

SMITHFIELD TOWN COUNCIL AGENDA

June 5th, 2012 at 7:30 p.m.
Held at Smithfield Center, 220 N. Church Street



A. INFORMATIONAL SECTION:

1. Manager's Report
 - a. May Activity Report
 - b. Introduction of New Police Officer Danelle Wright

B. UPCOMING MEETINGS AND ACTIVITIES:

- | | | |
|---------|---|---|
| June 5 | - | 7:30 p.m. – Town Council Meeting |
| June 12 | - | 7:30 p.m. – Planning Commission Meeting |
| June 19 | - | 6:30 p.m. – Board of Zoning Appeals |
| June 19 | - | 7:30 p.m. – Board of Historic and Architectural Review |
| June 25 | - | 4:00 p.m. – Town Council Committee Meetings (Consecutive) |
| | | Police Committee |
| | | Water and Sewer Committee |
| | | Finance Committee |
| June 25 | - | 6:00 p.m. - Continued Town Council Meeting from June 5th |
| June 26 | - | 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. Streetscape Project Update by Richard Hoeflaak, Excel paving Corporation

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. Motion to Accept Contract Renewal for Underground Utilities with Lewis Construction for One Additional Year
Water and Sewer Committee Chair, Andrew C. Gregory
- C2. Motion to Accept Contract Renewal for Sanitary Sewer Rehabilitation with Tri-State Utilities for One Additional Year
Water and Sewer Committee Chair, Andrew C. Gregory
- C3. Invoices Over \$10,000 Requiring Council's Consideration:
Finance Committee Chair, John L. Graham
- | | | |
|-----------------------------|--------------|----------------|
| a. Clark Nexsen | \$ 15,080.48 | |
| b. HD Supply | \$ 31,780.98 | |
| c. Excel Paving Corporation | \$228,274.09 | |
| d. Draper Aden Associates | \$ 29,022.40 | |
| e. Xylem | \$ 35,925.00 | TAB # 1 |
- C4. Resolution to Adopt Employer Retirement Contribution Rate Election for the Virginia Retirement System (VRS)
Finance Committee Chair, John L. Graham **TAB # 2**
- C5. Resolution to Phase in Virginia Retirement System Member Contribution Over Five Years
Finance Committee Chair, John L. Graham **TAB # 3**
- C6. Resolution to Authorize Annual Fireworks Display at Clontz Park on July 3rd, 2012 and Cost Sharing (\$2,000)
Finance Committee Chair, John L. Graham **TAB # 4**
- C7. Motion to Authorize Excel Paving Corporation's Change Order for Boring Additional Five 4" Conduits
Public Works Committee Chair, Constance Chapman
- C8. Resolution to Authorize the Town Manager to Apply for Virginia Department of Conservation and Recreation (DCR) Dam Safety Grant
Public Works Committee Chair, Constance Chapman **TAB # 5**
- C9. Resolution to Move Town Council Meeting Schedule for Tuesday July 3rd to Monday July 2nd due to Fourth of July Activities at the Smithfield Center
Public Buildings and Welfare Committee Chair, Dr. Milton Cook **TAB # 6**
- C10. Motion to Authorize the Town Manager to Extend the Request for Proposals for 117 North Church Street for an Additional Sixty Days
Public Buildings and Welfare Committee chair, Dr. Milton Cook

ACTION SECTION

1. Public Hearing: 1% Meals Tax Increase **TAB # 7**
- a. Staff Presentation by Ellen D. Minga, Town Treasurer
 - b. Public Hearing Opened
 - c. Public Hearing Closed

d. Consideration: Finance Committee Chair, John L. Graham

2. **Public Hearing: Adoption of Amended Budget for FY 2011/2012**

TAB # 8

- a. Staff Presentation by Ellen D. Minga, Town Treasurer
- b. Public Hearing Opened
- c. Public Hearing Closed
- d. Consideration: Finance Committee Chair, John L. Graham

3. **Public Hearing: Proposed Budget for FY 2012/2013**

- a. Staff Presentation by Ellen D. Minga, Town Treasurer
- b. Public Hearing Opened
- c. Public Hearing Closed
- d. Consideration: Finance Committee Chair, John L. Graham

4. **Appoint a Nominating Committee to Appoint / Reappoint a Member to the Board of Zoning Appeals for the Expiring Term of Clem Batten (6/30/2012)**

Mayor David M. Hare

5. **Motion to Approve the Town Council Minutes for the Meetings of April 3rd and May 1st, 2012**
Town Attorney, William H. Riddick

6. **Old Business:**

7. **Closed Session – Town Council Evaluations for the Four Appointed Positions**

8. **New Business:**

9. **Continue Meeting until June 25th at 6:00 p.m. -**

June 1, 2012

TO: SMITHFIELD TOWN COUNCIL

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

SUBJECT: MONTHLY ACTIVITY REPORT – May 2012

TOWN MANAGER'S OFFICE:

- a. Attended the following meetings this month: Smithfield 2020, Town Safety Committee, IOW Emergency Communications Center board, Smithfield on the Move, Town Staff, VML Insurance Programs board and annual meetings, HRCJTA executive committee, regional public utilities tabletop exercise, VRS Reform webinar, etc.
- b. Attended NLC-RISC Trustees Conference in St. Louis as chairman of VMLIP.
- c. Met with IOW Economic Development and chamber directors regarding marketing of vacant commercial properties in town
- d. Met with IOW County School officials twice regarding potential shared services and pooling of health insurance
- e. Prepared and submitted three achievement award nominations to VML
- f. Prepared and advertised RFP for vehicle maintenance services

TOWN CLERK'S OFFICE:

- a. Transcribed and proofed the monthly minutes for Town Council, Planning Commission and Board of Historic and Architectural Review.
- b. Swore in New Police Officer, Danelle Wright, May 7th.
- c. Attended Budget Work Session to take minutes, May 8th.
- d. Attended Safety Committee Meeting, May 9th.
- e. Attended Windsor Castle Foundation Board Meeting on May 10th.
- f. Met with James Stuart of GovDeals to review program enhancements.
- g. Prepared May Town Council Committee Agenda and June Town Council Agenda.
- h. Attended Town Council Committee meetings on May 21st and 22nd and prepared summary reports of the committees.

TREASURER'S OFFICE:

- a. Took a sick day on May 4.
- b. Continued budget analysis for budget workshop on May 8.

- c. Met with Bob Lauderberg of VML-VACO finance to discuss possible investment opportunities for local governments.
- d. Met with Bill Hopkins, Jessie Snead, and Wayne Griffin on May 17 for conference call with Excel to discuss project status and funding resources to be identified on the requests for payment.
- e. Hired Krystle Bowman as the new AP clerk. She began work on May 21.
- f. Forwarded annual renewal information to TowneBank for line of credit.
- g. Prepared revised 2012 and projected 2013 summary budgets and forwarded them to the Town Attorney for advertisement prior to public hearing.
- h. Finalized meals tax audit and payment plan for business owner based on audit results.

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. Continued work on manhole inspections and ARV - both 50% complete.
 - b. Fixed sewer line leak on Cary St . - leaking at bell joint.
 - c. Replaced air release valve at 18476 Benns Church Blvd.
 2. Sewer Pump Station Repairs and Maintenance:
 - a. Weekly and daily checks on all 27 pump stations.
 - b. Pulled and cleaned pumps at Plaza and Morris Creek.
 - c. Installed new pump at Canteberry pump station.
 - d. Performed scheduled maintenance on Godwin bypass pumps, pump station pumps and alarms.
 3. Water Line Repairs and Maintenance:
 - a. Repaired water leak at 5 Riverside Drive. Service line between 2 meters began to leak. Repair was made with 1"CTS pipe.
 - b. Drained Cary St. water tank and filled back up with fresh water.
 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. Began the process of the well abandonment for the Pinewood Heights Well. Quotes from certified well drillers have been received.

5. Water Treatment Plant

- a. Daily lab analysis, sampling and reports for VDH, HRSD, DEQ and ITT.
- b. HVAC service techs repaired electrical room AC.
- c. Dates were set for the installation of the 3rd stage spacers and chemicals for the RO skid cleaning were delivered.
- d. SOP's and schedules were created for in house, VDH, DEQ, and HRSD sampling.
- e. Plant operator attended HRPDC table top exercise.

6. Safety

- a. Monthly truck inspections.
- b. All Public Works employees attended Safety Awareness 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- 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. Cleaned out planters at VDOT parking lot.
- e. Staff worked Earth Day/Special Recycling Collection Event.

PLANNING AND ZONING:

1. Planning Commission – 05/08/12

- A. Entrance Corridor Design Review – Mural – Ringo's Donuts – 1200 S. Church St. – Beth Aberth, Girl Scouts of IOW, applicants – Approved.
- B. Entrance Corridor Design Review – Roof Renovation – Smithfield Church of Christ – 18420 Battery Park Road – Bart McElfresh, Barnes Design Group, applicants – Approved.

