

SMITHFIELD TOWN COUNCIL AGENDA

April 3rd, 2012 at 7:30 p.m.
Held at Smithfield Center, 220 N. Church Street



A. INFORMATIONAL SECTION:

1. Manager's Report
 - a. March Activity Report

B. UPCOMING MEETINGS AND ACTIVITIES:

- | | | |
|----------|---|--|
| April 3 | - | 7:30 p.m. – Town Council Meeting |
| April 10 | - | 7:30 p.m. – Planning Commission Meeting |
| April 17 | - | 7:30 p.m. – Board of Historic and Architectural Review |
| April 19 | - | 3:00p.m. – Budget Work Session – Town Hall |
| April 23 | - | 4:00 p.m. – Town Council Committee Meetings (Consecutive)
Police Committee
Water and Sewer Committee
Finance Committee |
| April 24 | - | 4:00 p.m. – Town Council Committee Meetings (Consecutive)
Fire and Rescue Committee
Public Works Committee
Public Buildings and Welfare Committee |

NOTE: All of the above public meetings will be held at the Smithfield Center, unless otherwise noted.

C. Public Comments:

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

- A. Briefing by Mr. Al Casteen, Isle of Wight County Board of Supervisors, Smithfield District
- B. Proclamation Declaring April 28th as YMCA Healthy Kids Day **TAB # 1**

D. Council Comments

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

CONSENT AGENDA ITEMS

- C1. Accept Recommendation to Appoint Sergeant Jones to Serve on the Virginia Alcohol Safety Action Program (VASAP)
Police Committee Chair, Denise N. Tynes
- C2. Motion to Authorize the Town Manager to Amend our Current Backflow Prevention Program to allow for Water Shut Off as a Final Means of Enforcement
Water and Sewer Committee Chair, Andrew C. Gregory
- C3. Resolution to Allow the Town of Smithfield to Participate in Proposed Study of Regionalization of Sanitary Sewer Assets **TAB # 2**
Water and Sewer Committee Chair, Andrew C. Gregory
- C4. Invoices Over \$10,000 Requiring Council's Consideration:
Finance Committee Chair, John L. Graham
- | | | | |
|----|---|--------------|----------------|
| a. | Draper Aden Associates | \$ 27,531.60 | |
| b. | Excel Paving Corporation | \$196,046.90 | |
| c. | REW Corporation | \$ 29,474.75 | |
| d. | Hunton & Williams (G.O. Bond Financing) | \$ 15,000.00 | |
| e. | Gately Communications Co (SPD Building) | \$ 12,743.24 | |
| f. | SVFD (Fuel Fund & Travel) | \$ 12,989.75 | |
| g. | Clark Nexsen | \$ 17,394.42 | TAB # 3 |
- C5. Motion to Award Landscaping Contract to Southern Shores Lawn and Landscaping
Public Works Committee chair, Constance Chapman
- C6. Motion to Renew Street Maintenance Contract with Blair Brothers, Inc. for One Additional Year
Public Works Committee Chair, Constance Chapman
- C7. Motion to Renew Mowing Contract with Brown's Lawn and Tractor Service for Mowing Services at Windsor Castle Park
Public Works Committee Chair, Constance Chapman
- C8. Motion to Authorize the Town Manager to Purchase Budgeted Public Works Truck with the State Contract Pricing of \$24,974.72
Public Works Committee Chair, Constance Chapman
- C9. Motion to Accept Agreement between S. Dawson Moody and Lacey T. Moody and the Town of Smithfield for Lump Sum Payment to Replace Driveway **TAB # 4**
Public Works Committee Chair, Constance Chapman
- C10. Motion to Amend MOU Agreement Between the Town of Smithfield and Isle of Wight County to Reallocate Funds for the Pinewood Heights Project
Public Buildings and Welfare Committee Chair, Dr. Milton Cook
- C11. Motion to Authorize the Town Manager to Re-issue Request for Proposals (RFP) for 117 North Church Street
Public Buildings and Welfare Committee Chair, Dr. Milton Cook
- C12. Motion to Accept Agreement to Renew MOU for Farming Operations at Windsor Castle Park **TAB # 5**
Public Buildings and Welfare Committee Chair, Dr. Milton Cook

ACTION SECTION

1. **Continued Discussion on No Skateboarding along Luter Drive and Main Street along Wharf Hill or Skateboarding Allowed with Restricted Hours** **TAB # 6**
Police Committee Chair, Denise N. Tynes
- 2.
3. **Motion to Approve the Town Council Minutes for the Meeting of March 6th, 2012**
Town Attorney, William H. Riddick, III
4. **Old Business:**
5. **New Business:**
6. **Adjournment** -

March 30, 2012

TO: SMITHFIELD TOWN COUNCIL

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

SUBJECT: MONTHLY ACTIVITY REPORT – March 2012

TOWN MANAGER'S OFFICE:

- a. Conducted Police Chief Panel interviews and completed search process with appointment and Council confirmation of Steven G. Bowman.
- b. Attended Smithfield Police Department reaccreditation team activities and dinner.
- c. Attended following meetings: Smithfield 2020, IOW Emergency Communications Center board, Pinewood Heights Management Team, HRPDC Chief Administrative Officers, Hampton Roads Mayors and Chairs luncheon along with Mayor Hare, Monday Morning Moan, Intergovernmental Relations Committee, ADA breakfast meeting, etc.
- d. Worked on America in Bloom community profile.
- e. Conducted exit interview with outgoing SPD Sgt. Julian Evans.
- f. Met with NPS and VDGIF representative re Capt. John Smith trail initiatives.

TOWN CLERK'S OFFICE:

- a. Transcribed and proofed the monthly minutes for Town Council , Planning Commission and Board of Historic and Architectural Review.
- b. Attended Windsor Castle Foundation Board Meeting on March 1st.
- c. Prepared March Town Council Committee Agenda and April Town Council Agenda.
- d. Attended Town Council Committee meetings on March 26th and 27th and prepared summary reports of the committees.
- e. Attended Pinewood Heights Management Team Meeting, March 14th.
- f. Attended Intergovernmental Relations Committee, March 19th.

TREASURER'S OFFICE:

- a. Reconciled February cash balances and prepared January financial statements.
- b. Began budget process with projected general fund revenues.
- c. Attended the Pinewood Management Team meeting on March 14 in the Smithfield Town Hall building.

- d. Swore in the new police chief, Steven Bowman, on March 15.
- e. Prepared and submitted the Annual Return/Report of Employee Benefit Plan (Form 5500) to the Internal Revenue Service.
- f. Prepared and submitted the Annual Highway Maintenance Report to the Weldon Cooper Center.
- g. Made an offer to Comarth Saunders to fill the Financial Analyst position. She accepted the offer and will begin work on April 16.

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 broken meters and install new ones, take a minimum of 8 water samples and have them tested, flush water lines, repair radio or touch pads after each reading if needed, maintenance on town owned buildings.
1. Sewer Line Repairs and Maintenance:
 - a. 320 Grace St. - located and repaired sewer lateral
 - b. 204 East St.- repaired sewer lateral
 - c. 220 Main St. - T.V. the sewer lateral and installed a town side sewer clean out.
 2. Sewer Pump Station Repairs and Maintenance:
 - a. Weekly and daily checks on all 27 pump stations.
 - b. Began pump downs of pump stations – 99% complete.
 - c. Pulled and cleaned pumps at Plaza, Canteberry and Morris Creek
 - d. Crescent Dr pump station seal fail - replaced the seals. Sent pump off to EMR to have rebuilt, pump is back and is working.
 - e. Replaced a bad float at Watson pump station that controls the pumps.
 - f. R.E.W working on alarms at pump stations
 - g. Began work on the air release valves that we have on the sewer system.
 - h. Monthly cleaning of 6 pump stations and stations that have built up grease that are not on monthly schedule.
 3. Water Line Repairs and Maintenance:
 - a. Repaired water leak at 200 East St. ½ galvanized line began to leak. Staff repaired with wrap clamp.
 - b. Staff lowered water meter at 104 South Church St. Due to construction new meter had to be lowered to match finished grade.
 - c. Installed temporary water service to 113 N. Church St.
 - d. Repaired and replaced section of water service line to James St. pump station.
 - e. Repaired outside spigot at the Town Mangers office.

4. Well Repairs and Maintenance

- a. All wells are off now that plant is running. Upgrades to well houses are being planned to keep wells in operating condition in case of an emergency.
- b. Replaced light bulbs on top of the South Church St. water tank.
- c. Cleared fallen trees off fence at the Battery Park Rd. water tank.

5. Water Treatment Plant

- a. Daily lab analysis, sampling and reports for VDH, HRSD, DEQ and ITT.
- b. Cleaned third stage of R.O. skid with caustic solution.
- c. Had technician from Acrison on site to repair lime feeder.
- d. HRSD inspectors came to inspect plant, pump station and records.
- e. Representative from Carter Machinery gave a tour of our generator to HRSD representatives.

6. Safety

- a. Monthly truck inspections.
- b. All Public Works employees attended Lawn Mower/Power Tool Safety Training.
- c. Monthly playground inspections.

7. Miscellaneous

- a. Clean off and repaired walking trails at the Windsor Castle Park twice a week by grounds crew or as needed. Trash cans, recycle bins, information stands and doggie bags are emptied, cleaned or refilled as needed on Mondays and Fridays.
- b. Grounds crew began grass cutting for the season and trash pick up to keep the Town clean Great Springs Rd., Battery Park Rd., Rte 10 Bypass, John Rolfe Dr. Main St./258 and Waterworks Rd.
- c. Minor repairs at Town Hall and Town Buildings.
- d. Grounds crew completed work on Jersey Park playground
- e. Staff worked Isle of Wight Expo to promote recycling program.

PLANNING AND ZONING:

1. Planning Commission – 03/13/12

- A. Entrance Corridor Design Review - McDonald's Restaurant – Elmer Tolle, Blakeway, Corp., applicants – Approved.

2. Rezoning Applications under review

- A. None
- 3. Special Use Permit Applications under review
 - B. None
- 4. Subdivision and Site Plans under review
 - A. McDonald's Restaurant
- 5. Subdivision and Commercial Sites Under Construction and Inspection
 - A. Church Square, Phase I (95% complete)
 - B. Smithfield Manor Townhomes (Formerly Halstead Landing) (75% complete)
 - C. Lakeview Cove Condos (75% complete)
 - D. YMCA (85% complete)
 - E. Smithfield Foods Test Kitchen (95% complete)
 - F. True Value (90% complete)
 - G. Main Street Baptist Church (15% complete)
 - H. Taste of Smithfield (15%)
- 6. Board of Zoning Appeals 03/20/12
 - No meeting held.
- 7. Board of Historic & Architectural Review 03/20/12
 - A. Proposed Sign – Evergreen Cemetery, Cedar St. – No designation – Peyton Barlow, Smithfield Rotary Club, Smithfield Ruritan Club, applicants – Approved.
 - B. Proposed Sign – 259 James Street (Luter Family YMCA) – Contributing – Christa Pickrell, Cardinal Signs, applicants - Approved.
 - C. Proposed Exterior Renovation and New Entrance Structures – 100 Main Street (Chamber of Commerce) – Contributing – Connie Rhodes, Chamber of Commerce, applicants - Approved.

ENGINEERING:

- A. Church Square, Phase I, contractor has installed E & S controls as required by the Town and the approved site plans. No homes are under construction at this time.
- C. Lakeview Cove, contractor Wolf Constr. has installed all E & S controls as per the approved site plans and required by the Town. No condominiums are under construction at this time.

- C. South Church Street Streetscape Project, Contractor continued installation of Verizon & Charter Cable conduit system from Sta. 107 + 00 to the Verizon Building. Contractor continued and completed installation of the storm water system from Sta. 100 + 50 to Sta. 105 + 00 and accompanying structures 2 -2, 1-6, 1-5, 1-5A, 1-4A, 1-4, 1-3, 1-3A 1-3E, 1-1, 1-2A & 1-2B. Contractor also installed all connecting and related storm drain pipes. Contractor continued and completed installation of service tie-ins of 8" water main from Cedar Street to Luter Drive Sta. 100 + 00 to Sta. 107 + 00. Contractor continued installation of curb & gutter on the east & west sides of project from Sta. 107 + 00 to St. 115 + 00. Contractor started installation of sidewalk mud slab at various locations on the east and west side of project Sta. 113 + 00 to Sta. 123 +50. Contractor has now installed and maintains the detour from Cedar St. to Luter Drive.
- D. Blair Bro.'s Contr. started and completed regrading outfall ditch at the end of Widgeon Court which is also behind the Watson Dr. Pump Station.

