

The Smithfield Town Council held its regular meeting on Tuesday, May 7th, 2013. The meeting was called to order at 7:30 p.m. Members present were Mr. T. Carter Williams, Mayor; Dr. Milton Cook, Mrs. Denise N. Tynes, Ms. Connie Chapman, Mr. Michael Smith, Mr. Andrew Gregory, Vice Mayor; and Mr. Randolph Pack. Staff members present were Mr. Peter M. Stephenson, Town Manager; Mr. William T. Hopkins III, Director of Planning and Public Works; Mr. William H. Riddick, III, Town Attorney; Mr. Steven G. Bowman, Police Chief; Ms. Lesley G. King, Town Clerk; Ms. Judy Winslow, Director of Tourism; and Ms. Ellen Minga, Town Treasurer. Others in attendance were Mr. Al Casteen; Isle of Wight County Board of Supervisors, Smithfield District and Delegate Richard Morris. There was one (1) citizen present. The media was represented by Ms. Abby Proch of The Smithfield Times.

Mayor Williams – Good evening ladies and gentlemen. Welcome to the May 7th, 2013 Town Council meeting. We will stand and say the Pledge of Allegiance.

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

Mayor Williams – We will start with the Informational Section. Our Town Manager will give us the Manager's Report.

Town Manager – Good evening everyone. The April Activity Report from staff was posted electronically with the agenda on Friday by the Town Clerk. We did have one additional posting today which included Supervisor Casteen's report, an updated Capital Improvement Program which we will cover during the public hearing, and the resolution regarding the Virginia Retirement System phase in that has to be adopted every year. Spring clean up does continue this weekend. The Historic District and areas west of Cypress Creek which includes Cypress Creek and West Main Street it was going to be on the 20th but due to the home tour we moved that to May 11th. There is still one Saturday for a third of the town. I received a very nice contact via our website today thanking the town for doing the spring clean up which I passed along to some of our staff. It was a resident who was awed at how convenient it was to be able to take fairly large items to the curb and get it picked up without having to make special arrangements. It was a very appreciative resident which is always nice to hear. The one thing that is not in the activity report is that on April 27th we attempted another Guinness World Record in Smithfield at the Smithfield Fast Lube for the world's largest oil bottle.

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Mr. Kurt Beach and I were asked to be witnesses for Guinness. We had to take measurements and so forth. The Schlickemeyer brothers that own Smithfield Fast Lube worked with Ms. Betty Thomas who was involved with the world's largest ham biscuit in 2002. It did receive some press mostly from the Virginian Pilot and maybe around the Franklin area. It usually takes about three to four months to find out from Guinness. We have to send it to London to find out if you get the award or not. It was kind of a neat event. It is there if anyone wants to see it. It is inside the building. It was sculpted. It is seven feet tall and held two hundred gallons of Mobile motor oil. I forgot to put it in the report but I knew that you would enjoy hearing about it. I received a notice today from the Virginia Department of Transportation that beginning tomorrow through Friday motorists should expect at least two test lifts to occur on the James River Bridge between 9:00 a.m. and 3:00 p.m. with each lift expected to last approximately twenty minutes. They are testing two standby diesel generators that were recently installed. Virginia Department of Transportation did put out a notice in that regard. We thank them even though we did not get notice about South Church Street last month until it happened. Regarding the meeting schedule for the month we have a Pinewood Heights Management Team Meeting for next Tuesday at 4:00 p.m. at the Smithfield Center. The Planning Commission meeting will also be held on the 14th at the Smithfield Center at 7:30 p.m. On the 21st, we have the Board of Historic and Architectural Review Board at 7:30 p.m. We will not have a Board of Zoning Appeals meeting on the 21st. The Committee meetings are on May 20th and May 21st at 4:00 p.m. We have one holiday at the end of the month which will be Memorial Day on May 27th. There will be a veteran's memorial event up here at the town property at the Veteran's Memorial. I believe it starts at 11:00 a.m. or 11:30 a.m. I am getting ready to put it on Channel 6 but I do not have it in front of me. I will let everyone know and remind everybody about that. On tonight's agenda we have a need for a very brief closed session for advice from legal counsel. Regarding Consent Item C-5 I met with the treasurer yesterday as well as Ms. Ippolito and Ms. Winslow regarding the Obici Healthcare Foundation Grant that we are getting ready to accept for the next round. We need to authorize the Town Treasurer to open a new bank account to administer the new SNAP Grant Program at the Farmer's Market. That motion will need to be amended to authorize acceptance of the grant as