- C. Entrance Corridor Design Review – Exterior, Signage – Ice House – 1808 S. Church St. - Tim & Diane Davis, Old Dominion Ice Company, 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 (95% complete)
 - G. Main Street Baptist Church (15% complete)
 - H. Taste of Smithfield (40%)
6. Board of Zoning Appeals 05/15/12
 - No meeting held.
7. Board of Historic & Architectural Review 05/15/12
 - A. Proposed Exterior Door Color Change – 216 Cary St. – Contributing – Maury A. Talbert, applicant – Approved.
 - B. Proposed Exterior Color Change – 232 James St. – Contributing – John & Samantha Fitzgerald, applicants – Approved.
 - C. Proposed Sign Change – 221 Main St. – Contributing – Emily Norton, The Main Event, applicants – Approved.
 - D. Proposed Exterior Color Change – 226 Institute St. – No Designation – Peter Faleski, applicant – Approved.
 - E. Proposed Exterior Color Change & Decorative Banners – 518 Main St. – Non-Contributing – Judy Winslow, Smithfield/IOW Tourism, 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 started directional bore installation of Verizon & Charter Cable conduit system from the Verizon Build. To Smithfield Sta. parking lot. Contractor started installation of sidewalk mud slab at various locations on the east and west side of project Sta. 100 + 00 to Sta. 107 + 00. Contractor has started and completed installation of final surface lift of asphalt in Detour area. Contractor has installed sidewalk brick from Luter Dr. to Cedar St. Contractor has now lifted and opened the detour from Cedar St. to Luter Drive. Charter cable has started installation of pull boxes and remaining conduit system for their utility. Dom. Va. Power has installed streetlight poles, pulled wire from pull boxes to lights. They are also making final tie-in from their junction boxes to residences from Sta. 115 + 00 to Sta. 125 + 00.

- D. Blair Bro.'s Contr. started and completed pavement patch repairs on Main Street, installed asphalt patch and pea gravel surface. Watson Drive and Smithfield Blvd., regraded and repaired culvert pipe and ditch on John Rolfe Dr. Repaired asphalt shoulders on Barcroft Dr., Jamestown Ave. and Carver Ave.

June 1, 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, MAY 21ST, 2012

The Police Committee met Monday, May 21st, 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. Steve Bowman, Smithfield Police Chief; and Mr. Alonzo Howell, Deputy Police Chief; Also in attendance was Mr. Randy Pack, Town Council Elect. The media was represented by Ms. Kelly Barlow of The Smithfield Times.

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

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

1. Operational Updates – Chief Bowman reported that far as operational updates go the department is gearing up for Olden Days coming up the end of June. He stated that he has met with Ms. Winslow, Director of Tourism, pertaining to the grand opening of Church Street on June 29th. Vice Mayor Williams asked how many officers are we short now. Chief Bowman replied two; however they continue to receive really good applications for these positions. Our newest Officer, Danielle Wright, will be introduced to Council at the June 5th meeting.

2. Additional Item Discussed: Vehicle Accident Involving Smithfield Police Officer – Deputy Chief Howell explained that on May 4th at approximately 9:30 p.m. on Waterworks Road Officer Eric Phillips was responding at the request of the county to

assist with Mutual Aid. The request was made by the county when they were unable to raise the County Deputy that was in need of assistance on the radio. There was a report of shots being fired and they were not sure if harm had come to the deputy or not. The Smithfield Officer responding came upon a curve that he was unfamiliar with and lost control of the vehicle striking the ditch on the right shoulder of the road and then subsequently crossing over and striking the ditch on the left shoulder of the road. Officer Phillips did go to the hospital to be checked out for injuries. The vehicle sustained a considerable amount of damage. The town is waiting on the estimate from the adjuster to confirm the vehicle was totaled and what dollar amount the town might possibly be reimbursed. Committee asked if the officer was okay now. Chief Bowman stated that the officer was treated and released. Chief Bowman also thanked town staff and committee for showing their support to the officer and the department after the incident.

3. Additional Item Discussed: Speed Limit Changes / Golf Cart Usage – The Town Manager mentioned that at the last Town Council meeting there were two residents in attendance that live on Barclay Crescent. They are very interested in golf carts and inquired about the speed limit issue that restricts golf carts from being used in some neighborhoods. They have asked us to look at these areas. Chief Bowman explained that the Code of Virginia specifically states that if you have 300 feet of frontage that basically is occupied by 75 percent dwellings or zoned for dwellings it should be 25 mph. Chief Bowman explained that some of these streets that have higher posted speed limits are where kids play and it does become a safety concern. Committee agreed in some of these areas safety is a concern. Staff will work with Smithfield Police Department to address the golf cart usage request and the possibility of reducing speed limits to 25 mph in residential neighborhoods town wide. This will be brought back to committee with recommendation once it has been determined.

The meeting adjourned at 4:11 p.m.

June 1, 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, May 21st, 2012

The Water & Sewer Committee held a meeting on Monday, May 21st, 2012 at 4:11 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, Ms. Constance Chapman, Dr. Milton Cook, 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. Steve G. Bowman, Smithfield Police Chief; and Mr. Alonzo Howell, Deputy Police Chief; Also in attendance was Mr. Randy Pack, Town Council Elect. The media was represented by Ms. Kelly Barlow of The Smithfield Times.

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

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

1. Contract Renewal for Underground Utilities with Lewis Construction – Mr. Hopkins reported that the town has a contract with Lewis Construction for scheduled and emergency repairs / replacement to sanitary sewer and water systems over 6 feet deep. The town does not own the equipment required to perform this type of work. Staff has been pleased with their work and recommends approval of contract for one additional year. There will be no changes in contract terms or prices. Committee recommends approval to Town Council.

2. Contract Renewal for Sanitary Sewer Rehabilitation with Tri-State Utilities – Mr. Hopkins reported that the town has a contract with Tri-State Utilities to clean and line damaged sewer lines. The town does not own equipment necessary to perform this type of work. However the town will be able to do more cleaning now that the town owns a Sewer VAC Truck. Staff has been pleased with their work and recommends that this contract be renewed one additional year. Committee recommends approval to Town Council.

The meeting adjourned at 4:14 p.m.

June 1, 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, MAY 21st, 2012

The Finance Committee held a meeting on Monday, May 21st, 2012 at 4:15 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, Ms. Constance Chapman; Mr. T. Carter Williams, Vice Mayor; 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; Mr. Steve G. Bowman, Smithfield Police Chief, and Mr. Alonzo Howell, Deputy Police Chief. Also in attendance was Mr. Randy Pack, Town Council Elect. The media was represented by Ms. Kelly Barlow of The Smithfield Times.

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. Clark Nexsen \$ 15,080.48
 - b. HD Supply \$ 31,780.98
 - c. Excel Paving Corporation \$228,274.09
 - d. Draper Aden Associates \$ 29,022.40
- Additional Invoices:
 - e. Xylem \$ 35,925.00

Ms. Minga stated that there was one more invoice that was not listed due to miscommunication. This invoice is from Xylem formally known as ITT. It is the final payment on the Reverse Osmosis Plant equipment in the amount of \$35,925.00. Staff had some question if this bill had been paid for back in February. After talking to Mr. Cargnel of Buchart Horn he confirmed that this money was due to Xylem as final payment. Committee recommended payment of all invoices listed above.

2. Pre-Public Hearing Discussion: 1% Meals Tax Increase – Mr. Graham stated that the last time this item was discussed there was a discrepancy on the time line of the

Pinewood Heights project. Ms. Minga stated that she spoke to Mr. Reagan of Community Planning Partners and the contract actually stated that Phase II multi-year one must be completed by March 20th 2014. So this is twenty-four months from DHCD's date of the contract. Typically with these multi-year phases DHCD will allow you twenty-four months on the first half of the phase and eighteen months on the second half of the phase. This gives you a total of forty-two month to complete Phase II. So the time is twenty-four month for DHCD however it is not quite twenty four months for the town because we are not signing it until July 1st 2012. Mr. Reagan stated that the most important thing to look at is that the completion date must be done by March 20, 2014. Staff will be making a request in writing to DHCD that the contract date begin from the time the town signs the contract effective July 1st. Ms. Minga stated that the 1% meals tax increase is not in the budget at this time because the town has not held a public hearing and it has not been adopted as of now. Discussion was held on whether the town would have a surplus with the addition of the 1% meals tax increase or does the town still fall short. Mayor Hare stated that he has calculated the numbers based on Mr. Reagan's projections and with the addition of the 1% meals tax the town will make enough to cover Phase II – multi-year 1 of the Pinewood Heights Project. Ms. Minga stated that when she calculates the numbers she still comes up short. A lengthy discussion was held and it was decided that Mayor Hare and Ms. Minga would meet in the morning to recalculate figures to clarify if the 1% meals tax increase will be enough. Once they have clarification of the numbers the information will be forwarded to the rest of council for review. Mr. Graham asked when the timeline was for this 1% meals tax increase. The Town Manager stated that we have advertised for a public hearing for June 5th on the 1% meals tax. Ms. Minga stated that if Town Council approves the 1% meals tax increase then notice will need to be given to everyone. She explained that it would be effective July 1st however if they pay monthly we will not receive those funds until August and if they pay quarterly the town will not see those funds for the increase until October.