March 30, 2012

TO: SMITHFIELD TOWN COUNCIL

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

SUBJECT: INFORMATIONAL REPORT FOR THE POLICE COMMITTEE MEETING
HELD ON MONDAY, MARCH 26, 2012

The Police Committee met Monday, March 26th, 2012 at 4:00 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee members attending were: Mrs. Denise N. Tynes, Chair; Ms. Constance Chapman and Mr. Andrew C. Gregory. Other Council members present were Mr. T. Carter Williams, Vice Mayor; Dr. Milton Cook, Mr. John L. Graham, and Mr. David M. Hare, Mayor. Staff members present were: Mr. Peter M. Stephenson, Town Manager; Ms. Lesley J. Greer, Town Clerk; Ms. Ellen Minga, Town Treasurer; Mr. William T. Hopkins, III, Director of planning Engineering and Public Works; Mr. William H. Riddick, Town Attorney; Mr. Steve Bowman, Smithfield Police Chief; Mr. Alonzo Howell, Deputy Police Chief; Mr. Will Councill, FOG Inspector; Mr. Wayne Griffin, Town Engineer; and Mr. Matt Rogers, Smithfield Police Lieutenant; Others in Attendance were Mr. Randy Pack, Mr. Wayne Hall, Mr. Dick Grice, Mr. Pete Kovalcik of the Luter Family YMCA; Mr. Fry of the Western Tidewater Free Clinic; Dr. Hinson of the Isle of Wight APVA; and approximately 5 residents from the Villas of Smithfield. There was no media present.

Committee Chairman, Denise N. Tynes called the meeting to order.

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

1. Accept Recommendation to Appoint Sergeant Jones to Serve on the Virginia Alcohol Safety Action Program (VASAP) – Deputy Chief Howell reported that Sergeant Jones for the last several years has led the department in DUI arrest. He has attended the Virginia Alcohol Safety Conference. The Department feels with his knowledge of the DUI laws he would be a positive representative for the agency. Sergeant Jones is aware and is up for the challenge. Committee recommends accepting the Smithfield Police Department's appointment of Sergeant Jones to Virginia Alcohol Safety Action Program.
2. No Skateboarding Signs – Luter Drive – Deputy Chief Howell reported that he has looked in the town ordinance and it does not indicate that you are not allowed to

skateboard on town streets. It does mention you cannot skateboard holding onto a car. He explained that officers have spoken to some of the youth that have been skateboarding. A suggestion was made to them not to skateboard that section of the road during business hours which is from 7:00 a.m. to 6:00 p.m. Mayor Hare asked if there was a reason for choosing Luter Drive. Deputy Chief Howell stated it is because of the slope of the road. He stated that the statue does allow for local municipalities to adopt such ordinances to restrict this type of activity. Discussion was held on whether to put up signs or not. It was also discussed if skateboarders should be allowed to skateboard but only after business hours. After a lengthy discussion committee remained divided and it was recommended to send to council for consideration on whether to put signs up for no skateboarding or restrict skateboarding during business hours. The Town Attorney stated that he could draft two ordinances for council to review and consider. Deputy Chief Howell agreed with Ms. Chapman's suggestion that whatever council decides for Luter Drive should be done on that end of Main Street that goes down to Wharf Hill or the skateboarders will just move to the next street when signs go up on Luter Drive. This item will be on the agenda for consideration.

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

1. Operational Updates – Chief Bowman gave a brief summary on the recent armed robbery at Farmers Bank. He explained that Friday, March 23rd at 10:20 a.m. the department was notified that an armed robbery had occurred at Farmers Bank. Units responded to the scene and determined that an armed robbery had occurred. There were three individuals that entered the bank. They robbed the tellers and fled the scene. There were no injuries during the robbery. Chief Bowman stated that he was not on duty at the time but when he arrived the officers were in the process of conducting field interviews and statements from individuals present during the robbery. The area was processed forensically. The robbers fled the scene in a white Honda. During the course of fleeing a dye pack exploded and some of the money was thrown out the window. It was recovered along Battery Park Road. The robbers abandoned that vehicle on Nike Park Road and fled the scene in a different vehicle. At this time they have not been apprehended. The department has several leads and continues to investigate. Chief Bowman stated that based on the activities that went on in the bank this was not just an individual or someone's first time committing a crime like this. Chief Bowman stated that cooperation from the Sheriff's Office, State Police, FBI, and the Smithfield Police Department was very good. Chief Bowman also stated that he had been informed by Farmers Bank that they intend to provide an additional reward in addition to the Crime Line reward. It was mentioned that it would be substantial. So between the reward and the forensics we hope to make an arrest in this case. Chief Bowman stated that he was very impressed with the way the Smithfield Police Department conducted themselves and was personally complimented on their professionalism. Chief Bowman also reported that in an effort to make sure the Smithfield Police Department moves forward the town has made some promotions within the department. The promotions are as follows: Patrick Valdez was promoted to Investigative Lieutenant; Matt Rogers was promoted to Patrol Lieutenant;

Bryan Miller, Donald Brady, Thomas Jones, Chris Meier and Patrick Araojo were all promoted to Sergeants. Chief Bowman also reported that the department continues the hiring process to fill positions as patrol officers.

2. Signage / Enforcement Request – No Parking Signs – 102 Moon Drive – The Town Manager stated that he and the Police Department have been working on these request together.

a. “No Parking Signs” – 102 Moon Drive - The property owner at 102 Moon Drive has approximately 200 feet of road frontage. The neighbor that has yard sales during the year only has a small portion of road frontage. So when the neighbor has yard sales people park on his road frontage. The Town Manager stated that in the past the town has not wanted set a precedence of just putting up no parking signs in front of residential properties throughout the town. He stated from staff’s prospective we are not interested in starting that precedent unless there is a sight distance issue. As long as the temporary parking is occurring in the public right-of-way and not blocking the travel lane it is permitted. Committee agreed with staff’s recommendation in not setting a precedent of putting up no parking signs for residential property owners.

b. Street Light Request from Villa Homeowners Association – Mrs. Tynes stated that this request was for streetlights to be placed on Battery Park Road from the Villas of Smithfield to South Church Street. She explained that many of the residents at the Villas are seniors and streetlights would make things safer. The Town Manager passed along the request to the Smithfield Police Department. Deputy Chief Howell stated that they had conducted a streetlight survey on March 21st. He handed out a preliminary survey showing that along the sidewalk there is no light. It is the police department’s recommendation that streetlights be installed. He stated that at the next police committee meeting they would have a more detail drawing as to how many and where they should be placed. Dr. Cook mentioned that staff may want to contact the Park to Park Trail initiative to see if streetlights are part of their plan. The Town Manager agreed that the town needs to coordinate. Mr. Gregory asked if Urban Funds could be used for installation of streetlights. The Town Manager replied that he would look into that. The Town Attorney mentioned that there are no power lines on that side of the road and suggested that the town get a cost estimate. This may be very expensive if power lines need to put on that side of the road. Staff recommends time to gather more information as the request from the residents at Villas was just made a week ago. This item will come back to committee next month. Mrs. Tynes mentioned that there was another concern that came to her attention from one of the residents there. They have asked if they could put some type of fence barrier to shield the amount of debris that blows there from businesses along South Church Street. Committee recommends that this concern be directed to staff to address. Mr. George Covington spoke on behalf of Villas Homeowners Association and stated their concerns in regards to debris from businesses on South Church Street. Would like for the town to take in consideration their concerns when future

development occurs. Committee thanked the Villas representative for coming and voicing their concerns.

3. Additional Item – Deputy Chief Howell stated that Solomon’s Temple one of the local churches out on Route 258 has sent a letter requesting to march along the sidewalk on South Church Street from Hardees to Royal Farms. It is a group of church members that will be carrying a cross. Once they get to Royal Farms they will cross South Church Street and walk back down to Hardees. This will take place on March 31st at 9:00 a.m. A Police unit will ride behind them to keep traffic and on lookers from being so distracted. This item is for informational purposes only and does not require any council action. Committee was okay with event.

The meeting adjourned at 4:36 p.m.

March 30, 2012

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, MARCH 26, 2012

The Water & Sewer Committee held a meeting on Monday, March 26th, 2012 at 4:36 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee members attending were: Mr. Andrew C. Gregory, Chairman; Mr. John L. Graham, and Mr. T. Carter Williams, Vice Mayor; Other Council members present were Mrs. Denise N. Tynes, Dr. Milton Cook, Ms. Constance Chapman and Mr. David M. Hare, Mayor. Staff members present were: Mr. Peter M. Stephenson, Town Manager; Mr. William T. Hopkins, III, Director of Planning Engineering and Public Works; Ms. Lesley J. Greer, Town Clerk; Ms. Ellen Minga, Town Treasurer; Mr. William H. Riddick, Town Attorney; Mr. Will Council, FOG Inspector; Mr. Wayne Griffin, Town Engineer; and Mr. Matt Rogers, Smithfield Police Lieutenant; Others in Attendance were Mr. Randy Pack, Mr. Wayne Hall, Mr. Dick Grice, Mr. Pete Kovalcik of the Luter Family YMCA; Mr. Fry of the Western Tidewater Free Clinic; Dr. Hinson of the Isle of Wight APVA; and approximately 5 residents from the Villas of Smithfield. There was no media present.

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

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

1. Backflow Prevention Plan Update and Program Revision – Mr. Will Council was present to give an update on the program. He explained that the existing Backflow Prevention policy has no enforcement provisions. To get both residences and businesses in compliance by state code you have to have your backflow device tested once a year. At this time the town has nothing to enforce having the test done. Mr. Council stated that there are 373 known backflow devices in the Town of Smithfield. Forty-three of the 373 belong to businesses and 329 are residential. Letters were sent out to all to have devices tested and 265 of the 373 had their devices tested. Mr. Council stated that he has contacted several local municipalities to see what they use as a final enforcement mechanism. The results for most were shutting off customer's water for non-compliance. Mr. Council stated that he is requesting Town Council's approval to amend our current Backflow Prevention Program to allow for water shut off as a final means of enforcement. This will only be done after all other enforcement attempts have been exhausted. Committee agreed that it would give staff something to fall back on to enforce compliance of program. Committee recommends approval.

2. Proposed Study of Regionalization of Sanitary Sewer Assets – The Town Manager stated that Hampton Roads Planning District Commission (HRPDC) is proposing a study to see if there is efficiency for HRSD to take over collection systems. This proposed study has come partly due to the frustrations of HRSD and the 17 to 18 localities, engineers, and legal counsel trying to agree on all the technical details of the modeling. Mr. Hopkins and Mr. Griffin have been attending these meetings. It is very difficult with so many localities for everyone to agree. The Town Manager stated that there is a whole lot involved in the study. The proposal is that HRSD will pay for the study and HRPDC will actually commission the study and coordinate with localities. The town would have to have a Steering Committee member on this study group and that would be Mr. Hopkins over the course of the next year. This resolution is a draft and the town must cover the following bullet points in our resolution: willingness to cooperate fully with the study; commitment that the governing body will participate in the evaluation of results; support contingent on receiving an appropriate stay of deferral of some of the requirements in the SSO orders; and support of the study does not obligate locality to participate financially in the study or to accept, adopt, or comply with the results of the study. The Town Manager stated that the town has talked to Draper Aden about the study and the concerns they have in terms of language. The town would work between now and the council meeting on April 3rd to modify the draft so that we are comfortable with it as a team. The Town Manager stated that most all localities are proceeding with recommending the study. Committee expressed some concern over the town being committed financially to any part of the study when providing data. The Town Manager stated that is part of the language concerns that he has with the draft resolution. The language needs to be clear that yes the town will participate but not to a point where we will be obligated to the study financially. Committee recommends approval to participate in study with the condition it is clear that the town will not be financially obligated.

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

1. Additional item Discussed: Storm Drain North Church Street – Mr. Gregory asked that while the intersection has been closed at Main Street and Church Street if the town has started the work behind the old firehouse on North Church Street. Mr. Hopkins stated that work is scheduled to begin at the end of this week. He stated that he has requested a pre-construction meeting with Mr. Redlin, Smithfield Foods, Town staff, and Excel Paving Corporation.

