Welfare Committee Summary. Thank you, Mayor Williams. We have a motion to accept the deed for 22 Jamestown Avenue as part of the Pinewood Heights Relocation Project. This is part of Phase III which is coming to a close. Hopefully, Phase IV will be beginning soon.

Councilman Pack – Mr. Mayor, I would like to make a motion to approve the consent agenda items as presented.

C1. Resolution to Approve the Street Closure Request for the Horsepower on Main Street Car Show, Saturday, October 27th, 2018 from 2:00 p.m. until 9:30 pm.

C2. Resolution to Approve the Street Closure Request for the Halloween Safe Trick or Treat on Wednesday, October 31st, 2018 from 5:00 p.m. until 8:00 p.m.

C3. Motion to Renew Mechanical, Electrical and Utility Services Contract with REW Corporation for One Additional Year.

C4. Invoices Over \$10,000.00 Requiring Council Authorization:

a. Draper Aden Associates	\$ 19,239.45
b. REW Corporation	\$ 12,075.00
c. REW Corporation	\$ 33,650.00
d. Windsor Castle Restoration	\$200,000.00
e. Summit Design – additional invoice	\$ 13,036.55
f. Recon Robotics – additional invoice	\$ 17,674.00

C5. Motion to Adopt Personal Property Tax Relief Act (PPTRA) Percentage.

C6. Motion to Approve Park Project Application for Interpretative Signage at Windsor Castle Park by the Master Naturalist.

C7. Motion to Accept the Deed for 22 Jamestown Avenue as Part of the Pinewood Heights Relocation Project.

Vice Mayor Smith – Second.

Mayor Williams – A motion has been made and properly seconded. Is there any further discussion? Hearing none, roll call vote.

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

Mayor Williams – We will now move to the Action Section of the agenda. We have a Motion to Approve the Town Council Meeting Minutes of September 4th, 2018.

Town Attorney – Mr. Mayor and members of Council, I recommend the minutes be approved as presented.

Vice Mayor Smith – So moved.

Councilman Pack – Second.

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

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

Mayor Williams – We will now move to New Business. We have a Motion to Adopt an Ordinance to Amend the Town's Utility Rate Effective July 1st, 2018.

Town Attorney – Mr. Mayor, at the time of the adoption of your budget the utility rates were published and there was a public hearing held. The rates were adopted as part of the budget. The Town Treasurer and I were talking about this. We determined that it is prudent to go back and amend the town's ordinance to reflect the rates in the code. Accordingly, I have prepared an ordinance amending the section on services for water and sewer which will reflect the current rates for water and sewer services. I would recommend that this ordinance be adopted.

Mayor Williams – It is on page 121 if anyone wants to see the rates.

Councilman Pack – Just to be clear, the rates are not an increase but the budgeted rates.

Town Attorney – Correct. This is a memorialization in the town code of the rates that were adopted at your public hearing and as part of the budget.

Vice Mayor Smith – I make a motion to approve the ordinance to amend the town's utility rates.

Councilman Pack – Second.

Mayor Williams – A motion has been made and properly seconded. Is there any further discussion? Hearing none, roll call vote.

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

Mayor Williams – Is there any other new business to bring before Council? Hearing none, we will now move to Old Business. Is there any old business? Hearing none, we will now move to our Closed Session.

Town Attorney – Mr. Mayor, we need a motion to go into closed session for the purpose of discussing the disposition of publicly held real property and consultation with legal counsel as to actual litigation pursuant to 2.2-3711A. 4 & 7 of the Code of Virginia.

Vice Mayor Smith – So moved.

Councilman Hall – Second.

Mayor Williams – A motion has been made and properly seconded. All those in favor say aye, opposed say nay.

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

Town Council went into closed session at 8:20 p.m.

Town Council went back into open session at 8:52 p.m.

Mayor Williams – We need a motion to go back into open session.

Councilman Hall – So moved.

Councilwoman Tynes – Second.

Mayor Williams – A motion has been made and properly seconded. All those in favor say aye, opposed say nay.

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

Town Attorney – Mr. Mayor, we need a motion that during the closed session there was only a discussion of the disposition of publicly held real property and consultation with legal counsel as to actual litigation pursuant to 2.2-3711A. 4 & 7 of the Code of Virginia.

Councilwoman Tynes – So moved.

Councilman Hall – Second.

Mayor Williams – A motion has been made and properly seconded. All those in favor say aye, opposed say nay.

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

Mr. Mayor – We need a motion to authorize a public hearing for the consideration of granting a license for a dumpster site and the Wharf Hill parking lot property.

Councilwoman Butler – So moved.

Councilwoman Hall – Second.

Mayor Williams – A motion has been made and properly seconded. Is there any further discussion? Hearing none, roll call vote.

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

Mayor Williams – Is there anything else to come before Council tonight?

Town Attorney – We need a motion to amend the legal description on the existing lease between the Town of Smithfield and Historic Windsor Castle Restoration to omit the five acre vineyard site from the leased area and to authorize the Town Manager to execute the amendment.

Councilman Pack – So moved.

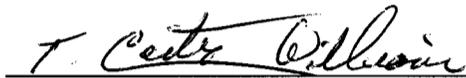
Vice Mayor Smith – Second.

Mayor Williams – A motion has been made and properly seconded. Is there any further discussion? Hearing none, roll call vote.

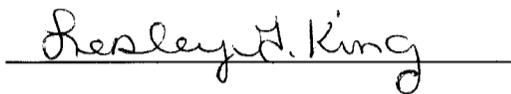
On call for the vote, seven members were present. Councilman Hall voted aye, Councilman Pack voted aye, Councilwoman Butler voted aye, Vice Mayor Smith voted aye, Councilwoman Haywood voted aye, Councilwoman Tynes voted aye, and Mayor Williams voted aye. There were no votes against the motion. The motion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

Mayor Williams – Is there any further business to come before Council tonight?
Hearing none, we stand adjourned.

The meeting was adjourned at 8:54 p.m.



Mr. T. Carter Williams
Mayor



Mrs. Lesley King
Town Clerk