3. Pre-Public Hearing: Budget Discussion - Ms. Minga stated that there are just a few things to point out. She explained that instead of having in Real Estate a .55% increase as once thought the town has a 3.7% decrease. This decrease equates to approximately \$64,000 less revenue. The town is still struggling with business licenses. They are very low and final notices are being sent out now and warrants will be mailed out on June 1st. Ms. Minga stated that there are a few things that were added in the revenue section for this fiscal year. Based on the final submissions to FEMA the town put in some revenue to offset expenses from Hurricane Irene. The town had additional revenue in contributions for the South Church Street Beautification Project. Ms. Minga stated that as you can see the reserve requirements were very large. Ms Minga explained the funding for the large projects and how they have impacted the town's reserves. Mayor Hare pointed out that the Police Department has a number of increases to their overall budget. He explained that it was a concern to him because this is a very tight budget year. Ms. Minga explained that even if she backs out all the large projects the town is still operating on almost a net zero basis. There are a lot of revenues that we have no control over that are very low this year. There has also been cost that the town has absorbed from mandates from Richmond on the VRS contributions. The Virginia Line of

duty Act coverage costs also doubled from last year. Mayor Hare continued to explain that due to the extremely tight budget he feels there should be no increases in departmental budgets. The town needs to start thinking of ways to net some income because we have not had the developments to replenish the town's reserves. Mrs. Tynes stated that she understands Mayor Hares concerns, however we have had a great deal of reorganizing in the Police Department this year and some increases in salaries may be necessary. She also stated that if the equipment is needed for public safety she approves of that as well. A lengthy discussion was held on the budgeted items that were being requested to be increased. Overtime pay on how the officers are paid was discussed in length. Ms. Minga explained that when she did an analysis of overtime pay to officers in the past it was a lot higher because there were a lot of higher paid positions, however since the re organization of the department there are a lot of lower paid positions. Ms. Minga stated that if this something that Council decides that they want to do this would be a good time because most of the salaries are lower than they have been in a long time. The proposed budget for this year for salaries was \$1,284,000 which was actually less than what we originally proposed at 1,295,000 due to losing some senior level personnel and bringing in some less experienced officers. This will change as time goes on and salaries are adjusted depending on overtime and who should be exempt or not exempt. Mr. Graham asked for Chief Bowman to explain his logic of the overtime issue and the senior positions. Chief Bowman stated that basically what this does as indicated the town has a lot of lower paid positions now with junior officers coming in. He stated that he asked Ms. Minga to look at in real budget dollars our options under the fair labor standards act. Police Officers under the fair labor standards act can be required to work eleven hours of compensatory time prior to receiving their first dollar in overtime payment. That is 171 hours before they see overtime dollars. Is it worth the additional \$35,000 to pay the officers the benefit of the overtime hours versus having to take them off the street to give them compensatory time down the road. He stated that looking at the calculations he thought it was better and fairer to these lower paid officers to help them out a little bit economically. In all reality they are getting paid for their work anyways. It is not as if they are getting a raise. They are getting paid for overtime hours that are worked. Chief Bowman then explained that Deputy Chief Howell and he under the fair labor standards act states that in order for you to be exempt you have to be in a position where you influence policy. He stated that he and Deputy Chief Howell are the only two positions from what he has put into place that can debate policy. The other two officers that are seniors who are the Patrol Lieutenant and Investigative Lieutenant are not influencing policy. They have ideas and can provide them to the chief but they do not have the independent ability to change policies on how the department is operated. Mr. Graham asked if we starting paying overtime right away and you would not have to give back that compensatory time for the first eleven hours as you do now would that have an impact on the staff that the department might need at the lower level. Chief Bowman stated that he has looked at this but has not been there long enough to know. The crime statistics that just came out show that the presence of law enforcement helps keep crime down. Chief Bowman stated that it is his job as we go along to determine if cuts can be made and still operate efficiently. Mr. Gregory asked that during this budget cycle we have been two to six people short because of the transitions of people leaving have we

reaped any saving from that. Ms. Minga stated that in the end of the fiscal year she does feel there will be some savings. Although, being short handed required more overtime hours and some of the ones leaving had some huge cash outs. Overtime was also paid for the re-accreditation process. Mr. Graham stated that making this change would be a pretty good pop for this department and other departments will not see anything. Mayor Hare asked what the COLA increase for employees was for this year. The Town Manager explained that 1.7% increase would be given to absorb the VRS mandated contribution and another 1.3% increase would be given as a COLA to all employees. Vice Mayor Williams stated that he would hate to see the town even think about cutting a position from the police department. He feels that the exposure that the police department has really says a lot to the citizens of this town. Mayor Hare expressed his concern that we need to balance these increases. We cannot have it all if we do not want to raise taxes. Discussion was held on town employees having their individual health insurance benefits paid at 100% by the town. This is a benefit that most localities do not offer their employees. Mayor Hare stated that he would love to give everyone a raise but we have to have the money to do that. Ms. Minga expresses concern that the town's reserves are lower than they have ever been since she has been here. However on the other hand the reason they have been depleted is because of the large projects that the town has going on right now such as the South Church Street project, Pinewood Heights and the Reverse Osmosis facility. So another way to look at it is should the town employees suffer to compensate for the large projects that the town chooses to undertake. A lengthy discussion continued on how to balance the requested increases with the already tight budget. Chief Bowman stated that the request for additional equipment was like an insurance policy to guarantee that officers are as safe as they can possibly be when on duty. Mr. Gregory stated that faced with a choice to invest in our people versus investing in equipment is an easy one for him. Mayor Hare asked what our timeframe was for the final budget. The Town Manager stated that the town had advertised today with worse case scenario for a public hearing to be held at the June 5th Town Council Meeting. The meeting will be continued until June 25th to take action and adopt the proposed budget for fiscal year 2012/2013. Chief Bowman explained that the evidence building will need to be brought into compliance by our next accreditation so it can be delayed if necessary. Committee asked for Chief Bowman to go back and prioritize the increased budgeted request items including the capital items. Mr. Gregory asked if the town received any clarification from the County on the E911 why it went from 52,900 to 136,000. It is almost a 15% increase. The Town Manager stated that it has been discussed and he made it clear that the town did not approve of the changes to the MOU and that we are not interested in funding any part of the IT position. He stated that he would not recommend it to be increased any higher than where we are finishing this year. Mr. Graham asked what the town has budgeted for tourism next year. Ms. Minga stated that the number she has is the number Ms. Winslow gave her and it remains flat from last year. Mr. Gregory asked if the town had any resolution on the library yet. Ms. Minga stated that she has left it in there at this time but she has not heard anything. Discussion was held on this matter and it was suggested that the town continue to fund the \$36,000 for another year. In the future the Town Council would like to have a member to serve on the Blackwater Regional Library Board. Mrs. Tynes asked about \$23,000 budgeted for

advertising for the Smithfield Center. Ms. Minga stated that is pretty much what is budgeted every year. Even though the center is booked for the upcoming year they continue to advertise for the following year. Committee asked if it would be possible for Ms. Musick to look at the Smithfield Center's overall budget to see if any items could be reduced. Discussion was held on some of the balances in the Water and Sewer Funds.

4. Virginia Retirement System Reform – Resolutions Requiring Adoption - The Town Manager explained that there are a couple of resolutions that need to be adopted by Town Council. One resolution is for the contribution rate and the other is the phase in option. Committee recommends approval of resolutions.

5. Authorization of Annual Fireworks Display at Clontz Park on July 3rd, 2012 and Cost Sharing (\$2,000) – Dr. Cook stated that he feels the return that the town gets on this event is great. It is the largest event held downtown. Committee recommended approval of the fireworks display and cost sharing.

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

1. March Financial Statements – There was no discussion on the March Financial Statements due to most items being discussed in the budget process.

2. April Cash Balances – Ms. Minga stated that as you can see we have definitely eaten into our escrow funds. So far we have only had two billings at the new rates. Ms. Minga did mention that the town did have for the first time in about five years we had about four thousand dollars in pro-rata share fees in water and sewer. Ms. Minga stated that she had received a phone call from Mr. Bob Lauterberg of VML VACo and they are trying to put together now a way to do short term investing for local municipalities. This would give us a better rate of return and the money would be very liquid where we could get it when we need it. She will be meeting with him tomorrow morning to discuss these new options. Mayor Hare asked what the States requirements are for a reserve. Ms. Minga stated that the only reserve that she is aware of is on the debt side. It is 10% of what your assessed property value is. The town is well below that. Water = \$327,842.86; Water Debt Service = \$1,424,313.71; Water Capital Escrow Availability Fees = \$306,028.09; Water Development Escrow = \$69,957.93; **Subtotal Water = \$2,128,142.59.** Sewer = \$75,378.04; Sewer Development Escrow = \$320,930.67; Sewer Capital Escrow Availability Fees = \$700,425.51; Sewer Compliance = \$422,598.77; **Subtotal Sewer = \$1,519,332.99.** **Highway = \$479,982.14.** General Fund = \$847,468.35; Payroll = \$45,934.27; Money Market General Fund Town Bank = \$2,164.13; Business Super NOW-General Fund = \$32,888.73; Money Market General Fund Farmers Bank = \$286,310.79; General Fund Capital Escrow = \$50,678.04; Certificate of Deposit = \$524,934.40; Certificate of Deposit Police Dept = \$36,342.09; Special Project Account (Pinewood) = \$19,856.37; Pinewood Heights Escrow = \$47,022.14; South Church Street Account = \$950,979.34; **Subtotal General Fund =**

\$2,844,578.65. Beautification = \$7,804.62; Money Market Beautification = \$137,159.91;
Subtotal Beautification = \$144,964.53; Rising Star = \$63.49. TOTAL ALL FUNDS
= \$7,117,064.39.

The meeting adjourned at 5:46 p.m.

June 1, 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, MAY 22nd, 2012

The Fire and Rescue Committee held a meeting on Tuesday, May 22nd, 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, 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; Mr. Wayne Griffin, Town Engineer; and Mr. Brian Carroll, President of the Isle of Wight Volunteer Rescue Squad, and Mr. Gerry Hackney, Assistant Chief for the Smithfield Volunteer Fire Department. Also in attendance were Mr. Randy Pack, Town Council Elect; and Mr. Eric Markowski of Excel Paving. The media was 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. Carroll reported that they finished last month at approximately 210 calls. He also reported that they just got their newest medic back in service yesterday. It only has 11,000 miles on it and it has seen the repair shop more than it has seen the rescue squad building. It has been on the side of the road three times in the last six weeks for computer glitches. The dealer has reprogrammed the computer to correct the problem. Mr. Carroll reported that in the county's budget it appears that they have funded them at 90% of their request. The EMT classes continue and the department has picked up four new ambulance providers in the last month so that is very optimistic. Department is operating as normal.