The meeting adjourned at 4:46 p.m.

March 30, 2012

TO: SMITHFIELD TOWN COUNCIL

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

SUBJECT: INFORMATIONAL REPORT FOR THE FINANCE COMMITTEE MEETING
HELD ON MONDAY, MARCH 26, 2012

The Finance Committee held a meeting on Monday, March 26th, 2012 at 4:46 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee members attending were: Mr. John L. Graham, Chair; Mr. Andrew C. Gregory, and Dr. Milton Cook. Other Council members present were: Mrs. Denise N. Tynes, Mr. T. Carter Williams, Vice Mayor; Ms. Constance Chapman and Mr. David M. Hare, Mayor. Staff members present were: Mr. Peter M. Stephenson, Town Manager; Mr. William T. Hopkins, III, Director of Planning Engineering and Public Works; Ms. Lesley J. Greer, Town Clerk; Ms. Ellen D. Minga, Town Treasurer; and Mr. William H. Riddick, Town Attorney; and Mr. Wayne Griffin, Town Engineer. Others in Attendance were Mr. Randy Pack, Mr. Wayne Hall, Mr. Dick Grice, Mr. Pete Kovalcik of the Luter Family YMCA; Mr. Fry of the Western Tidewater Free Clinic; and Dr. Hinson of the Isle of Wight APVA; There was no media present.

Councilman John L. Graham called the meeting to order.

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

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

a.	Draper Aden Associates	\$ 27,531.60
b.	Excel Paving Corporation	\$196,046.90
c.	REW Corporation	\$ 29,474.75
d.	Hunton & Williams (G.O. Bond Financing)	\$ 15,000.00
e.	Gately Communications Co (SPD Building)	\$ 12,743.24
f.	SVFD (Fuel Fund & Travel)	\$ 12,989.75

The Town Treasurer stated that she was reviewing their folders and realized the Accounts Payable Clerk thought these invoices had already been submitted to the Town Manager's office to be placed on the agenda. There are a total of three invoices from Clark Nexsen totaling \$17,394.42. They are the usual invoices and Mr. Hopkins has reviewed them.

Copies will be provided in Town Council packet. Committee recommended payment of invoices.

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

1. Presentation for Contribution Request:

a. Isle of Wight APVA – Dr. Hinson was present on behalf of Preservation Virginia formally Isle of Wight APVA which owns the old historic courthouse located at 130 Main Street. The town has been very supportive of the APVA in the past and it has been very much appreciated. Dr. Hinson stated that he has just been made aware that within the last three weeks all civic organization like this are having trouble with financing. Consequently, they have decided that some of the branches are too much of a burden. The state organization has made a decision to concentrate on core properties in which the old courthouse is not one of them. The core properties that they will be focused on are historic Jamestown, Bacon's Castle, John Marshall house in Richmond, Cape Henry Light house, and Patrick Henry's house. They will no longer split dues with us. When you join Preservation Virginia all the money goes to Richmond and they in turn send half of that back which is usually about \$1,500 a year for our local branch. Dr. Hinson stated that they have always had the idea of wanting to become independent and that is what this encourages them to do. The loss of the dues will make a dent in their budget. The town's support and gift has become more important this year. Mr. Graham stated that if he understands it correctly the local APVA is on their own now and any donations that come in will be strictly locally. Dr. Hinson stated that is correct once we are officially divorced from Preservation Virginia. At this time everything will still go to the state. It is very important at this point for anyone wanting to make a donation to us must specify Isle of Wight branch. Mr. Graham suggested that they submit their overall operating budget for the courthouse and who the donation should be made to. Committee thanked Dr. Hinson for coming.

b. The Genieve Shelter – Ms. Mary Williams Davis was present on behalf of the Genieve Shelter. The Genieve Shelter provides emergency shelter and conditional housing for domestic violence victims. These individuals are in eminent danger and fear for their lives and have nowhere else to turn. Ms. Davis has been with the agency for eight months. At this time the Geneive Shelter is focused on permanent housing and employment. The Genieve Shelter has five employees. They are a very small nonprofit organization with a small budget. Ms. Davis stated that last fiscal year they assisted 106 individuals from Smithfield. They have seen a 20% increase in domestic violence victims from all over the Western Tidewater Region. Ms. Davis thanked the town for their support in the past and hopes the town will continue to provide financial support to the Genieve Shelter. Mr. Graham asked how many individuals they helped overall last fiscal year. Ms. Davis reported that they had helped 575 individuals. She stated that they have three emergency shelters. Committee asked how people get to the shelters that need assistance. Ms. Davis stated that they have emergency transportation that may be staged at an emergency safe site such as a grocery store. She also stated that they have a good

relationship with the Suffolk Police Department for assistance. Ms. Minga asked how people find out about the services the Genieve Shelter offers. Ms. Davis says that people usually learn about their organization through the Department of Social Services, their 24 hour hotline found on their website, churches, and hospitals. Committee thanked Ms. Davis for coming to give an update of the program.

c. Luter Family YMCA – Mr. Pete Kovalcik was present on behalf of the YMCA to give an annual update of the organizations operations. He reported that at the end of 2011 they had 4,526 members which include approximately 1,610 households in Smithfield and Isle of Wight County. He stated that 2011 was a very good year in member retention with an increase in membership from 63.8% to 68.8%. There were 892 program participants ranging from swim lessons and school age child care to a number of different programs for health and wellness. Mr. Kovalcik stated that they had a \$1.6 million dollar operating budget last year. He explained that in comparison to other YMCA's the branch here in Smithfield is considered a mid size YMCA. A large YMCA operates on a \$3 million dollar budget or more. Mr. Kovalcik stated that the YMCA is very proud of their mission in serving all. He stated that they ask for members in our community businesses to support the YMCA as well as being a proud recipient of the United Way of Southampton Roads dollars. The total contribution the YMCA has received is the highest today of \$106,924. The YMCA provided \$202,924 in financial assistance to support 653 individuals and families through their Guardian Program. Also the Bright Beginnings Program raised \$10,600 to provide clothing, backpacks, and school supplies for 75 kids from Isle of Wight County. Mr. Kovalcik reported that the YMCA had 90 employees and 384 volunteers last year. He also explained their internal quality check to meet the standards of the YMCA. He reported that they strive to meet a three star rating on a scale of one to five. Membership and Aquatics received a four star rating and School Age Child Care (SACC), Summer Day Camp, and Wellness maintained a five star rating. In September 2011 air conditioning was added to the gymnasium and that was funded with a generous contribution from Hope Presbyterian Church. Mr. Kovalcik gave an update on their capital expansion/renovation project with thanks to the Town of Smithfield and private donors they were able to raise \$1.6 million dollars to go toward this expansion project. The ground breaking was in May 2011 and was completed with a ribbon cutting on January 2012. Groundbreaking for additional parking area is scheduled to begin April 2nd and should be completed by May 31st. Mr. Kovalcik mentioned a few things for 2012. The YMCA has seen a 5% growth in membership since January. Capital Expansion (Phase I) which is the parking lot expansion will be completed by the end of May. The Capital Expansion (Phase 2) which may include an outdoor pool the YMCA will start the planning process for that this year. Board members will be surveying the community and looking at different ideas and concepts around this. They are also working with Verville Venture, Inc for energy management. They are working on a plan to save about three to four thousand dollars a month in gas and electricity cost based on what Verville Venture, Inc. has done in some of the other YMCA branches. The YMCA also plans to transition from Fit Linxx to Activ Trax fitness program. This program provides more information for individual wellness programs. It also helps with keeping track with nutrition. The YMCA is also a partner with the Smithfield on the Move initiative. Mr. Kovalcik explained a new Wellness program initiative called "5210". He

explained what the numbers represent. Five means you should try to eat five servings of fruits and vegetables a day. Two means you are limiting your recreational viewing time of T.V. and computers to no more than two hours a day. One means you are getting at least one hour of exercise in a day. Zero means you drink zero beverages containing sugar. Mr. Kovalcik asked if Committee had any questions. Committee thanked Mr. Kovalcik for coming and giving an update.

d. Western Tidewater Free Clinic – Mr. Bob Fry was present on behalf of the Western Tidewater Free Clinic. He began with thanking the town for their support in the past. Mr. Fry stated that since they opened in 2007 the Western Tidewater Free Clinic has provided care to 2,400 patients through more than 32,000 clinic visits. In 2008 the clinic had 680 patients with 98 from Smithfield and in 2011 the clinic had 1,360 with 160 from Smithfield. Operating budget is about \$1,400,000 a year. Mr. Fry stated that about a week ago they sent the Town Treasurer a letter requesting \$33,600.00 for next year. Mr. Fry stated that they recently opened up a pharmacy. They have a pharmacist that resides over that. Since the Rx Partnership and the Medication Assistance Program, more than 47,000 free medications with a retail value of \$6.8 million have been provided to over 1,400 patients. Mr. Fry reported that our area in Virginia is number one in breast cancer mortalities and number two for mortalities for diabetes. It is not because people in our area are more susceptible to breast cancer and diabetes. It is because they don't do what needs to be done in the early stages to detect it. That is what the free clinic is all about helping people that cannot afford healthcare. In January the clinic now offers part-time dental care at the clinic. Mr. Fry stated the clinic continues to look at ways to reach more people in Southampton, Isle of Wight, Franklin, and Smithfield. Mayor Hare asked if they receive funding from Isle of Wight County. He stated Isle of Wight County receives a similar request as the town for financial support and they too contribute to the Western Tidewater Free Clinic. Committee thanked Mr. Fry for coming.

2. January Financial Statements – There was no discussion held on the January Financial Statements.

3. February Cash Balances – The Town Treasurer stated there was not much to report. Some of the Escrows are starting to diminish. She explained that as soon as the town brings someone on board they will be revisiting the banks. Interest rates have really bottomed out. The town has been a little hesitant on any types of investment right now because we have had to have so much cash available with the South Church Street Project funding. Once these big projects are completed the town can look at better ways to manage our funds. Water = \$199,774.13; Water Debt Service = \$1,355,913.22; Water Capital Escrow Availability Fees = \$285,858.35; Water Development Escrow = \$142,044.50; **Subtotal Water = \$1,983,590.20.** Sewer = **\$(36,263.34)**; Sewer Development Escrow = \$316,666.67; Sewer Capital Escrow Availability Fees = \$666,909.52; Sewer Compliance = \$453,711.55; **Subtotal Sewer = \$1,401,024.40.** **Highway = \$98,166.70.** General Fund = \$1,640,694.68; Payroll = \$156,540.99; Money Market General Fund Town Bank = \$124,280.26; Business Super NOW-General Fund = \$32,875.21; Money Market General Fund Farmers Bank = \$286,189.26; General Fund Capital Escrow = \$50,635.82; Certificate of Deposit = \$24,934.40; Certificate of Deposit

Police Dept = \$36,342.09; Special Project Account (Pinewood) = \$19,849.66; Pinewood Heights Escrow = \$48,224.19; South Church Street Account = \$1,077,915.25; **Subtotal General Fund = \$3,498,481.81.** Beautification = \$7,802.01; Money Market Beautification = \$146,627.85; **Subtotal Beautification = \$154,429.86; Rising Star = \$63.49. TOTAL ALL FUNDS = \$7,135,756.46.**

4. Audit Contract Status - The Town Treasurer explained that we did an RFP for audit services three years ago. However there was a provision in the contract that the town could renew for an additional three years if the town chooses to. In the past the town has always gone that route because the increases have been real small and reasonable. The last time the town did an RFP the town had very little interest. Doing municipal audits are not very lucrative thing for these firms anymore. Ms. Kay who is the lead auditor on our account called the town Friday to say that she had been talking with Mr. Haggard who is the partnership there at Dickson Hughes Goodman regarding our fee structure. She stated that if we chose to renew this year there would be a substantial adjustment to our fee base because of the additional work they have to do with the A133 testing and also some issues the town ran into implementing the new inventory control system. They spent more time on this and because it was not in the contract they did not bill the town for these services. They have stated that if they are going to do the audit this year that they would need to be compensated for that. The A133 testing will not go away. It is testing that they have to do called a single audit. The audit is preformed on anybody that has federal funds or grants above a certain limit. The Town Treasurer stated that she just received a call on what the increase would be to renew our contract with Dickson Hughes and Goodman. It went up approximately \$10,000. She stated she would like direction from Council at this time if they want staff to do an RFP on audit services. Mr. Graham asked if it would be possible to negotiate the increase with current audit firm. The Town Treasurer mentioned that because she has been through it many times a first time audit with any firm is a nightmare. There is so much background information that they do not have. Committees suggested negotiating fee increase this year and plan to put an RFP next year for audit services.

5. Budget Discussion: Revenue Forecasting - Ms. Minga reported on the Revenue Forecasting as follows:

- Real Estate – The Town Treasurer stated that as far as Real Estate goes this is a reassessment year. She explained that she has been in touch with Mr. Gerald Gwaltney, Commissioner of Revenue and she did ask him if there were any specifics that the town should be aware of. Mr. Gwaltney has agreed to work on the towns numbers this week. The current Real Estate tax this year is right on the money assuming that the town does collect the one account that is paying monthly on its back taxes plus its current taxes.
- Delinquent Real Estate Taxes – Delinquent Real Estate are expect to exceed what we budgeted for FY 2011/2012. She stated that next year delinquents will back down due to high collections this fiscal year.

- Personal Property – Ms. Minga reported that Personal Property is running low this year. She explained that the town did take a hit for the closing of one of Smithfield Foods Plants; however that was expected. The town will be about \$50,000 below in Personal Property. She stated that it will be interesting to see what kind of numbers the Commissioner of Revenue comes up with for next year.
- Franchise Taxes – These are bank franchise taxes that the town gets. Ms. Minga explained that the town receives a schedule C tax statement from each of the banks in the town limits that says exactly what that amount will be. She stated that she has received one from all the banks except Bank of America. For the last two years they have been sending that notice to Isle of Wight County and Ms. Minga stated she has not been able to get that information from the county as of yet. Ms. Minga stated that the town will exceed budget if Bank of America stays at the same level as last year.
- Cigarette Taxes – Cigarette taxes are always difficult to project. This item is sold to wholesalers in bulk. The revenue is made when the town sells the stamps to the wholesalers not when individuals purchase cigarettes. It looks like the town will come in low this year.
- Transient Occupancy Tax – Ms. Minga reported that Transient Occupancy will be above budget this year. She stated that she is a little concerned about it because the quarters are really not consistent. Committee asked if the outages at Dominion impact this figure. Mr. Minga will look at times of Dominion Power outages to help with projecting revenue.
- Communication Tax - Ms. Minga explained this is the tax we get from the state. It is running low this year compared to prior years. This item is hard to project because it has a lot of adjustments that the state may make from month to month.
- Rental Tax – Ms. Minga reported that this tax is pretty consistent. It is very similar to Personal Property tax.
- Sales Tax – This tax is running higher than in the prior years.
- Consumption – Utility Tax – Ms. Minga reported that both of these are based on usage of services from Columbia Gas, Dominion Power, etc. Both of these are running low probably due to the mild winter that we have had.
- Licenses/Permit Fees – Ms. Minga reported that at looking at the trend we look lower even with the collection of some delinquent taxes.

- Fines and Interest – Ms. Minga stated these funds come from the Clerk of Court. The town's shares of fines are running very low this year. Interest has really bottomed out. She reported that the Escrow accounts on the water and sewer side are doing better with the new utility rates in place.
- Rentals – Ms. Minga stated that she had reduced it for next year but she has talked to the Town Manager and will need to increase it some. She explained that she was taking out the fact that if we sell the building that is currently being rented by the bakery and if Smithfield Foods moves out of 224 Main Street the town would no longer have those rentals. The town will be receiving rent from the sub-lease at 315 Main Street. So that number will more like \$15,000 rather than what was projected at \$9,365.
- Smithfield Center Rentals - Ms. Minga reported that the Smithfield Center staff is very happy with how the rentals have gone. It is expected that the town will end the year with \$130,000 under regular rentals, \$4,500 under vendor programs, and we will fall a little short under Windsor Castle in the amount of \$2,500. This is about a \$4,275.00 increase in revenue.
- Cash Proffer Revenues – Ms. Minga stated that this is something that the town does not budget for unless we get them. These are voluntary contributions. She stated that the town did collect cash proffers on two lots in the Villas of Smithfield this year. This will be a budget amendment for this year.
- Obici Foundation Wellness Grant – Ms. Minga explained this was out of the total grant that the town received. The town received an advance from last fiscal year and this year the town will receive a portion of it before the end of this fiscal year. The remainder of the grant will be in August.
- Virginia Municipal League Safety Grant – This is something the town has received for the last few years. Ms. Minga stated that she budgeted for it this year however the town ended up using it in the Sewer Fund instead of using it in the General Fund. She has asked staff to look into where they might use that money next year.
- Restricted Reserves Beautification – This fund is more internally for town use. The auditors look at what our operating revenues are and expenses. Ms. Minga stated this is a reserve so it is money that the town either takes in or already had in towards the South Church Street Project. Ms. Minga explained that funds are put here because without putting it here it looks like your current revenues are going to support all that expense. The total project cost less all the federal grants and private money to see what would be the remaining expenses for the project. This would give us the amount of funds that will be used from the Urban Fund. At this time the

- amount of Urban Fund that will be used is \$1.5 million out of the total amount available. Discussion was held on amount of private funds from Historic Smithfield. Committee directed the Town Manager to contact Ron Pack to request funds.
- Intergovernmental Virginia – Ms Minga explained the Federal Formula State match is the amount the State will be inputting. All of these revenue sources is what is remaining this fiscal year since the project is suppose to conclude this fiscal year.
- Intergovernmental Federal - The Federal portion of the Federal Formula money is \$281,582. The Federal Transportation Enhancement Grant is \$720,000 with a portion of those expenses approved last fiscal year. Remaining this fiscal year is \$379,000. Ms. Minga reported that the law enforcement number \$161,533 comes from the state and is a supplement to the police department. The town has not received any notification that this will change.
- Fire Programs – Ms. Minga stated that the town may not be eligible to continue receiving these grant funds if town no longer provides the fire department with financial support. Town may need to work with the County so we do not lose grant funding.
- VCA Grant – This grant is a pass through grant for a matching grant with the Isle of Wight Arts League.
- Fuel Refund from the State – These funds come from the state and federal government for the taxes that we pay at the pump.
- Federal Grants – There has been some activity under federal grants but not as much as in previous years due to transition of their personnel.
- Contributions – Ms. Minga stated that it is not a lot of money but in the past the town has gotten a contribution from Isle of Wight County for the CHIP Program. Last year it was \$4,200. At this time the town has not received anything for this year. Not sure if they plan to continue or not. The contribution under Isle of Wight Port Authority Grant in the amount of \$195,000 for next year is the Command Vehicle. This vehicle is not expected until the beginning of next fiscal year.

Mayor Hare asked the Town Treasurer when we should look at setting up a budget work session meeting. It was decided that staff would look at dates around the third week of April so that if any issues come up they could be addressed and followed up at April's Finance Committee meeting.

The meeting adjourned at 5:53 p.m.

March 30, 2012

TO: SMITHFIELD TOWN COUNCIL

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

SUBJECT: INFORMATIONAL REPORT FOR THE FIRE AND RESCUE COMMITTEE
MEETING HELD ON TUESDAY, MARCH 27, 2012

The Fire and Rescue Committee held a meeting on Tuesday, March 27th, 2012 at 4:00 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee members attending were: Vice Mayor T. Carter Williams, Chair; Ms. Constance Chapman and Mrs. Denise N. Tynes. Other Council members present were: Mr. John L. Graham, and Dr. Milton Cook Mr. Andrew Gregory and Mr. David M. Hare, Mayor. Staff members present were Mr. Peter M. Stephenson, Town Manager; Mr. William T. Hopkins, III, Director of Planning Engineering and Public Works; Ms. Lesley J. Greer, Town Clerk; Ms. Ellen D. Minga, Town Treasurer; and Mr. William H. Riddick, III, Town Attorney; Mr. Wayne Griffin, Town Engineer; Mr. Brian Carroll, President of the Isle of Wight Volunteer Rescue Squad, and Mr. Gerry Hackney, Assistant Chief for the Smithfield Volunteer Fire Department. Others in attendance were Mr. Randy Pack, Mr. Richard Grice, Mr. Wayne Hall, Mr. Eric Markowski of Excel Paving and Mr. Bill Sleasman of Dominion Virginia Power. The media were represented by Ms. Kelly Barlow of The Smithfield Times.

Committee Chairman T. Carter Williams called the meeting to order.

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

1. Operational Updates – Mr. Brian Carroll of the Isle of Wight Volunteer Rescue Squad was present to give an operational update. He reported that they had 188 calls last month. Today started off with a bang with eight calls received this morning between 6:00 a.m. and noon. He stated that for some reason Tuesday has always been their busiest day. Mr. Carroll stated that they have a CIP meeting with the County tonight. He also reported that they have bumped their second medic out to 2013. They have brought a Windsor medic that was taken out of service there and put it in service at our station. EMT class is still full. There will be a mock accident this Sunday, March 31st at Westside Elementary. Responders are not aware this is a mock accident. Operations continue to be fairly normal.

Assistant Chief Hackney was present on behalf of the Smithfield Volunteer Fire Department. He reported that the fire department has been slow. He stated that they assisted on one of the calls this morning. Assisted Chief Hackney reported that Chief Stallings would be attending the CIP meeting at the County tonight. He mentioned that the County has

reshuffled the deck as to what they are approving for this coming fiscal year and this is against the recommendation of the fire and rescue organizations. Assistant Chief Hackney mentioned that their other biggest concern is the upcoming Board of Supervisor's meeting this Thursday, March 29th where they will discuss fire and rescue's operating budget. It was brought to Assistant Chief Hackney's attention yesterday that the county will be operating on a zero growth budget. He stated it was devastating enough last year with still having the town's funds, but without them it is not possible. Mr. Carroll elaborated on that the fact they are operating on a zero growth budget for both agencies. The county is still not going to fund the difference of what the town was funding. Vice Mayor Williams asked about the fire truck that had front end problems. Assistant Chief Hackney stated that truck was transported to Wisconsin a couple of weeks ago to be repaired. It is disappointing that the manufacture did not step up and try to do more and unfortunate a truck with only 30,000 miles was not covered because it was one year out of warranty. Committee had some discussion on fire and rescue's budget request to the county. Assistant Chief Hackney stated that their budget included everything they have asked for in the past and what the department needed to add to their budget to cover utility expenses and fuel that the town covered previously plus the additional money that we will no longer be getting from the town. Assistant Chief Hackney stated if the county does a zero growth budget based on last year's budget that is unreasonable.

The meeting adjourned at 4:10 p.m.

March 30, 2012

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, MARCH 27, 2012

The Public Works Committee held a meeting on Tuesday, March 27th, 2012 at 4:10 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee members attending were: Ms. Constance Chapman, Chair, Dr. Milton Cook, and Mrs. Denise Tynes. Other Council members present were: Mr. John L. Graham, Mr. Andrew Gregory and Mr. T. Carter Williams, Vice Mayor, and David M. Hare, Mayor. Staff members present were: Mr. Peter M. Stephenson, Town Manager; Mr. William T. Hopkins, III, Director of Planning, Engineering, and Public Works; Ms. Lesley J. Greer, Town Clerk; Ms. Ellen D. Minga, Town Treasurer; Mr. William H. Riddick, III, Town Attorney; Mr. Wayne Griffin, Town Engineer; Mr. William Saunders, Planner/GID Coordinator; and Ms. Judy Winslow, IOW/Smithfield Tourism Director. Others in attendance were Mr. Richard Hoeflaak and Mr. Eric Markowski of Excel Paving Corporation; Mr. Bill Sleasman of Dominion Virginia Power; Mr. Randy Pack, Mr. Dick Grice, and Mr. Wayne Hall. The media was represented by Ms. Kelly Barlow of The Smithfield Times.

Committee Chair Constance Chapman called the meeting to order.

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

1. Award Landscaping Contract – Mr. Hopkins explained that the town issued a Request for Proposal (RFP) to combine both contracts for landscaping at Windsor Castle Park and all other areas in town beginning June 22, 2012. The town received four proposals. Mr. Hopkins stated that he had met with Southern Shores Lawn and Landscaping as they submitted the lowest proposal. Staff stated that all the references were called and they were good. Staff was impressed with how professional they were. On staff's recommendation Committee recommends approval.
2. Renewal of Street Maintenance Contract with Blair Brothers for One Additional Year – Mr. Hopkins stated that staff continues to be very pleased with Blair Brother's

work and would recommend that their contract be renewed for one additional year. Committee agreed with staff's recommendation.