Assistant Chief Hackney reported that budget wise it appears that the county has budgeted for 90% of their request also. Assistant Chief Hackney also stated that the county has historically paid the fire department every quarter but they have always been a quarter behind. At the beginning of the fiscal year the department makes a request for funding however they do not get any money from the county until October. The Board of

Supervisors was not aware that this occurs this way. The county has said that they are going to correct this so that the fire department gets their first quarter at the beginning of the fiscal year. It does look like the county is going to step up to the plate and take care of the deficit that occurred when the funding changed from the town. Assistant Chief Hackney stated that they are just wrapping up a Firefighter One class. There are individuals in the class from all over the county. It has been a very productive class and the final state test will be given this coming weekend. He also stated that engine 52 is now back in service. It has been out of service for approximately ten months. So far It is handling great. The fire department responded to a significant house fire at 312 Middle Street Sunday morning. It was heavily involved upon arrival at approximately 8:35 a.m. Children playing with candles managed to ignite some objects was determined to be the cause of the fire. They attempted to put the fire out themselves however when unsuccessful they called 911 and got out. Crew did a nice job getting inside to get the fire knocked down. There were no injuries reported from the residents and the two kids were able to their great great grandmother out of the house just prior to the fire departments arrival. The Isle of Wight Volunteer Rescue Squad and Carrollton Volunteer Fire Department assisted greatly. One Carrollton firefighter was transported to the hospital from heat exhaustion and released about an hour later after they got some fluid in him. Vice Mayor Williams mentioned that the Smithfield Volunteer Fire Department held a pancake breakfast fundraiser on May 12th and it was very well attended to be their first one. Assistant Chief Hackney stated that they served just over 200 people and made approximately one thousand dollars. It was a very successful fundraiser and they are already discussing doing it a couple more times in the year.

2. Additional Item discussed – Water and Sewer Connection for New Site of Isle of Wight Rescue Squad - The Town Manager stated that he had received a call earlier today from Mr. Eddie Wrightson, Director of General Services at Isle of Wight County. They are exploring how to get water and sewer to the new site for the rescue squad building on Great Springs Road. One approach that they are exploring is the option of connecting to town water and sewer via Cypress Creek subdivision. A lot of logistics and engineering to be worked out but the subject has been formally mentioned. This item is for informational purposes only at this time.

The meeting adjourned at 4:11 p.m.

June 1, 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, MAY 22ND, 2012

The Public Works Committee held a meeting on Tuesday, May 22nd, 2012 at 4:12 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. T. Carter Williams, Vice Mayor; Mr. Andrew C. Gregory 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; Mr. William H. Riddick, III, Town Attorney; Mr. Wayne Griffin, Town Engineer; and Ms. Amy Musick, Smithfield Center Director; Others in attendance were Mr. Eric Markowski of Excel Paving Corporation; Mr. Randy Pack, Town Council Elect; and Mr. Dick Grice. 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. South Church Street Streetscape Project Update with Eric Markowski of Excel Paving Corporation – Mr. Hopkins stated that he received a call from Mr. Hoeflaak of Excel Paving Corporation and he apologized but due to the weather conditions in Norfolk he was unable to make it in time for the committee meeting. Mr. Eric Markowski of Excel Paving was present to give an update on the project. He stated that the detour area along Church Street has been reopened to the public. Ms. Chapman mentioned that it was a challenge to see around the cars parked on North Church Street at the intersection of Thomas and North Church Street. Mr. Hopkins stated that the Town Engineer is looking into what will need to be done there to make the flow of traffic more visible to cars turning on North Church Street from Thomas Street. Mr. Markowski stated that they are currently boring in the conduits to replace the duct banks that would not work. This work seems to be on schedule. Most of the sub concrete mud bed for the brick pavers is in place with the exception of some on the very east end on the north side. They do have

places where the mud beds have been left open because there are areas where some utilities being placed underground and some existing utility poles remain. Mr. Markowski stated that Excel Paving has had some issues with the brick sub contractor. They have been put on notice that if they do not perform by a particular time then some additional help will come in to assist them to get the job done. Committee asked if they were catching up or were they still behind. Mr. Markowski stated that they are not meeting expectations. He stated that the brick pavers should have completed everything west of Cedar Street before the detour was reopened. They had committed to having two crews on the job six days a week and they have not met that commitment. Committee expressed concern over seeing a lot of standing around with little work being done by current brick pavers. Mr. Markowski stated that he understands but since they do not work directly for him there is not a lot he can do other than put them on notice and if not corrected then they can take action. A meeting is scheduled for tomorrow and additional paver should be here right after the holiday to expedite that work. Dr. Cook asked how does the timeframe of June 22nd look for the America in Bloom project and June 28th for our grand reopening event. Mr. Markowski stated that he feels really good about what Excel Paving has to do. It is a matter of what the utility companies can get in the ground so the poles can come down but right now it looks good. Mr. Hopkins stated it is his understanding that once they get to Jericho Road Verizon can come in and start putting the big lines in. At this time they are in front of Hill Street going towards Jericho Road. It should move along faster once it gets to Jericho Road because it will be a straighter area and they can pull longer sections at a time. Mr. Markowski stated that the landscaping plan was recently revised and the work should begin right after the holiday. They will start at Luter Drive and work their way towards the Smithfield Station. Vice Mayor Williams asked how much pull does the town have with Verizon, Dominion Power and Charter. Mr. Hopkins stated that he feels comfortable that Dominion Power will be finished with their work. He stated that he is not 100% sure that Charter will be done. The Town Engineer has been trying to get in contact with them and has not had very good results. So he and the Town Manager will be going a step higher to reiterate the request for the work to be completed on time as scheduled. As far as Verizon it all depends on the conduit that is being placed in the ground now. The Town Manager stated that worst case Excel Paving by the end of June they are done with their work as far as the paving, landscaping and sidewalks and all the lights are up. We may still have some poles up because Verizon may still be in the process of pulling their lines. Mayor Hare asked if they would start taking down poles as the Verizon lines are removed. Mr. Markowski stated that they have to wait until everything is down including Charter Communications. Charter and Verizon share some of the poles. Verizon was out here before trying to pull their lines and that's how we discovered that the engineering plans had some incorrect designs with the existing conduits. They should be ready to go once the new conduits are in place. The Town Manager stated that as a housekeeping action Town Council will need to formally accept the proposal by Excel Paving for the conduit for the Verizon work. He stated that he had emailed Council the total amount but handed out the actual proposal. Ms. Chapman stated that we are accepting that the work be done however we are not committing to payment. The Town Manager confirmed that we are just authorizing Excel Paving to do the work with the acceptance of this proposal. Discussion was held on the proposal stating an extension of time request of 21 days.

Staff explained that the 21 days just means that it will take 21 days to complete the boring of five four inch conduits per Verizon's request to feed their cables through. It is estimated that this work will be completed by June 1st, 2012. Committee expressed concern over the wording of the proposal and asked that Excel Paving clarify that this would not extend the overall contract by 21 days. Mr. Markowski removed that language from the proposal and both he and the Town Manager initialed the change. This item will be on the Town Council consent agenda to be formally accepted.

2. Authorization to Apply for Department of Conservation and Recreation (DCR) Dam Safety Grant – The Town Manager stated that he did a memo in regards to this item. Mr. Griffin has been the staff member dealing with this issue with the Department of Conservation and Recreation (DCR) and Draper Aden Associates. The bottom line is the dam remains unpermitted by the DCR and due to the lack of a state permit the dam remains uninsurable at this time as a town facility. The goal is to get it licensed or at least a conditional permit for the dam and work toward full compliance. There is a matching grant application with DCR that has been discussed at budget level. It would be a \$25,000 grant and the town would match the \$25,000. If we get the grant we would proceed with the detailed engineering study. Ms. Chapman asked if we have applied for the grant already. The Town Manager stated that the grant application is due June 1st. It will be in the budget if we get the grant for the matching portion however if we do not get the grant we will hold off and apply again next year. Mrs. Tynes asked if we get the grant then the total amount of \$50,000 would be used to survey and evaluate what the town needs to do to bring the dam in compliance. The Town Manager replied that it was. He explained that we would still have an additional expense down the road but we do not know what that is. It would be put in the town's Capital Improvement Plan and deal with the best way we can once we know the cost associated with bringing it into compliance. The town should know by July or August if we got the grant or not. The Town Manager stated that there are three different hazard classifications for dams now. With the road way being on top of the dam that just makes things worse. If there were not as much volume of traffic across the dam the town would probably not have to do a whole lot. The volume of traffic that crosses over that embankment is what is kicking us in the classification that the town is in. Committee asked that since VDOT has partial responsibility of the dam might there be some kind of cost sharing. The Town Manager stated that we are hoping so. There is no precedent for that however we are certainly going to approach it.

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

1. Taste of Smithfield Landscaping – The Town Manager mentioned that Mr. Pitt came to last month's Town Council meeting to do a presentation on removing the Crape Myrtles in front of Taste of Smithfield and replacing them with something else. The Town wanted it to blend in with the new landscaping that is going on along Church Street. Mr. Hopkins reported that the landscaping plan that he had was drawn up by Clark Nexsen who did the South Church Street project landscaping design. He stated that he received it yesterday and the plans are a little busier than he had expected so we are

taking a second look at it. Mr. Pitt stated that he would do whatever needed to be done to meet the town's approval. The revised plan will be done in a color version so that we can see what it will look like. Committee asked if this was costing the town anything. Mr. Hopkins replied that it was not. Staff will continue to work with Mr. Pitt to finalize landscaping plans. Project is on schedule for the grand reopening June 29th.