3. Renewal of Mowing Contract for Windsor Castle Park – Mr. Hopkins reported that this contract renewal with Brown's Lawn and Tractor Service is for mowing at Windsor Castle Park. Staff has been satisfied with their work. Committee recommends approval.

4. Purchase of Budgeted Public Works Truck – The Town Manager reported that the town has \$30,000 budgeted this year for a new public works truck. The state contract pricing is just under \$25,000. A few items will need to be added to the truck but it will stay within budget. Mr. Hopkins stated this is a F350 truck and it will be replacing one that has 133,000 miles on it that is in pretty bad shape. Committee recommends approval of budgeted public works truck.

5. Additional Item Discussed – Driveway Moody Property – The Town Attorney explained that instead of the town getting in there and dealing with the issue and having to worry about damage to the driveway. The town agrees to pay him a lump sum and he will hire his own contractor. The Town Attorney reminded Committee that Mr. Moody gave the town the easement. Mr. Moody got a contractor to get a firm price and then gave the Town Manager the number to put in the contract. Mr. Moody will be responsible for any problems in the future. Committee recommends approval of agreement.

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

1. South Church Street Streetscape Project Update with Representatives Richard Hoeflaak of Excel Paving and Bill Sleasman of Dominion Virginia Power – Mr. Hopkins introduced Eric Markowski of Excel Paving, Inc. and Bill Sleasman of Dominion Virginia Power. Mr. Hopkins stated that in the last couple of weeks there has been a lot of discussion on the type of street lighting that should be used along the residential portion of the South Church Street Streetscape Project. Mr. Sleasman stated that one of the first questions is can the bulbs be interchanged between different style lamp fixtures. Mr. Sleasman had bulbs to show the difference in the sizes of the bulbs. They cannot be interchanged. Mr. Sleasman stated that the sodium vapor light bulb fits the Carlyle Acorn. He explained that one of the advantages of the metal halide bulb is the uplight is very minimal. He mentioned that when looking at the area that is being lit there are a number of bedrooms that face the street on the second floor. The lighting pattern on these bulbs directs the light to the sidewalks and streets. Mr. Sleasman stated that as far as the patterns go they are very similar. Over a period they both tend to lose their lighting and will need to be changed. Municipal contract calls for an automatic re-lamping every so many years. The Decorative Acorn tends to show up better in inclement weather conditions than the Carlyle Acorn. Mr. Sleasman stated that the primary reason for these lights is to light the sidewalks for public safety. He stated that either fixture would go on the same pole. Ms. Chapman asked if there was a price difference in the cost of the bulbs. Mr. Sleasman replied that the sodium vapor light is more costly. Discussion was held by

Committee on which lighting would provide the most public safety. Dr. Cook asked who is responsible for cost of streetlight once installed. Staff was not sure if it would be VDOT or the town since it is a state road. Dr. Cook asked why the town did not look at LED lighting because they are more energy efficient. Staff stated that Dominion Virginia Power does not offer LED streetlights. Mr. Hopkins also stated that in the beginning of the project it was decided that everyone wanted the light fixtures to match as close as possible to what was already on Main Street. The Decorative Acorn is the closest of all the fixtures Dominion Virginia Power offered. Mayor Hare stated that public safety has to take precedence and the Decorative Acorn fixture is designed to limit the amount of uplight while directing the light downward to the sidewalk and streets. Committee agreed to stick with the Decorative Acorn fixture and keep the project moving forward. Mr. Hoeflaak of Excel Paving was present and introduced Mr. Markowski as the superintendent of the project. Mr. Hoeflaak stated that since our last meeting I have to commend Mr. Hopkins because everyone is starting to come together. He stated that the Verizon issue with the large junction boxes has been resolved. The storm drain is 100% except for the additional change order in the old fire station parking lot. There are a few minor meter boxes to adjust when we are coming through with the mud slabs. The detour has been a great help. It has really helped move the project along. Mr. Hoeflaak stated that time wise landscaping is the only real issue. He explained that typically when trees are dug it is in the winter when they are in their dormant season. This year the trees are blooming out in February. He stated that unless the town wants to put bags on the trees to add water on a daily basis he would strongly suggest waiting and planting the trees in the fall. Mr. Hopkins stated that the landscaping is not something that we have discussed in a lot of detail; however it may need to be discussed in more detail. Mr. Hoeflaak stated that his landscaper is very reasonable and there would be no additional charge to come back out in the fall if the town chooses to go that route. It would be the least maintenance to do it that way. Vice Mayor Williams asked if VDOT would have a say in whether it is deferred to the fall or not. Mr. Hoeflaak stated he did not think so. Usually the one that would have the issue would be the town itself. Mr. Hoeflaak asked when the dead line was to have work completed for grand reopening event. Ms. Winslow replied June 29th. Mr. Hoeflaak stated that at this time the pavers should be complete by middle of June. He said they can make that 29th deadline but it will take everything in their power to make the project come together. Mr. Markowski stated that right now their underground conduit contractor is working to get all of Verizon's conduit in the ground. They just completed putting the conduits from Verizon vault up by the Verizon building connecting the vault and the building. Now they are down in the Smithfield Station parking lot extending those conduits from the vault to the existing utilities. So all those utilities on the poles can go down underground. Charter Communications has just come back with some minor revisions to their plans. They will be coming in the next two weeks to install the conduits that are required. Excel Paving's conduit contractor is cutting across the road to get the power down off the poles and on pedestal on the north side. The pedestal will then serve all the houses across the street. Mr. Markowski stated that the bottom line is they are putting in all the conduits and Dominion Virginia Power subcontractor is coming in behind us and pulling all the conductors through those conduits and then running all the services to the homes. All the spaghetti you see up in the air is going underground with the exception of the primary on the new poles. The representatives from Dominion

Virginia Power and Excel Paving continued to give a detailed update of activities on site of the South Church Street Streetscape Project. Discussion was also held on shutting off power for utility connections to be done. All residents and businesses that will be affected will be notified prior to outage. Dr. Cook asked when the intersection of Main Street and South Church Street would be reopened. Mr. Hoeflaak stated that he is confident that the road will be reopened by the end of April as planned. Mayor Hare asked why ever pole has a large transformer attached to it. Mr. Sleasman explained that they looked at the potential load that could be on any of those houses and place transformers accordingly. Committee thanked Mr. Hoeflaak, Mr. Markowski, and Mr. Sleasman for coming to give update on the project.

The meeting adjourned at 4:52 p.m.

March 30, 2012

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, MARCH 27, 2012

The Public Buildings and Welfare Committee held a meeting on Tuesday, March 27th, 2012 at 4:52 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee members attending were: Dr. Milton Cook, Chair; Mr. T. Carter Williams, Vice Mayor; and Mr. John L. Graham. Other Council member present was: Mr. Andrew C. Gregory, Ms. Constance Chapman, Mrs. Denise N. Tynes, and Mr. David M. Hare, Mayor. Staff members present were Mr. Peter M. Stephenson, Town Manager; Mr. William T. Hopkins, II, Director of Planning, Engineering and Public Works; Ms. Lesley J. Greer, Town Clerk; Ms. Ellen D. Minga, Town Treasurer; Mr. William H. Riddick, III, Town Attorney; Mr. Wayne Griffin, Town Engineer; Mr. William Saunders, Planner/ GIS Coordinator; and Ms. Judy Winslow, IOW/Smithfield Tourism Director. Others in attendance were Mr. Randy Pack, Mr. Dick Grice, and Mr. Wayne Hall. The media was represented by Ms. Kelly Barlow, The Smithfield Times.

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

1. Amend MOU Agreement Between the Town of Smithfield and Isle of Wight County to Reallocate Funds for the Pinewood Heights Project – The Town Manager reported that this item was discussed at the Intergovernmental Relations Committee. The County Attorney drafted this amendment to basically free up the remaining money on our original MOU from the County. The amendment just changes the category that they had setup to give the town “x” amount of money for this and “x” amount of money for that not to exceed a total amount. Ms. Minga stated that it was very specific that this much be used for acquisition and property and this much to relocation and property. This is just a formality to change from the category of relocation to acquisition. It does not change the total funding at all. Committee recommends approval of MOU amendment.

2. Windsor Castle Park Farming Operations – The Town Manager reported that for the last two years the town has had an annual lease with Dean Stallings for farming operations at Windsor Castle Park. The current contract expires at the end of

March so it is time to renew; however staff would like to know if Council wants to lease it for another year, six months, or by the season. Mr. Graham made a suggestion that we renew agreement with a buy out price included in the event the town needs him to vacate crops once planted. Vice Mayor Williams stated that nothing could be done immediately so we should renew contract another year. Mayor Hare asked when he would start planting. The Town Manager stated that nothing will be planted until after the upcoming Wine and Brew Festival. Committee directed staff to work out terms with Mr. Stalling to renew contract.

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

1. Pinewood Heights – Phase II Redevelopment Project Contract and Activities –
The Town Manager stated that the contract with the Virginia Department of Housing and Community Development is in the process of getting signatures in Richmond and has not made it here yet. He continued to explain that on March 14th a Management Team meeting was held and all of the following documents were discussed and reviewed:

- a. Property Acquisition Plan
- b. Residential Relocation Assistance Plan
- c. Property Disposition Plan
- d. Redevelopment Plan
- e. Program Income Plan
- f. Accept Professional Appraisal Services by Stephen Edwards
- g. Accept Contract with Community Planning Partners, Inc. for Management Assistance Services
- h. Acceptance of Contract with Virginia Department of Housing and Community Development for Phase II

The Town Manager stated that in terms of the project it is the north side of Carver Avenue. There are 16 properties involved. The town would have 3 years to acquire and relocate all 16. The Town Manager explained that just like Phase I a certain amount of funds are released for the first 18 month which is known as Multi-Year 1 and if the town is successful at that point the balance of the state funding for Multi-Year 2 would be released. The Town Treasurer stated that the 1% meals tax brings in approximately \$194,000 a year. She explained that when you look at what the town's portion is for just the first 18 month period that is not going to cover it. She stated that once the town gets the budget put together with what our expenses are Council needs to decide whether the town wants to try and fund it out of our reserves or address the meals tax to allocate more going towards the project. Discussion was also held on what the town needs to do to sell lots to generate revenue. Mr. Saunders suggested to Council that while the town owns a large number of parcels that the town should put them together and vacate the lot lines to create viable commercial lots that meet the minimum lot size before you put them back out on the market. Mr. Graham asked the Town Treasurer if she was confident the budget for Phase II is better than the budget for Phase I. Ms. Minga stated that she has spoken with Mr. Reagan and he says he has addressed these budget concerns. Committee decided to hold off on approving any Pinewood Heights Phase II documents until Mr. Reagan comes to Committee to discuss funding of the project.

1. Discussion – Potential Code and Ordinance Amendments Regarding Street Vendors, Itinerant Merchants and Seasonal Businesses – Mr. Graham asked that in reviewing the information provided is this something that should go to the Planning Commission with a recommendation being made to Town Council. Mr. Saunders stated that staff was looking for some guidance from Town Council to see if this is something you want Planning Commission to put together or not. He explained that if you had a chance to read through the staff report it touches on the finance side as far as whether the town is incentivizing it by having a really low business license fee or the way it is right now in the Town Code where it is somewhat restrictive to protect the bricks and mortar type businesses. He explained the difference in fees is \$30.00 for a brick and mortar businesses opposed to a \$50.00 a day or \$500.00 year fee for vendors. It could be assumed that previous Council did not want this type of use in the town because there is no accommodation for it and does not fit confines of the Entrance Corridor regulations. Is this something Council wants to promote and incentivize and set up an ordinance and code that welcomes this or is this something that the town wants to minimize and stay away from making accommodations in the Zoning Ordinance and Code? The Town Attorney stated that the town's biggest objection would come from the existing merchants. They have a huge investment in their infrastructure with overhead. The Town Manager stated that you have people like Jack with the Hot Dog Cart that came to Council and an exception was made that as long as he was on private property with owner's permission he would be allowed to pay the \$30.00 business license and meals tax verses the \$50.00 per day or \$500.00 a year. The Town Manager stated that now the town has had interest from another individual to do the same thing out in front of Tractor Supply. The Town Code says the fee is \$500.00. Committee agreed that the town needs to be consistent and you cannot do for one and not another. Mr. Graham stated that the town needs to be fair with our bricks and mortar businesses. He suggested looking at other localities to see how they handle this type of issue then take it to Planning Commission for more discussion. Mr. Gregory stated that he does not disagree but likes the ability if there is a business that comes in town and there is no competition for that type of business or space for it the town needs the ability on a case by case basis to look at that. The Town Attorney stated that it may need to be looked at as a Special Use Permit. Under a Special Use Permit the applicant would come in and say what they are going to do and these are the terms in which they are going to do it. Then they are bound by those terms. Committee recommends it going to Planning Commission for consideration and review.

2. Closed Session: Disposition of Real Property – Council went in Closed Session for the purpose of discussing legal matters requiring legal advice and for the disposition of real property.

Closed Session Began @ 5:32 p.m. and ended at 6:02 p.m.

Meeting Adjourned at 6:02 p.m.

**SMITHFIELD POLICE DEPARTMENT
MANAGER'S REPORT
March 2012**

Committees and Projects:

03/01 Interviews for Officers - PD – Lt. Col. Howell and Sgt. Valdez
03/05 -06 Accreditation – PD
03/06 Town Council – Lt. Col. Howell
03/08 – 12 Promotional Process – Test/Writing Exercise/Panel Interview – PD
03/13 TRAIID meeting – IofW Courthouse – Sgt. Rogers
03/15 Swearing In – PD – Chief Bowman
Promotions: Sgt. Rogers Patrol Lt.
Sgt. Valdez Detective Lt.
Off Araujo Patrol Sgt.
Off Brady Patrol Sgt.
Off Miller Patrol Sgt.
Off Jones Patrol Sgt.
Off Meier Detective Sgt.
03/20 Crime Line meeting – Smfd Center – Lt. Valdez and Annette Crocker
03/26 Police Committee – Smfd Center – Chief Bowman, Lt. Col. Howell and
Lt. Rogers
03/26 – 30 Farmers Bank Security – Officer Woods/Officer Phillips/Officer
Fordham/Sgt. Jones/Sgt. Araujo

Training

03/13 General Instructor recert – HRCJTA – Lt. Col. Howell (2 hrs.)
03/26 – 30 Newport News Boat School – NNPD – Sgt. Meier and Officer Adams (40
hrs.)

In-House Training:

03/14 Firearms Qualification – Franklin PD Range – Chief Bowman and Officer
Seamster (8 hrs.)
03/29 Suffolk Tactical Team Observation – Lt. Rogers and Sgt. Araujo (3 hrs.)

Community Relations

03/07 Homework Station – Jersey Park – Officer Cook
03/14 Homework Station – Jersey Park – Officer Cook
03/14 Isle Export – Smithfield Center – Officer Fordham
03/24 Youth Encounter – Smithfield Baptist Church – Sgt. Araujo and Officer
Seamster
03/29 Skate Party – Smithfield Skate – Sgt. Araujo and Officer Seamster
03/31 Smithfield Sprint Triathlon – Lt. Rogers/Sgt. Araujo/Sgt. Jones/Officer
Adams/Officer Woods/Officer Fordham
03/31 Carry the Cross – Sgt. Miller

Investigations:

Case#: 2012-00221
Location: Farm Fresh
Offense: Embezzlement
Disposition: Cleared by arrest

On 03/01/2012 officers responded to the Farm Fresh grocery store located on Benn's Church Blvd in reference to possible embezzlement by a store employee. Upon arrival officers made contact with the stores loss prevention officer and were advised that an employee had been making false transactions and then removing money from the till. The transactions were in reference to the gas refunds that are offered by the store. The suspect was identified by the officers and was interviewed while on scene. Through the investigation it was shown that the suspect had made multiple transactions in excess of \$800.00 over a six (6) month period. The suspect provided a statement to the interviewing officers and was subsequently charged with grand larceny. This case is closed with an arrest.

Case#: 2012-00291
Location: Jamestown Avenue / Pinewood Heights
Offense: Possession of Marijuana
Disposition: Cleared by Arrest

On 03/24/2012 officers responded to Jamestown Avenue within Pinewood Heights in reference to a loud noise call. The officers parked their vehicles along Pinewood Avenue and marked out on a foot patrol in the area. While on patrol they observed a vehicle sitting at the end of Jamestown Avenue with extremely loud music coming from it. The officers identified the vehicle as the basis for the loud noise call and approached on foot. Upon making contact with the vehicle the officers identified five individuals that were inside. They also observed a strong odor of marijuana coming from the vehicle. The officers removed all the occupants from the vehicle and placed them in an investigative detention, while they conducted a search of the vehicle for other narcotics. During the search the officers were advised by the operator of the vehicle that there was a small quantity of marijuana along with a smoking device under his seat. The officers recovered these items and finished the search of the vehicle. No other illegal items were found. The operator of the vehicle was subsequently charged with the possession of marijuana. This case is cleared by arrest.

Case#: 2012-00290
Location: Farmer's Bank
Offense: Armed Robbery
Disposition: Active Investigation

On 03/23/2012 officers responded to Farmers Bank in reference to an armed robbery. Upon arrival the officers immediately secured the area and began to gather information. Also while arriving to the scene officers were made aware of a large bag containing money and red dye was lying on Battery Park Road just down from the bank. While securing these two locations it was relayed that the possible suspect vehicle was located on Nike Park Road, just outside of the town limits. While in route to where the suspect vehicle was located another pile of money was found on Battery Park Road near the Smithfield Christian Church. All scenes were secured. Through the statements given by the witnesses the investigation has shown that three suspects, two of which were armed with handguns, entered the Farmers Bank at approximately 10:30 am. The suspects removed the money from the cashier tills themselves, and then fled in a 2003 Honda Accord. This vehicle was the vehicle later found on Nike Park Road. During their escape it appeared the loss prevention dye packs initiated and caused the suspects to throw the bag containing some of the money from the car as it travelled down Battery Park Road. The suspect vehicle then turned onto Nike Park Road, where the suspects "ditched" it and then got into another waiting vehicle. This vehicle was described as a possible blue minivan. The different scenes were processed for evidence, and this case is under active investigation.

Reporting Period: 3/1/2012 thru 3/31/2012

Total Deposits for March 2012 - \$16,808.00

Trx. Type	Date	Invoice No.	Pay Type	Check No.	Group	Event	Res ID	Book ID	Amount
Invoice	3/7/2012	1463			Ducks Unlimited	Ducks Unlimited	1269		0.00
Invoice	3/7/2012	1464			German Club	German Club	1275		800.00
Invoice	3/7/2012	1465			Smithfield Women's Club	Smithfield Women's Club	1632		205.00
Invoice	3/7/2012	1466			Smithfield Packing	Quarterly Update	1735		400.00
Invoice	3/7/2012	1467			Hunter and Fraser Vow Renewal and Reception	Hunter and Fraser Vow Renewal and Reception	1778		0.00
Invoice	3/12/2012	1469			Marian Beale	Allen Baby Shower	1808		33.60
Invoice	3/20/2012	1470			Delta Sigma Theta Sorority	Delta Sigma Theta Ball	1504		150.00
Invoice	3/21/2012	1471			Camp and Chavis Wedding and Reception	Camp and Chavis Wedding and Reception	1416		0.00
								Total	1,588.60
Payment	3/5/2012	1450	Check	143880	Boykin's Tavern Advisory Committee	Garden Shed Creations - A Flower Symposium	1843		500.00
Payment	3/16/2012	1465	Check	7761	Smithfield Women's Club	Smithfield Women's Club	1632		205.00
Payment	3/23/2012	1466	Check	2097616	Smithfield Packing	Quarterly Update	1735		400.00
Payment	3/29/2012	1464	Check	236	German Club	German Club	1275		800.00
								Total	1,905.00
Deposit	3/1/2012		Visa	Visa	Brock-Barbie Wedding & Reception	Brock-Barbie Wedding & Reception	1562		500.00
Deposit	3/1/2012		Visa	Visa	Bracy-Boone Wedding & Reception	Bracy-Boone Wedding & Reception	1879		700.00
		4063 1541 7582 3047 exp 04/2014 510 23701							
Deposit	3/1/2012		Visa	Visa	Boursiquot and Tarpley Wedding and Reception	Boursiquot and Tarpley Wedding and Reception	1830		200.00
		4737 0300 0098 1950 exp 10/2014 5109 Goldsbro Drive Apt 2011 Hampton, 23605							
Deposit	3/1/2012		Visa	Visa	Jones-Melton Wedding & Reception	Jones-Melton Wedding & Reception	1880		640.00
Deposit	3/1/2012		Check	517	Kohnert and Gross Wedding and Reception	Kohnert and Gross Wedding and Reception	1584		646.30
Deposit	3/5/2012		Check	330	National Wild Turkey Federation	National Wild Turkey Federation Banquet	1850		300.00
Deposit	3/5/2012		Check	1347	Leigh and Davis Wedding and Reception	Leigh and Davis Wedding and Reception	1841		605.00
Deposit	3/5/2012		Visa	Visa	MacDiarmid and White Wedding and Reception	MacDiarmid and White Wedding and Reception	1883		425.00

Reporting Period: 3/1/2012 thru 3/31/2012

Total Deposits for March 2012 - \$16,808.00

Trx. Type	Date	Invoice No.	Pay Type	Check No.	Group	Event	Res ID	Book ID	Amount
Deposit	3/6/2012		American Express	American Express	Tarrant and Johnson Wedding and Reception	Tarrant and Johnson Wedding and Reception	1884		500.00
Deposit	3/7/2012		Check	1801	Tuck and Delia Wedding and Reception	Tuck and Delia Wedding and Reception	1493		210.20
Deposit	3/8/2012	1469	Visa	Visa	Marian Beale	Allen Baby Shower	1808		200.00
Deposit	3/8/2012	1469	Master Card	Master Card	Marian Beale	Allen Baby Shower	1808		151.20
Deposit	3/12/2012		Visa	Visa	Vanderhelm and Coleman Wedding and Reception	Vanderhelm and Coleman Wedding and Reception	1768		850.00
Deposit	3/14/2012		Check	6095	Waters and Hirst Reception	Waters and Hirst Reception	1886		600.00
Deposit	3/15/2012		Check	3571	Tuck and Delia Wedding and Reception	Tuck and Delia Wedding and Reception	1493		720.30
Deposit	3/16/2012		Check	13925	Surry Public Schools	Surry High School Prom	1611		460.00
Deposit	3/16/2012		Master Card	MC	Wright and Reinhart Wedding and Reception	Wright and Reinhart Wedding and Reception	1688		500.00
Deposit	3/16/2012		Visa	Visa	Brown and Matthews Wedding and Reception	Brown and Matthews Wedding and Reception	1740		500.00
Deposit	3/16/2012		Visa	Visa	Holloway- Washington Wedding & Reception	Holloway-Washington Wedding & Reception	1604		200.00
Deposit	3/19/2012	1470	Check	1412	Delta Sigma Theta Sorority	Delta Sigma Theta Ball	1504		600.00
Deposit	3/20/2012		Master Card	MC	Ferguson-Needly Weddig & Reception	Ferguson-Needly Wedding & Reception	1893		500.00
Deposit	3/20/2012		Master Card	MC	Steiger-Melms Reception	Steiger-Melms Reception	1894		500.00
Deposit	3/22/2012		Visa	Visa	Don Robertson	Robertson Graduation Party	1897		400.00
Deposit	3/23/2012		Master Card	Master Card	Langhorn and Ricks Reception	Langhorn and Ricks Reception	1824		100.00
Deposit	3/23/2012		Visa	Visa	Alford-Solmonoff Wedding & Reception	Alford-Solmonoff Wedding & Reception	1899		600.00
Deposit	3/24/2012		Check	430291396	Adams and McKoy Wedding and Reception	Adams and McKoy Wedding and Reception	1771		620.00
Deposit	3/26/2012		Visa	Visa	Harris Vow Renewal	Harris Vow Renewal	1900		400.00
Deposit	3/26/2012		Visa	Visa	Waue-Riddick Reception	Waue-Riddick Reception	1901		700.00
Deposit	3/28/2012		Check	1013	Browns AME Church	Browns AME Banquet	1814		700.00
Total									14,028.00
Grand Total									-14,344.40