2. Additional Item Discussed – No Parking Signs on South Mason Street – Ms. Chapman stated that she had spoken to a resident today that lives along South Mason where no parking signs were placed during the detour of South Church Street. The resident informed her that there used to be no parking signs on one of the poles there. She explained that the resident had expressed concern that with the detour area being opened back up the no parking signs would be removed and people would start back parking along South Mason Street and blocking their driveways. She mentioned that the resident had stated that they were putting their own no parking signs up to keep people from parking in front of their driveways. Ms. Chapman asked if the town could investigate the possibility of putting up permanent no parking signs on that street. The Town Manager stated that temporary signs were placed there during the detour so staff has no objection to looking into putting up permanent no parking signage. This request will come back to committee for recommendation.

The meeting adjourned at 4:46 p.m.

June 1, 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, MAY 22ND, 2012

The Public Buildings and Welfare Committee held a meeting on Tuesday, May 22nd, 2012 at 4:46 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: Ms. Constance Chapman, Mrs. Denise N. Tynes, Mr. Andrew C. Gregory 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; Mr. William H. Riddick, III, Town Attorney; Mr. Wayne Griffin, Town Engineer; and Ms. Amy Musick, Smithfield Center Director; Others in attendance were Mr. Randy Pack, Town Council Elect; and Mr. Dick Grice. 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. Motion to Move Town Council Meeting Scheduled for Tuesday July 3rd to Monday, July 2nd due to Fourth of July Activities at the Smithfield Center – The Town Manager stated that the town does have a client renting the center on July 3rd for the town's fireworks display. The Town Attorney stated that in order to move the meeting date Town Council will need to adopt a resolution this month and put a notice in the paper next month to notify the public of the change. Committee recommends placing on June consent agenda for approval.

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

1. Review Amended Bylaws for Windsor Castle Park Foundation – Dr. Cook stated that he had spoken to Ms. Ippolito today and the only changes to the bylaws was they eliminated the Executive Committee and separated the treasurer/secretary positions. The Town Attorney stated that the Foundation Board had contacted him to see if it needed to be approved by Town Council. He stated that the answer is no, but he suggested that

since they were created by Town Council it should be brought to committee just to keep you informed of what they are doing. It is for informational purposes only and requires no action by Town Council.

2. RFP for 117 North Church Street – Closed Session – Disposition of Real Property
- The Town Attorney stated that we need a motion to go into closed session for the purpose of discussing disposition of real property. Motion was made by Ms. Chapman and seconded by Mrs. Tynes. Motion passed.

Close Session In: 4:55

Close Session Out: 5.05

Meeting Adjourned at 5:05 p.m.

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

Committees and Projects:

05/01 Town Council meeting – Chief Bowman
05/02 Lisa Villarreal – hired in Receptionist/Records Management
05/07 TRIAD Conference – Smithfield Center – Chief Bowman, Lt. Col. Howell
05/07 Danelle Wright – swearing in
05/08 Law Enforcement Monthly lunch – Windsor - Chief Bowman
05/09 Hampton Roads Association of Chiefs of Police – Suffolk – Chief Bowman, Lt. Col. Howell

05/10 Farmers Bank Staff meeting – Chief Bowman
05/15 Emergency Communication Center Board of Directors meeting – Chief Bowman, Lt. Col. Howell

05/15 Crime Line meeting – Sgt. Meier, Annette Crocker
05/19 National Safe Boating Week – Windsor Castle Park Kayak launch site – Chief Bowman

05/21 Police Committee meeting – Chief Bowman, Lt. Col. Howell
05/21 Finance Committee meeting – Chief Bowman, Lt. Col. Howell
05/25 Memorial Day Service – Smithfield High School – Chief Bowman
05/28 Memorial Day Service – Veterans Memorial – Chief Bowman,

Training

05/14 – 17 Leadership Institute – CNU – Sgt. Araojo (40 hrs)
05/14 Intox EC/IR II – Sgt. Meier (5 hrs)
05/23 – 24 Taser Instructor Certification – Sgt. Brady (16 hrs)
05/23 – 24 Taser Instructor Recert – Lt. Rogers (16 hrs)
05/23 Eradication Training – Lt. Valdez, Sgt. Meier (8 hrs)
05/24 Coast Guard Training meeting – Officer Powell (4 hrs)

In-House Training:

05/16 Boat Training – Patrol Boat – Sgt. Meier, Officers Powell, Phillips, Woods (4 hrs)
05/20 Search and Rescue Training – Sgt. Meier, Officer Powell (4 hrs)
05/23 Preventing Adult Abuse by Working Together Workshop – Social Services – Lt. Col. Howell (2 hrs.)
05/30 ERT Training – Lt. Rogers, Sgt. Brady, Sgt. Jones, Sgt. Meier, Officer Powell, Officer Adams (4 hrs)

Community Relations

05/05 Smithfield Prom – Smdf Center – Sgt. Meier
05/10 Police Unity Tour – Chief Bowman, Lt. Rogers, Lt. Valdez, Sgt. Meier, Sgt. Jones, Sgt. Miller, Officer Phillips, Officer Seamster, Officer Powell
05/12 True Value Grand Opening – Chief Bowman, Officer Powell, Office Cook
05/12 Mustang Car Show – Chief Bowman, Lt. Rogers, Sgt. Meier, Sgt. Araojo

05/20 Kids Day – Beale Park – Sgt. Brady, Officer Adams
05/23 Isle of Wight Academy preschool tour – Chief Bowman, Sgt. Meier, Officer Powell

Investigations:

Case#: 2012-00404
Location: 501 North Church Street
Offense: Grand Larceny
Disposition: Pending Investigation

On 4/30/2012 officers responded to Smithfield Packing in reference to a larceny. Upon arrival officers spoke with the department manager, who stated sometime over the weekend several items were taken from the facility. These items were listed as: calibration weights (to test scales), generator motor, and scrap metals, with an estimated cost of \$7,000. Some of these items were in excess of 500 lbs. Upon inspecting the site it became apparent that these items were removed from the facility from various areas within, and were moved with the use of a forklift. We were able to locate forklift track marks at an unused loading/dock bay, and were able to show that a vehicle had pulled up to the dock recently. All this activity occurred within the fenced perimeter of the facility, however after speaking with the on-duty gate guard, it became apparent the vehicle used did not travel through the security controlled area. It appeared the vehicle used, entered and exited through a gate that was secured with a chain but easily defeated with basic tools. This case is currently under active investigation.

Case#: 2012-00454
Location: 1001 South Church Street (Supreme)
Offense: Drunk in Public / Possession of Cocaine
Disposition: Cleared by Arrest

On 05/03/2012 officers responded to the Supreme Gas Station in reference to an assault and battery. Upon arriving the officers broke up a small crowd causing a disturbance. While speaking with the individuals involved in the assault, it became apparent they were not willing to pursue charges on each other. While speaking with some of the witnesses to the assault it was pointed out to the officers that another individual was involved and was still on scene. Officers identified and began to speak with the suspect and it became immediately apparent the suspect was highly intoxicated. The suspect was taken into custody and while conducting a search of his person incident to the arrest, a pipe stem, commonly used for “crack” cocaine, was found in his pocket. The suspect was subsequently charged with drunk in public and possession of a controlled substance. This case is cleared by arrest.

Case#: 2012-00417
Location: Pinewood Avenue
Offense: Assault and Battery / Brandishing a Firearm
Disposition: Cleared by Arrest

On 05/03/2012 officers responded to the Pinewood Heights neighborhood in reference to a possible brandishing of a firearm. Upon arriving officers spoke with a witness who stated she saw a white male enter the neighborhood and began to argue with her in reference to his daughter. She stated that while the suspect was yelling at her he was also holding a firearm in his hand. While en-route to the location, another officer observed a white female walking from the Pinewood Heights neighborhood that was visibly upset and crying. Upon stopping and speaking with her, he was told by her that she was in the Pinewood Heights neighborhood and had been physically assaulted by the witness to the brandishing. She further stated that her father did come into the area after she called him because she was assaulted and needed a ride home. Charges were subsequently obtained on both the suspect who committed the assault and battery and the suspect who brandished the weapon. This case is cleared by arrest.

Case#: 2012-00461
Location: Southern Foods Store
Offense: Burglary
Disposition: Pending Investigation

On 05/18/2012 officers responded to the Southern Foods Store locate at 1218 Benn's Church Blvd in reference to a possible burglary. Upon arriving officers spoke with the store's manager and were advised that sometime during the overnight hours, someone had entered the store, disabled the cameras, and stole several items. The store manager further stated that the store's video surveillance appeared to have cut off just prior to any footage of possible suspects being obtained. The officers viewed the video system and noted that the cameras are working properly up until 2:59 am, when it appears they were shut off. It was also reported that the alarm to the business was turned off at the alarm panel located within the store at 3:13 am. The store manager stated when she arrived to work at approximately 4:40 am the business doors were locked and secured. The items taken from the store include: 13 packs of cigarettes and \$50 cash. At the time of the report it was still unclear how the video equipment, which is maintained inside of the business, was turned off prior to the alarm to the business being deactivated without the image being caught on camera. This case is still under active investigation.