March 2012

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
				Courtney Off Panel Interview for Chief of Police A 5	Phone Coverage 9A-1P Hoult-Walker Rehearsal Deck 20 Panel Interview for Chief of Police A 5	Hoult-Walker Wedding & Reception MH plus Suites 100
4	5	6	7	8	9	10
	Center Staff Meeting A&B 8	Election Day MH 100 Kitchen Inventory Kitchen 2 Town Council A&B 20	Staff Meeting C&D 12	Phone Coverage 3-5PM Police Officer Testing A&B 12 Public Works Meetings C&D 20	IOW Academy Fundraiser MH plus Suites 200	IOW Academy Fundraiser MH plus Suites 200
11	12	13	14	15	16	17
Allen Baby Shower Suites 100		Delta Sigma Theta Ball MH 20 Planning Commission A&B 20	Chamber Day Trade Show MH plus Suites 300 Chamber Show -Dunmar Breakdown MH plus Suites 2 Chamber Show -Dunmar Setup MH plus Suites 2	Kohnert and Gross Wedding and Reception MH 240 Smithfield Women's Club B 20 Smithfield Women's Club C&D 80	Kohnert and Gross Wedding and Reception MH plus Suites 180	Helen Off Delta Sigma Theta Ball MH plus Suites 340
18	19	20	21	22	23	24
		BHA&R A&B 15 Crime Line Meeting C&D 15 Schoolhouse Committee C&D 15	Courtney, Amy-Think Tank SYWC Banquet MH 90	Phone Coverage 3-5 PM Voter Initiative Meeting C&D 12	Tuck and Delia Wedding and Reception MH plus Suites 150	Helen Off Melissa Off Tuck and Delia Wedding and Reception MH plus Suites 150
25	26	27	28	29	30	31
Helen Off Melissa Off Hendrickson and Mummert Wedding and Reception MH plus Suites 80	Herbert Off Committee Meetings C&D 20	Herbert Off Committee Meetings C&D 20 Pinewood Heights Neighborhood Meeting C&D 15	Herbert Off Commission on Aging Educational Event MH 150	Herbert Off Phone Coverage 9 A-12 P	Herbert Off Browns AME Banquet MH plus Suites 200 Paschal and Council Wedding and Reception Deck 20	Herbert Off Melissa Off Paschal and Council Wedding and Reception MH plus Suites 200

Smithfield Center Discounts - March 2012

Booking Date	Event Name	Room Code	Discount Percent
3/1/2012	Panel Interview for Chief of Police	A	100.00%
3/2/2012	Panel Interview for Chief of Police	A	100.00%
3/2/2012	Hoult-Walker Rehearsal	Deck	0.00%
3/3/2012	Hoult-Walker Wedding & Reception	MH plus Suites	0.00%
3/5/2012	Center Staff Meeting	A&B	100.00%
3/6/2012	Town Council	A&B	100.00%
3/6/2012	Election Day	MH	100.00%
3/7/2012	Staff Meeting	C&D	100.00%
3/8/2012	Police Officer Testing	A&B	100.00%
3/8/2012	Public Works Meetings	C&D	100.00%
3/9/2012	IOW Academy Fundraiser	MH plus Suites	20.00%
3/10/2012	IOW Academy Fundraiser	MH plus Suites	20.00%
3/11/2012	Allen Baby Shower	Suites	0.00%
3/13/2012	Planning Commission	A&B	100.00%
3/13/2012	Delta Sigma Theta Ball	MH	0.00%
3/14/2012	Chamber Day Trade Show	MH plus Suites	0.00%
3/15/2012	Smithfield Women's Club	B	100.00%
3/15/2012	Smithfield Women's Club	C&D	50.00%
3/15/2012	Kohnert and Gross Wedding and Reception	MH	20.00%
3/16/2012	Kohnert and Gross Wedding and Reception	MH plus Suites	20.00%
3/17/2012	Delta Sigma Theta Ball	MH plus Suites	0.00%
3/20/2012	BHA&R	A&B	100.00%
3/20/2012	Schoolhouse Committee	C&D	100.00%
3/20/2012	Crime Line Meeting	C&D	100.00%
3/21/2012	SYWC Banquet	MH	0.00%
3/22/2012	Voter Initiative Meeting	C&D	100.00%
3/23/2012	Tuck and Delia Wedding and Reception	MH plus Suites	20.00%
3/24/2012	Walk for Angela Latimer	Courtyard	0.00%
3/24/2012	Tuck and Delia Wedding and Reception	MH plus Suites	0.00%
3/25/2012	Hendrickson and Mummert Wedding and Reception	MH plus Suites	0.00%
3/26/2012	Committee Meetings	C&D	100.00%
3/27/2012	Committee Meetings	C&D	100.00%
3/27/2012	Pinewood Heights Neighborhood Meeting	C&D	100.00%
3/28/2012	Commission on Aging Educational Event	MH	100.00%
3/30/2012	Browns AME Banquet	MH plus Suites	0.00%
3/31/2012	Paschal and Council Wedding and Reception	MH plus Suites	0.00%
3/31/2012	Community Easter Egg Hunt	Riverfront	0.00%
	Discounted 100%	18	
	Discounted 50%	1	
	Discounted 20%	3	

Smithfield/Isle of Wight Tourism Activity Report – March 2012

- Director attended Isle of Wight Board of Supervisors Meeting 3/15/12.
- Director attended Smithfield Town Council Meeting 3/6/12.
- Monday Morning Moan meeting held for communications planning for S. Church Street Beautification project 3/5, 3/12, 3/19, 3/26. Meeting will be held each Monday morning to allow citizens and merchants to make public comments and to discuss communicating the project issues to all concerned-residents, merchants and visitors.
- Arranged for I-Ride transportation for Ann Martin Memorial Reception 3/1/12.
- America in Bloom Meeting 3/1/12; 3/12/12; 3/20/12 and 3/28/12. Completed Community Profile 3/23/12.
- Wrote copy for video script for upcoming new Visitor Center video under production this Spring 3/2/12; 3/16/12.
- Smithfield 2020 Meeting 3/7/12. Façade improvement project, demolition by neglect and porcine statuary initiatives moving forward. Porcine Statuary will be painted throughout the next several months. The “herd” will be unveiled during the Grand Re-Opening of the Historic District in June 2012. For more info and minutes of Smithfield 2020 meeting, please visit www.smithfield2020.org Porcine Statuary Committee meeting held 3/14/12 to determine plaque verbiage for all 8 statues.
- Attended Smithfield Wine & Brew Fest meeting 3/7/12, 3/14/12, 3/21/12, 3/28/12. The event is progressing on schedule and should be a wonderful occasion April 14th 2012! Tourism is advising on advertising and logistics. For more info go to www.smithfieldvawinebrewfest.com
- VHTA legislative conference calls held 3/2/12.
- 2012 Aikenfest Music Festival planning meeting held 3/6/12; 3/13/12.
- Director attended Saint Luke’s Board meeting 3/8/12.
- Attended SHDBA meeting 3/8/12.
- Tourism monthly staff meeting 3/12/12.

- Staff Rack Brochure meeting 3/13/12.
- Attended *Smithfield on the Move* planning meeting 3/13/12. Smithfield on the Move is a project initiated by an Obici Grant for healthy choices and living alternatives. Also applying for another grant that would enable the Smithfield Farmers Market to offer WIC and SNIP benefits.
- Staff Olden Days meeting 3/14/12. Budget planning.
- Attended Chamber of Commerce Islefest Trade Show at the Smithfield Center 3/14/12. Tourism shared exhibit booth with IOW Economic Development.
- Attended Coastal Virginia Tourism Alliance Value of Tourism committee meeting 3/15/12 and the Coastal Virginia Tourism Alliance full meeting on 3/21/12. This organization has received its 501c6. Director is the current Secretary of the organization which encompasses Coastal Virginia CVB's from the Eastern Shore to Williamsburg.
- Worked on Visitor Guide copy and design for upcoming 2012/2013 Visitor Guide 3/15/12; 3/22/12;
- Staff attended PA Bus marketplace meeting 3/18-20/12. Excellent, well-attended trade show.
- Schoolhouse Museum Board Meeting 3/20/12.
- Staff attended Visitor Center Manager Seminar 3/21-22/12.
- Director met with Children's Center for United Way Cabinet funding request 3/21/12.
- Hosted bus tour 3/22/12.
- Attended Smithfield VOTES planning meeting 3/22/12. Voter turnout initiative for Town Council elections. Worked call center for project 3/29/12.
- Met with the IOW County Fair Marketing Committee 3/23/12 regarding upcoming advertising and promotion for 2012 Fair.
- Isle of Wight Fair Committee meeting 3/26/12.
- Host travel writer from Recreation News 3/29-31/12.
- Attended Board of Supervisors Budget Work Session 3/29/12.

- First Smithfield Farmer's Market of the year...3/31/12!!!
- Attended Council Committee Meetings 3/27/12.
- Attended Smithfield Staff Meeting 3/7/12 and 3/21/12.
- IOW Staff Meeting cancelled.
- Update website events and *Where the Locals Go* event promotion newsletter weekly. This e-newsletter combines tourist events and the Farmer's Market information.
- Weekly individual meetings with staff to address concerns and review projects.

Upcoming Events: See www.visitsmithfieldisleofwight.com for more details!

PROCLAMATION

YMCA's Healthy Kids Day

WHEREAS, the mission of the YMCA is to build strong kids, strong families and strong communities through programs that develop healthy minds and bodies; and

WHEREAS, the YMCA is dedicated to providing programs and services to children and adults throughout the County. Through Healthy Kids Day, our national initiative to improve the health and wellbeing of Kids, the YMCA challenges families to **Take on Summer** by addressing critical gaps in kids' health and education. Summer is the perfect time to make playing and learning a family goal; and

WHEREAS, with free community events that help families find fun through active play and educational opportunities and inspire them to carry that spirit of fun throughout their summer; and

WHEREAS, as a community, we must work together to ensure the health and safety of all our children. Community-based programs are vital to helping alleviate the epidemic of childhood obesity; and

WHEREAS, YMCA Healthy Kids Day is a national event celebrating healthy living and encouraging families to embrace habits that can become lifelong practices; and

WHEREAS, the YMCA has a collaboration planned on April 28th with Isle of Wight Parks and Rec from 10:00 a.m. to 1:00 p.m. to sponsor YMCA Healthy Kids Day in our community.

NOW THEREFORE, I David M. Hare, Mayor of the Town of Smithfield, Virginia do hereby proclaim April 28th, 2012 as YMCA Healthy Kids Day.

David M. Hare, Mayor

**RESOLUTION AUTHORIZING PARTICIPATION IN A STUDY OF
FURTHER REGIONALIZATION OF SANITARY SEWER SERVICE AND ASSETS**

WHEREAS, the Town of Smithfield owns and operates a sanitary sewer collection system directly connected to the regional sanitary sewer system owned and operated by the Hampton Roads Sanitation District (HRSD), a political subdivision of the Commonwealth of Virginia; and

WHEREAS, the HRSD and thirteen of the seventeen localities within Hampton Roads, including the Town of Smithfield entered a Special Order by Consent with the State Water Control Board on September 26, 2007 (the Order) for the purpose of resolving certain alleged violations of environmental laws and regulations; and

WHEREAS, in the course of planning actions to meet the requirements of the Order, the potential to develop a more cost effective set of actions to satisfy the requirements of the Order through consolidation of sanitary sewer assets under a single regional entity has been identified by HRSD; and

WHEREAS, consolidation of all sanitary sewer assets directly connected to HRSD may have the potential to reduce total sanitary sewer operation and maintenance costs for the Hampton Roads region in addition to the potential capital cost savings for the Hampton Roads regional ratepayers within the localities under the Order; and

WHEREAS, consolidation of all sanitary sewer assets directly connected to HRSD also presents several challenges for localities, including impact on system operation and maintenance, locality personnel whose work responsibilities include the sanitary sewer system in addition to other locality assets, land use management, debt allocation, customer service and the potential for inequitable application of resources; and

WHEREAS, data gathering, analysis and study are required to determine whether the benefits to the region and to the individual participating localities that may be identified within Hampton Roads from further regionalization outweigh the challenges of regional consolidation of sanitary sewer service and assets.

NOW, THEREFORE, BE IT RESOLVED that the Town of Smithfield hereby agrees and acknowledges the intent that of the Hampton Roads Planning District Commission (HRPDC) should to conduct a comprehensive, non-binding study of further regionalization of sanitary sewer service and assets (the Study). Such study shall be fully funded by HRSD in an amount agreeable to HRSD and completed by July 1, 2013; and

BE IT FURTHER RESOLVED that the Study will also address how HRSD will acquire assets of the localities and honor or retire any debt related to those assets and how decisions will be made regarding allocation of resources across a regional system for renovation, renewal and new capacity; and

BE IT FURTHER RESOLVED that the Town of Smithfield will provide at no expense to the town access to information, data, assets, staff and otherwise cooperate to a reasonable extent with the HRPDC and/or the HRPDC's agent in conducting the Study of regional consolidation of sanitary sewer assets in so far as

cooperative efforts do not interfere with staff responsibilities, and the Town of Smithfield will participate in a thoroughthe evaluation of the Study results; and

BE IT FURTHER RESOLVED that this does not bind the Town of Smithfield to participate financially in the Study or to accept, adopt or comply with any conclusions or recommendations of the Study; and

BE IT FURTHER RESOLVED that the Study will impact the Town of Smithfield’s ability to accomplish all of the work required under the Order and as such, the conduct of the Study is expressly contingent on receiving an appropriate stay or deferral of activities required by the Order from the Virginia Department of Environmental Quality and the United States Environmental Protection Agency as necessary to (1) allow existing sewer managers and staff to participate in fully in the Study and evaluation of the Study results., and (2) to avoid further study, analysis, evaluation or performance of sewer system rehabilitation, upgrades, or replacements that may not be regionally cost effective should further regionalization of sewer service and assets be achieved as a result of the Study.

ADOPTED this 3rd day of April, 2012.

Town Council of the
Town of Smithfield

BY: _____
David M. Hare, Mayor

ATTEST:

Lesley J. Greer, Clerk

CLARK • NEXSEN

Architecture & Engineering

Invoice

February 29, 2012

Invoice No: 47496

Sonja Pruitt
Town of Smithfield
310 Institute Street
P.O. Box 246
Smithfield, VA 23431

Project Manager Michael Tippin
Principal David Bradshaw

Project 4028 South Church Street Additional CA Services, Smithfield, VA (IDQ 3152)

NTE \$20,120.00

Professional Services for the Period through February 29, 2012

Fee	20,120.00		
Percent Complete	67.50%	Total Earned	13,582.00
		Previous Fee Billing	9,782.00
		Current Fee Billing	3,800.00
		Fee	3,800.00
		Invoice Total:	63,800.00

Clark Nexsen - Deborah A. Gill

dagel

RW VENDOR # 2779
ACCOUNT # 4-100-41300-8100
DEPT HEAD M.T.T.
TOWN MANAGER PLS

CLARK • NEXSEN

Architecture & Engineering

Invoice

February 29, 2012
Invoice No: 47493

Sonja Pruitt
Town of Smithfield
310 Institute Street
P.O. Box 246
Smithfield, VA 23431

Project Manager Michael Tippin
Principal David Bradshaw

Project 3683 South Church Street Construction Inspection Services (IDQ 3152)

Professional Services for the Period through February 29, 2012

Description	Total Fee	Percent Complete	Total Fee Earned	Prior Fee Earned	Current Fee Earned
CA - Office	194,034.00	79%	153,412.60	143,476.18	9,936.42
Total Fee	194,034.00		153,412.60	143,476.18	9,936.42
	Subtotal				9,936.42

Invoice Total: \$9,936.42

Outstanding Invoices

Number	Date	Balance
46981	11/30/2011	11,925.13
Total		11,925.13

VENDOR # 2779
ACCOUNT # 4-100-41300-8100
DEPT HEAD m.w.j.
TOWN MANAGER PLS

Clark Nexsen - Deborah A. Gill

dagill

CLARK • NEXSEN

Architecture & Engineering

Invoice

February 29, 2012

Invoice No: 47491

Sonja Pruitt
Town of Smithfield
310 Institute Street
P.O. Box 246
Smithfield, VA 23431

Project Manager Michael Tippin
Principal David Bradshaw

Project 3682 South Church Street Waterline Replacement (IDQ 3452)

Professional Services for the Period through February 29, 2012

Description	Total Fee	Percent Complete	Total Fee Earned	Prior Fee Earned	Current Fee Earned
Study	3,940.00	100.00	3,940.00	3,940.00	0.00
60% Design	21,910.00	100.00	21,910.00	21,910.00	0.00
100% Design	9,940.00	100.00	9,940.00	9,940.00	0.00
Final Design	4,340.00	100.00	4,340.00	4,340.00	0.00
Direct Costs	1,100.00	100.00	1,100.00	1,100.00	0.00
Additional Services	7,000.00	35.00	2,450.00	2,450.00	0.00
Change Order #1	36,580.00	60.00	21,948.00	18,290.00	3,658.00
Total Fee	84,810.00		65,628.00	61,970.00	3,658.00
	Subtotal				3,658.00
			Invoice Total:		\$3,658.00

Clark Nexsen - Deborah A. Gill

dagill

VENDOR #

2779

ACCOUNT #

4100 - 41300 - 8100
005 - 42060 -

DEPT HEAD

11-21

TOWN MANAGER

Pls

THIS AGREEMENT, made and entered into this ____ day of _____, 2012 by and between the **TOWN OF SMITHFIELD**, a Virginia municipal corporation, party of the first part, hereinafter sometimes referred to as "Town"; and **S. DAWSON MOODY** and **LACEY T. MOODY**, husband and wife, parties of the second part, hereinafter sometimes referred to as "Moody".

WITNESSETH:

WHEREAS, Moody owns certain real property in the Town of Smithfield having the address of 315 S. Church Street, which property is more particularly described in that certain deed dated July 30, 2007 recorded as Instrument No. 070005278 in the Clerk's Office of the Circuit Court of Isle of Wight County, Virginia; and,

WHEREAS, by deed of easement dated December 15, 2009 recorded as Instrument No. 100000150 in the Clerk's Office of the Circuit Court of Isle of Wight County, Virginia ("the deed of easement") Moody conveyed a permanent drainage easement 15 feet in width, all as shown on a plat of survey attached thereto; and,

WHEREAS, the Town has completed the construction of the required drainage structures within the easement; and,

WHEREAS, the provisions of the deed of easement required that the Town shall restore the premises to its original condition, including the repaving of the driveway; and,

WHEREAS, it was necessary, as part of the construction of the drainage easement, to remove the driveway located upon the premises; and,

WHEREAS, the parties have agreed that Moody shall contract with a third party contractor for the purpose of replacing the driveway to his satisfaction and the Town shall make a lump sum payment to Moody for its cost.

NOW THEREFORE, in consideration of these premises and the sum of Sixteen Thousand Dollars (\$16,000.00), cash in hand paid by Town to Moody, the receipt of which is here acknowledged by Moody, the parties do hereby agree as follows:

1. Moody shall hire a contractor of their choosing to replace the driveway upon their property located at 315 S. Church Street. The specifications, design and choice of materials for the driveway shall be determined by Moody in their sole discretion. Moody shall be solely responsible for supervising the construction of the driveway and the construction shall be at such a time and on terms as may be agreed by Moody and their contractor. Moody shall be responsible for all clean up required as a result of the driveway construction and any seeding or sodding of grass around the new driveway areas.
2. The Town shall pay to Moody with the execution of this agreement the lump sum of Sixteen Thousand Dollars (\$16,000.00) in full, final and complete satisfaction of the Town's obligation to replace the driveway on Moody's property as required by the provisions of the deed of easement.
3. Moody agrees that they shall by these presents deem the Town's obligation to restore the premises, including the repaving of the driveway, to be satisfied in full and Moody shall release the Town and hold the Town harmless for any and all claims for defects in the construction of the new driveway. Moody agrees that all claims for defects in the materials or workmanship for the new replacement driveway shall be made against Moody's contractor and they shall indemnify and hold the Town harmless therefrom.
4. Nothing herein shall release the Town from its obligation to maintain and repair the drainage structures installed within the permanent drainage easement granted by the deed of easement.
5. Whenever used herein, the singular shall include the plural, the plural the singular, and the use of any gender shall include all other genders.

WITNESS the following signatures and seals this _____ day of _____, 2012.

TOWN OF SMITHFIELD

By: _____
David M. Hare Mayor

Attest:

Lesley Greer, Clerk

STATE OF VIRGINIA
COUNTY OF ISLE OF WIGHT, to wit:

The foregoing instrument was acknowledged before me this _____ day of _____, 2012 by David M. Hare as Mayor of the Town of Smithfield.

Notary Public

My commission expires: _____

_____(SEAL)

S. DAWSON MOODY

_____(SEAL)

LACEY T. MOODY

STATE OF VIRGINIA
COUNTY OF ISLE OF WIGHT, to wit:

The foregoing instrument was acknowledged before me this ____ day of _____, 2012 by S. Dawson Moody and Lacey T. Moody.

Notary Public

My commission expires: _____

**Memorandum of Understanding
For Farming Operations at Windsor Castle Park
Between
The Town of Smithfield and Jerry D. Stallings**

This Memorandum of Understanding between the Town of Smithfield, (hereinafter referred to as Town) and Jerry D. Stallings (herein after referred to as Tenant) will govern the use of Windsor Castle Park property for farming operations. In as much as the Town acquired the property in 2009 for the purposes of public park use, and has entered into prior agreements with Tenant to farm the property; and,

Whereas the parties have agreed that Tenant shall continue farming operations on a portion of the park property and desire to enter into a renewal of their existing agreement;

Now therefore the parties agree as follows:

1. Town does hereby grant permission to Tenant to continue farming operations on a portion of the Windsor Castle property for the purpose of growing crops indigenous to Isle of Wight County. In consideration of the use of the farm land, the Tenant agrees to mow, at a minimum of once per month, the public lands and right of ways as show on the attached exhibit. The areas that may be farmed by Tenant are shown and identified on the attached exhibit.
2. In the event the Tenant elects to leave a field fallow, the Tenant agrees to mow the fallow field on a regular basis so that the field does not become a nuisance and unsightly and for as long as the Tenant is using other Windsor Castle Park land for farming or until Tenant gives notice and discontinues all farming operations on Windsor Castle Park land.
3. During the maintenance of the public park and during any future construction of additional public park improvements, if any, the Town or its agents will use due diligence to avoid damage to existing crops. The Tenant agrees to give 7 days prior notice to the Town of his intention to apply any chemicals during his farming operations that may pose a public health or safety concern.
4. This agreement shall be effective for a period beginning April 1, 2012 and ending December 1, 2012 and may be extended by mutual agreement of the parties.
5. The consideration for this agreement is the mutual benefit that each party derives from its terms. There shall be no monetary compensation to the Town by the Tenant or to the Tenant by the Town for the right to continue farming operations on the Windsor Castle Park property or the maintenance/mowing services required by the provisions of this agreement.

Witness the following signatures of the parties. Peter M. Stephenson, Town Manager executes this agreement pursuant to authority of the Town Council granted at its meeting on April 3, 2012.

Tenant: _____
Jerry D. Stallings

Date: _____

Town: Town of Smithfield

By _____
Peter M. Stephenson, Town Manager

Date: _____

AN ORDINANCE TO PROHIBIT THE RIDING OF SKATEBOARDS AND SKATING ON
LUTER DRIVE AND A PORTION OF MAIN STREET

WHEREAS, pursuant to the Town Council's power to regulate the use its public streets, the Town Council finds it to be in the best interest of public health, safety and welfare of the citizens of the Town of Smithfield to prohibit the riding of skateboards and skating on Luter Drive and a portion of Main Street.

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

1. That Article 1. of Chapter 78. Traffic and Vehicles to the Code of the Town of Smithfield is hereby amended by the addition of Section. 78-17 as follows:

78-17 – Riding skateboards and skating on Luter Drive and a portion of Main Street is prohibited.

(a) It shall be unlawful for any person to ride a skateboard or to skate on any portion of Luter Drive or that portion of Main Street beginning at its intersection with North and South Church Streets to its intersection with Commerce Street **Optional (during the hours from 7:00 am until 6:00 pm, Monday through Friday).**

(b) A violation of this section shall constitute a traffic infraction punishable by a fine on not less than \$5.00 nor more than \$25.00.

2. This ordinance shall become effective immediately upon adoption.

ADOPTED this 3rd day of April, 2012.

David M. Hare, Mayor

Attest:

Clerk