Reporting Period: 5/1/2012 thru 5/31/2012

Total Deposits for May 2012 - \$16,378.89

Trx. Type	Date	Invoice No.	Pay Type	Check No.	Group	Event	Res ID	Book ID	Amount
Payment	5/1/2012	1405	Check	1028	Betty Odom	Chucatuck High School Reunion	1041		100.00
Payment	5/1/2012	1473	Check	10007	Isle of Wight Chamber of Commerce	Chamber Day Trade Show	1274		315.00
Payment	5/11/2012	1483	Check	1692809	American Cancer Society - South Atlantic Division	Relay for Life Survivors Banquet	1784		150.00
Payment	5/22/2012	1472	Check	0266	Isle of Wight Academy	IOW Academy Fundraiser	1273		1,688.00
Payment	5/22/2012	1484	Check	4486	Smithfield Youth Wrestling Club	SYWC Banquet	1868		300.00
								Total	2,553.00
Deposit	5/1/2012		Check	147	Backhus-Glei Wedding & Reception	Backhus-Glei Wedding & Reception	1913		930.00
Deposit	5/1/2012		Check	29540	Windsor High School	Windsor Prom	1277		500.00
Deposit	5/2/2012		Visa	Visa	Floyd and Charles Wedding and Reception	Floyd and Charles Wedding and Reception	1551		960.00
Deposit	5/3/2012		Master Card	MC	Belin and Herbaugh Reception	Belin and Herbaugh Reception	1323		300.00
Deposit	5/8/2012		Visa	Visa	Tarrant and Johnson Wedding and Reception	Tarrant and Johnson Wedding and Reception	1884		140.00
	4368 0250 0096 1685 exp 04/16 5066 Stevens Drive Carrsville VA 23315								
Deposit	5/9/2012		Check	792	Grizzle and Kuykendoll Wedding and Reception	Grizzle and Kuykendoll Wedding and Reception	1930		1,040.00
Deposit	5/10/2012		Visa	Visa	Brooks and Vandebreake Wedding and Reception	Brooks and Vandebreake Wedding and Reception	1931		630.00
Deposit	5/10/2012		Check	1426- Inspired Events	Brown and Topic Wedding and Reception	Brown and Topic Wedding and Reception	1766		150.00
Deposit	5/11/2012		Check	532	Cholewinski and Carr Reception	Cholewisnski and Carr Reception	1461		750.00
Deposit	5/11/2012		Check	3800	Allen and Witten Wedding and Reception	Allen and Witten Wedding and Reception	1932		300.00
Deposit	5/11/2012		Visa	Visa	Floyd and Charles Wedding and Reception	Floyd and Charles Wedding and Reception	1551		100.00
Deposit	5/11/2012		Visa	Visa	Boyer and Sisman Wedding and Reception	Boyer and Sisman Wedding and Reception	1772		618.75
Deposit	5/11/2012		Visa	Visa	Evans-Cummings Wedding & Reception	Evans-Cummings Wedding & Reception	1914		95.00
Deposit	5/11/2012		Check	29161	Smithfield High School	Smithfield Prom	1280		900.00
Deposit	5/11/2012		Check	370	OA Spady	Hokie Banquet	1834		200.00
Deposit	5/14/2012		Visa	Visa	Lola Rountree	Anniversary for Bishop Mason	1494		500.00
	4454 6300 0008 6634 exp 2/15 146 Chinquapin Road Hertford, NC 27944								

May 2012

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3	4	5
		Elections C&D 200 Hokie Banquet MH 150 Kitchen Inventory Kitchen 2 Town Council A&B 20	Staff Meeting A&B 12	Calvin Off CASA Banquet MH 100	Amy-Kiwanis Golf Smithfield Prom MH plus Suites 20	Smithfield Prom MH plus Suites 420
6	7	8	9	10	11	12
Melissa Off Prom Cleanup IOW Triad MH plus Suites 300	IOW Triad MH plus Suites 300	Planning Commission A&B 20 Special Finance Committee Meeting for Budget C&D 15	Safety Committee A&B 10	Brown and Topic Rehearsal Deck 20	Floyd and Charles Setup MH plus Suites 250	Mustang Show-Downtown Floyd and Charles Wedding and Reception Clontz, MH plus Suites 250
13	14	15	16	17	18	19
Mother's Day Brown and Topic Wedding and Reception MH plus Suites 150	RSVP Meeting C&D 10	BHA&R A&B 15 Crime Line Meeting C&D 15 Rain Barrel Workshop MH 20 Schoolhouse Committee C&D 15	Courtney Off Quarterly Update MH 225 Staff Meeting C&D 12	Smithfield High JROTC Cadet Ball MH 100	Goins-Cary Rehearsal Deck 20 IOW Christian Outreach-Equipment Rental C 1 Senior Fish Fry MH 200	Cholewisnski and Carr Reception MH plus Suites 200
20	21	22	23	24	25	26
Goins-Cary Wedding & Reception MH plus Suites 150	Committee Meetings C&D 20	Committee Meetings C&D 20	Insurance Meeting at PD-Courtney, Amy RSVP Luncheon MH plus Suites 200	Boyer and Sisman Wedding and Reception MH plus Suites 120	Saturday Rate Anniversary for Bishop Mason MH plus Suites 176	DeShawn Off Harris-Barnett Wedding & Reception MH plus Suites 150
27	28	29	30	31		
Saturday Rate Dye and Kearney Wedding and Reception MH plus Suites 125	Memorial Day -Saturday Rate American Legion Memorial Day Service Memorial Lawn 100 Rain Site -American Legion Memorial Day Service Suites 100	Amy Off Courtney Off	Amy Off Courtney Off 9 AM Insurance Mett. at TH-Herbert, John, Calvin Relay for Life Survivors Banquet MH plus Suites 250	Amy Off Courtney Off Phones 1-5 PM		

Reporting Period: 5/1/2012 thru 5/31/2012

Total Deposits for May 2012 - \$16,378.89

Trx. Type	Date	Invoice No.	Pay Type	Check No.	Group	Event	Res ID	Book ID	Amount
								Total	-2.46
								Grand Total	-15,496.95

Smithfield Center Discounts May 2012

Booking Date	Event Name	Room Code	Discount Percent
5/1/2012	Town Council	A&B	100.00%
5/1/2012	Elections	C&D	100.00%
5/1/2012	Hokie Banquet	MH	0.00%
5/2/2012	Staff Meeting	A&B	100.00%
5/3/2012	CASA Banquet	MH	50.00%
5/4/2012	Smithfield Prom	MH plus Suites	50.00%
5/5/2012	Smithfield Prom	MH plus Suites	50.00%
5/6/2012	IOW Triad	MH plus Suites	100.00%
5/7/2012	IOW Triad	MH plus Suites	100.00%
5/8/2012	Planning Commission	A&B	100.00%
5/8/2012	Special Finance Committee Meeting for Budget	C&D	100.00%
5/9/2012	Safety Committee	A&B	100.00%
5/11/2012	Floyd and Charles Setup	MH plus Suites	20.00%
5/12/2012	Floyd and Charles Wedding and Reception	Clontz	20.00%
5/12/2012	Floyd and Charles Wedding and Reception	MH plus Suites	20.00%
5/13/2012	Brown and Topic Wedding and Reception	MH plus Suites	0.00%
5/14/2012	RSVP Meeting	C&D	100.00%
5/15/2012	BHA&R	A&B	100.00%
5/15/2012	Schoolhouse Committee	C&D	100.00%
5/15/2012	Crime Line Meeting	C&D	100.00%
5/15/2012	Rain Barrel Workshop	MH	100.00%
5/16/2012	Staff Meeting	C&D	100.00%
5/16/2012	Quarterly Update	MH	0.00%
5/17/2012	Smithfield High JROTC Cadet Ball	MH	100.00%
5/18/2012	IOW Christian Outreach-Equipment Rental	C	0.00%
5/18/2012	Goins-Cary Rehearsal	Deck	0.00%
5/18/2012	Senior Fish Fry	MH	0.00%
5/19/2012	Cholewisnski and Carr Reception	MH plus Suites	0.00%
5/20/2012	Goins-Cary Wedding & Reception	MH plus Suites	0.00%
5/21/2012	Committee Meetings	C&D	100.00%
5/22/2012	Committee Meetings	C&D	100.00%
5/23/2012	RSVP Luncheon	MH plus Suites	100.00%
5/24/2012	Boyer and Sisman Wedding and Reception	Riverfront	0.00%
5/25/2012	Anniversary for Bishop Mason	MH plus Suites	0.00%
5/26/2012	Harris-Barnett Wedding & Reception	MH plus Suites	0.00%
5/26/2012	LoPresti and Martin Wedding	Riverfront	0.00%
5/27/2012	Dye and Kearney Wedding and Reception	MH plus Suites	0.00%
5/28/2012	Rain Site -American Legion Memorial Day Service	Suites	100.00%
5/30/2012	Relay for Life Survivors Banquet	MH plus Suites	50.00%
		100% discount	18
		50% discount	3
		20% discount	1

Smithfield/Isle of Wight Tourism Activity Report – May 2012

- Director attended the Isle of Wight Board of Supervisors Meeting 5/17/12.
- Director attended Smithfield Town Council Meeting 5/1/12.
- Monday Morning Moan meeting held for communications planning for S. Church Street Beautification project 5/7, 5/14, 5/21. 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.
- Met with Steve Bowman 5/1/12 regarding Grand Re-Opening Event 6/29/12.
- Met with VA Display regarding Little's Grocery Store AIB project 5/1/12. Met with Bobby Little 5/3/12 for project approvals.
- Met with Smithfield Foods about confirmed placement for Porcine Statuary Public Art Project's 2 pigs on their campus 5/1/12. Met with Jessie Snead about other confirmed locations 5/2/12.
- Smithfield 2020 Meeting 5/2/12. Façade improvement projects, 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 June 29, 2012. For more info and minutes of Smithfield 2020 meeting, please visit www.smithfield2020.org Porcine Statuary Plaques have arrived and bases for all 8 locations are being prepped.
- Filmed "The County Beat" 5/2/12.
- Attended National Tourism Week "Thank the Visitor Day" at the Norfolk Airport 5/4/12.
- Completed VIRGO Award Nomination 5/7/12.
- Met with Asst. Chief Alonzo Howell regarding special events and police coordination 5/8/12.
- Attended Council Budget Work Session 5/8/12.
- CVTA Value of Tourism Committee Meeting 5/9/12.

- 2013 Virginia Garden Week Meeting held 5/9/12. Great plans in the works for a great kick-off event in Smithfield in 2013!
- Attended Smithfield Wine & Brew Fest meeting 4/4/12, 4/11/12, 4/18/12. Worked on site at WCP 4/11, 4/12 and 4/13 for set-up. 4/16 and 4/17 for clean-up. The 4/14/12 event sold out and was a popular and critical success. ½ of attendees were visitors and many stayed overnight or spent the entire weekend. Tourism was responsible for advertising, PR and logistics. For more info go to www.smithfieldvawinebrewfest.com
- Attended SHDBA meeting 5/10/12.
- Held meeting to plan for VTC Marketing leverage grant application 5/10/12.
- Attended BOS Operating Budget Public Hearing 5/10/12.
- Attended National Tourism Week luncheon in VA Beach 5/11/12.
- Held National Tourism Week Event at the Visitor Center where we awarded all 2012 Hospitality Heroes Awards, Pork-a-razzi Photo Contest Awards and Community Ambassador Awards 5/11/12. WONDERFUL event! Thanks for your help, Mayor Hare!
- Farmers Market held 5/4, 5/11, 5/18, 5/25. Excellent attendance!
- Mustang Round-Up event held on Main Street 5/11/12. Very successful event!
- Schoolhouse Museum Board Meeting 5/15/12.
- America in Bloom Judges Itinerary Planning Meeting 5/14/12 and full committee meeting 5/31/12.
- Attended Smithfield on the Move meeting 5/15/12.
- Attended Smithfield Wine & Brew Fest volunteer appreciation event 5/15/12, and a follow-up meeting 5/16/12. The 4/14/12 event sold out and was a popular and critical success. ½ of attendees were visitors and many stayed overnight or spent the entire weekend. Tourism was responsible for advertising, PR and logistics. For more info go to www.smithfieldvawinebrewfest.com
- Attended Coastal Virginia Tourism Alliance meeting 5/16/12. 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.

- Held Aikenfest Music Festival planning meeting 5/17/12. Festival is September 28 and 29 at WCP.
- Saint Lukes Restoration Reception 5/19/12.
- Attended VACVB Quarterly Meeting 5/21-22/12 in Hampton, VA.
- Attended Community Focus Group for the Children's Center 5/24/12.
- HOLIDAY 5/28/12.
- Attended Smithfield Staff Meeting 5/2/12 and 5/16/12.
- 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!

160227
 TOWN OF SMITHFIELD
 PO BOX 246
 SMITHFIELD, VA 23431
 USA

1
 TOWN OF SMITHFIELD WTP
 C/O ENGLISH CONSTRUCTION COMPANY
 1802-D SOUTH CHURCH STREET
 SMITHFIELD, VA 23430
 USA

ORDER #	CUST P.O. #	SHIP VIA	TERMS
G000158	Water Treatment Plant	BESTWAY	Per Contract

LINE/RELEASE	DESCRIPTION	QUANTITY	EXTENDED PRICE
1	Item: FG-RO System - ETO Description: Reverse Osmosis System - ETO with Startup-RO	1	\$ 718,500.00

PAYMENT TERMS:

- *10% Net 30 days upon approved submittals (5% retainage applies)
- *80% upon substantial completion of major equipment as stored material. Payment to be received prior to shipment (5% retainage to apply)
- *5% Net 30 after delivery of equipment and mechanical inspection (5% retainage applies)
- *5% Net 30 after successful start up (5% retainage applies)
- *5% retainage to be paid upon project close out, not to exceed 270 days from shipment of major equipment listed on schedule of values.

Tax Basis Summary	Tax Rate	Tax Basis
Tax Code: VA	0.000%	718,500.00

Remit To: PO Box 223724, Pittsburgh, PA 15251-2724.
 Xylem, Inc.- Flowtronex files lien notices based on
 State laws. Invoice questions – call 315-239-2492

Sales Amount	718,500.00
Less Payments	(682,702.71)
S&H	127.71
Sales Tax	-
Total	35,925.00

Employer Contribution Rates for Counties, Cities,
Towns, School Divisions and Other Political Subdivisions
(In accordance with the 2012 Appropriation Act Item 468(H))

Resolution

BE IT RESOLVED, that the Town Of Smithfield 55310 does hereby acknowledge that its contribution rates effective July 1, 2012 shall be based on the higher of a) the contribution rate in effect for FY 2012, or b) seventy percent of the results of the June 30, 2011 actuarial valuation of assets and liabilities as approved by the Virginia Retirement System Board of Trustees for the 2012-14 biennium (the "Alternate Rate") provided that, at its option, the contribution rate may be based on the employer contribution rates certified by the Virginia Retirement System Board of Trustees pursuant to Virginia Code § 51.1-145(I) resulting from the June 30, 2011 actuarial value of assets and liabilities (the "Certified Rate"); and

BE IT ALSO RESOLVED, that the Town Of Smithfield 55310 does hereby certify to the Virginia Retirement System Board of Trustees that it elects to pay the following contribution rate effective July 1, 2012:

(Check only one box)

The Certified Rate of 8.94% The Alternate Rate of 6.26%; and

BE IT ALSO RESOLVED, that the Town Of Smithfield 55310 does hereby certify to the Virginia Retirement System Board of Trustees that it has reviewed and understands the information provided by the Virginia Retirement System outlining the potential future fiscal implications of any election made under the provisions of this resolution; and

NOW, THEREFORE, the officers of Town Of Smithfield 55310 are hereby authorized and directed in the name of the Town Of Smithfield to carry out the provisions of this resolution, and said officers of the Town Of Smithfield are authorized and directed to pay over to the Treasurer of Virginia from time to time such sums as are due to be paid by Town Of Smithfield for this purpose.

Governing Body/School Division Chairman

CERTIFICATE

I, _____, Clerk of the Town Of Smithfield, certify that the foregoing is a true and correct copy of a resolution passed at a lawfully organized meeting of the Town Of Smithfield held at _____, Virginia at _____ o'clock on _____, 2012. Given under my hand seal of the Town Of Smithfield this _____ day of _____, 2012.

Clerk

**This resolution must be passed prior to July 1, 2012 and
received by VRS no later than July 10, 2012.**

Member Contributions by Salary Reduction for Counties, Cities, Towns, and Other Political Subdivisions

(In accordance with Chapter 822 of the 2012 Acts of Assembly (SB497))

Resolution

WHEREAS, the Town Of Smithfield 55310 employees who are Virginia Retirement System members who commence or recommence employment on or after July 1, 2012 ("FY2013 Employees" for purposes of this resolution), shall be required to contribute five percent of their creditable compensation by salary reduction pursuant to Internal Revenue Code § 414(h) on a pre-tax basis upon commencing or recommencing employment; and

WHEREAS, the Town Of Smithfield 55310 employees who are Virginia Retirement System members and in service on June 30, 2012, shall be required to contribute five percent of their creditable compensation by salary reduction pursuant to Internal Revenue Code § 414(h) on a pre-tax basis no later than July 1, 2016; and

WHEREAS, such employees in service on June 30, 2012, shall contribute a minimum of an additional one percent of their creditable compensation beginning on each July 1 of 2012, 2013, 2014, 2015, and 2016, or until the employees' contributions equal five percent of creditable compensation; and

WHEREAS, the Town Of Smithfield 55310 may elect to require such employees in service on June 30, 2012, to contribute more than an additional one percent each year, in whole percentages, until the employees' contributions equal five percent of creditable compensation; and

WHEREAS, the second enactment clause of Chapter 822 of the 2012 Acts of Assembly (SB497) requires an increase in total creditable compensation, effective July 1, 2012, to each such employee in service on June 30, 2012, to offset the cost of the member contributions, such increase in total creditable compensation to be equal to the difference between five percent of the employee's total creditable compensation and the percentage of the member contribution paid by such employee on January 1, 2012.

BE IT THEREFORE RESOLVED, that the Town Of Smithfield 55310 does hereby certify to the Virginia Retirement System Board of Trustees that it shall effect the implementation of the member contribution requirements of Chapter 822 of the 2012 Acts of Assembly (SB497) according to the following schedule for the fiscal year beginning July 1, 2012 (i.e., FY2013):

Type of Employee	Employer Paid Member Contribution	Employee Paid Member Contribution
Plan 1	4 %	1 %
Plan 2	4 %	1 %
FY2013 Employees	0%	5%

(Note: Each row must add up to 5 percent.); and

BE IT FURTHER RESOLVED, that such contributions, although designated as member contributions, are to be made by the Town Of Smithfield in lieu of member contributions; and

BE IT FURTHER RESOLVED, that pick up member contributions shall be paid from the same source of funds as used in paying the wages to affected employees; and

BE IT FURTHER RESOLVED, that member contributions made by the Town Of Smithfield under the pick up arrangement shall be treated for all purposes other than income taxation, including but not limited to VRS benefits, in the same manner and to the same extent as member contributions made prior to the pick up arrangement; and

BE IT FURTHER RESOLVED, that nothing herein shall be construed so as to permit or extend an option to VRS members to receive the pick up contributions made by the Town Of Smithfield directly instead of having them paid to VRS; and

BE IT FURTHER RESOLVED, that notwithstanding any contractual or other provisions, the wages of each member of VRS who is an employee of the Town Of Smithfield shall be reduced by the amount of member contributions picked up by the Town Of Smithfield on behalf of such employee pursuant to the foregoing resolutions.

NOW, THEREFORE, the officers of Town Of Smithfield 55310 are hereby authorized and directed in the name of the Town Of Smithfield to carry out the provisions of this resolution, and said officers of the Town Of Smithfield are authorized and directed to pay over to the Treasurer of Virginia from time to time such sums as are due to be paid by the Town Of Smithfield for this purpose.

Governing Body Chairman

CERTIFICATE

I, _____, Clerk of the Town Of Smithfield, certify that the foregoing is a true and correct copy of a resolution passed at a lawfully organized meeting of the Town Of Smithfield held at _____, Virginia at _____ o'clock on _____, 2012. Given under my hand and seal of the Town Of Smithfield this _____ day of _____, 2012.

Clerk

This resolution must be passed prior to July 1, 2012 and received by VRS no later than July 10, 2012.

RESOLUTION TO AUTHORIZE FIREWORKS DISPLAY

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the Town Council does hereby confirm the Town Manager's decision to authorize the Isle of Wight Parks and Recreation Department to make use of the Town's public park on the north side of the Pagan River for the purpose of staging a fireworks display on the third of July, 2012 in observance and celebration of Independence Day provided that the Isle of Wight Parks and Recreation Department coordinate such a fireworks display with the Town's Police Chief, Fire Chief and Town Manager; and,

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

Adopted this 5th day of June, 2012.

TOWN COUNCIL OF THE
TOWN OF SMITHFIELD

By _____
David M. Hare, Mayor

ATTEST:

Clerk



**RESOLUTION
Town Council
Town of Smithfield, Virginia**

WHEREAS, the Town of Smithfield owns and maintains the Smithfield Lake Dam;

WHEREAS, in 2010, Draper Aden Associates completed a dam breach analysis and inundation mapping for the Smithfield Lake Dam; the dam is classified as a significant hazard structure due to the presence of Route 709 (Waterworks Road) on the crest of the dam acting as an overflow spillway. As a significant hazard structure, the recommended spillway design flood is reported to be the ½ Probable Maximum Flood (½ PMF).

WHEREAS, the Virginia Department of Conservation and Recreation offers grant funding for engineering for dam repairs and improvements;

WHEREAS, the Virginia Department of Conservation and Recreation requires the grant recipient provide a match equal to 100% of the grant funding;

WHEREAS, the Town Council of the Town of Smithfield has budgeted funds in the amount of \$17,500 to provide matching funds;

THEREFORE, BE IT RESOLVED, the Town Council of the Town of Smithfield hereby votes to seek grant funds in the amount of \$17,500 from the Virginia Department of Conservation and Recreation for the following project:

Smithfield Lake Dam
Engineering for Dam Repairs and Improvements

THEREFORE, BE IT RESOLVED, that the Town Manager is authorized to submit a funding application for the project described above and is authorized to sign any and all documents required to submit and accept such funding.

Motion by: _____ Seconded by: _____

Aye ____ Nay ____ Absent ____

This ____ day of ____ 2012

David M. Hare, Mayor
Mayor

Attest:

RESOLUTION

CHANGE DATE FOR JULY TOWN COUNCIL MEETING

WHEREAS, Section 2-71 of the Code of the Town of Smithfield provides that the regular meeting of Town Council shall be on the first Tuesday of every month and further provides that the council may convene at any time upon the call of the mayor or three councilmembers; and,

WHEREAS the regularly scheduled meeting for July of 2012 would be on July 3, 2012; and,

WHEREAS, the third day of July is traditionally another day of celebration in observance of Independence Day in the Town of Smithfield which is culminated with a fireworks display on the banks of the Pagan River; and,

WHEREAS, the Town Council desires to avoid a conflict between the regularly scheduled council meeting and this celebration.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Smithfield that the regular meeting for the Town Council shall be on Monday, July 2, 2012 at 7:30 in the Council Chambers of the Smithfield Center; and,

BE IT FURTHER RESOLVED that the Town Manager is directed to advertise this change in meeting date in the Smithfield Times and such other forums as he may deem appropriate.

Adopted this 5th day of June, 2012.

TOWN COUNCIL OF THE
TOWN OF SMITHFIELD

By _____
David M. Hare, Mayor

ATTEST:

Clerk

AN ORDINANCE AMENDING ARTICLE V, SECTION 74-122 OF CHAPTER 74. OF THE CODE OF THE TOWN OF SMITHFIELD, VIRGINIA, AS AMENDED, IN ORDER TO INCREASE THE RATE OF TAX IMPOSED ON PREPARED FOODS SERVED IN RESTAURANTS OR ELSEWHERE AND BY CATERERS.

WHEREAS, the Town of Smithfield under Section 9. of its Charter and Section 15.2-1104, Code of Virginia (1950), as amended, is authorized to enact taxes on property and other lawful subjects as in the judgment of the Town Council are necessary to pay the debts, defray the expenses, accomplish the purposes and perform the functions of the town; and

WHEREAS, under Section 58.1-3840, Code of Virginia (1950), as amended, and the aforesaid authority, the town is authorized to levy a tax upon prepared food consumed within the town; and

WHEREAS, this Council deems the levy of a tax equal to six percent (6.00%) of the cost of prepared food necessary to pay the debts, defray the expenses, accomplish the purposes and perform the functions of the town, and in particular for the specific purposes of providing for economic development, promoting business and tourism within the town and financing neighborhood rehabilitation projects.

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

1. That Article V, Section 74-122 of the Code of the Town of Smithfield, Virginia is repealed and reenacted as follows:

74-122. Levy of tax.

There is hereby imposed and levied by the town on each person a tax at the rate of six percent (6.00%) on the amount paid for meals purchased from any food establishment, whether prepared in such food establishment or not, and whether consumed on the premises or not. There shall be no tax if the total amount paid is fifty cents or less; on larger amounts a fractional cent of tax due shall be rounded to the next higher cent.

2. This ordinance shall become effective July 1, 2012.

ADOPTED this 5th day of June, 2012.

Clerk

RESOLUTION
AMENDED BUDGET FOR FISCAL YEAR 2011-2012

WHEREAS, the Town Council, through its staff and finance committee, has prepared an amended budget for Fiscal Year 2011-2012; and,

WHEREAS, the budget has been advertised in accordance with the law and a public hearing was held at the regular meeting of Town Council on June 5, 2012; and,

WHEREAS, after hearing public comment, the finance committee and the Town Manager have recommended adoption of the proposed amended budget for the 2011-2012 fiscal year; and,

WHEREAS, the revised budget, a copy of which is attached hereto as Exhibit "A", properly reflects the revenues and expenditures for Fiscal Year 2011-2012.

NOW, THEREFORE, BE IT RESOLVED that the amended budget for Fiscal Year 2011-2012, and attached hereto as Exhibit "A" is hereby adopted; and

Adopted this 5TH day of June, 2012.

TOWN COUNCIL OF THE
TOWN OF SMITHFIELD

By _____
David M. Hare, Mayor

ATTEST:

Clerk

**ADDITIONAL
INFORMATION ITEMS**



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

TIDEWATER REGIONAL OFFICE

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Doug Domenech
Secretary of Natural Resources

David K. Paylor
Director

Maria R. Nold
Regional Director

May 31, 2012

Mr. Peter M. Stephenson
Town Manager
Town of Smithfield
315 Main Street
Smithfield, Virginia 23430-1326

Re: September 26, 2007 Special Order by Consent
Management, Operation and Maintenance (MOM) Plan Approval
Town of Smithfield

Dear Mr. Stephenson:

The Department of Environmental Quality Tidewater Regional Office received the Town of Smithfield's original Management, Operation and Maintenance Manual dated December 2008 on January 5, 2009, a revised Management, Operation and Maintenance (MOM) Plan dated September 24, 2010 on September 29, 2010 and an Addendum #1 dated February 2011 on February 4, 2011. This plan was submitted in accordance with the Consent Order dated September 26, 2007 between HRSD, the Localities, and the State Water Control Board addressing sanitary sewer overflows. Tidewater Regional Office Staff reviewed the plan and provided comments.

Pursuant to the Order, the primary objective of the MOM Plan is to minimize sanitary sewer system overflows through effective management, operation and maintenance of the sanitary sewer system over which the city has ownership and operational control. DEQ's MOM Plan comments were provided to assist the Town in developing a plan that fulfills the Consent Order objectives and specified requirements. Based on DEQ's plan comments and discussions, the Town of Smithfield submitted responses on August 2, 2010 and May 24, 2012. DEQ staff has reviewed the responses and the revised MOM Plan with Addendum is approved with the condition that proposed programs are developed and implemented with appropriate performance measures in accordance with the schedule provided.

Please note that as the MOM Plan is a working document, it shall continue to be tailored and modified to meet the goals and specific needs of the Town's sewer system. If you have any questions about the MOM plan approval, please contact me at 757-518-2148 or Kimberly.Butler@deq.virginia.gov.

Sincerely,

Kimberly S. Butler, P.E.
Wastewater Engineer

Pc: Scott Schiller, P.E., Draper Aiden Associates