listed as well as to authorize the Town Treasurer to open a new bank account to administer the new SNAP Grant Program benefits for the Farmer's Market.

Mayor Williams – Are there any questions? Next we move to Public Comments. Seeing none, we will move on to the Briefing by Mr. Al Casteen, Isle of Wight County Board of Supervisors, Smithfield District.

Supervisor Casteen – Good evening Mr. Mayor and members of Council. The Board adopted a Capital Improvement Plan for the county that totals \$138 million for the next five years. The total for next year is \$9 million dollars. Notable items are \$2 million dollars for the schools, \$900,000 dollars for fire and rescue equipment, and \$5.4 million for public utilities and engineering. The Board voted to authorize a public hearing on the proposed Stormwater Management Utility Fee at the May 16th, 2013 meeting. An annual fee of \$72 per residence with commercial fees being based on the total impervious surfaces is proposed. The Board voted to waive the building permit fees for the Charity House to benefit a military veteran that will be built as part of the 2013 Parade of Homes that will be held at Cypress Creek in September. The Board voted to grant the schools \$750,000 in additional funding for this year. This was on top of the \$112,000 (the \$46,000 of open purchase orders that is due back to the schools and the textbook funds in the amount of \$65,000) that was authorized by the Board in April. The Board later held a called meeting to grant the schools another \$676,000 plus in additional funding for this year when chaos erupted in the county based on proposed actions by the school board. This totaled at least \$1.7 million dollars of additional funding to the schools in the current year in addition to the \$27.7 million funded by the county in the original budget for this year; an increase of 6.3% in the current year. This is about four and a half cents in the real estate tax rate just so everyone will have a frame of reference. The County Administrator recently sent a letter of commitment to support the proposed ball field complex to include the following: a boundary line adjustment to include the property within the Town limits of Smithfield; the donation of approximately twenty acres for the complex; and the County's financial support of the ball field complex for \$200,000 to be paid at \$25,000 a year for eight years beginning in 2014. Are there any questions?

Mayor Williams – Do you know when the public hearing is going to be for the ball park?

Town Attorney – He does not know because we do not know.

Supervisor Casteen – I cannot have mine until you have had yours.

Town Attorney – Neither one of us can have them until all of the paperwork is done. We are working on it. I know how anxious everyone is to get this done.

Mayor Williams – Are there any other questions? Next is a Resolution – Prettiest Painted Town by Delegate Rick Morris.

Delegate Morris – I have a resolution from the House of Delegates. It is my custom to read this presentation. It is House Resolution No. 110 commending the Town of Smithfield agreed to by the House of Delegates, January 11th, 2013.

WHEREAS, the Town of Smithfield's Historic Downtown received the Paint Quality Institute's 2012 award for the Prettiest Painted Places in America; and

WHEREAS, the Town of Smithfield competed against several other worthy nominees in the small town category of the Southeastern Region, such as Historic Occoquan and Old Town Alexandria, to claim the award; and

WHEREAS, the competition focused on the town's "curb appeal," or how the residents and businesses used exterior paint and decorations to accent the natural beauty of the Town of Smithfield; and

WHEREAS, a well-tended combination of rustic American colonial, dignified American federal, and grandiose Victorian architectural styles helped the Town of Smithfield to triumph; and

WHEREAS, from the lively primary colors of the Boardwalk Shops at Smithfield Station, to the vivacious pinks of the "Painted Ladies" on Main Street, or the cozy greens of the P.D. Gwaltney, Jr., House, every building in the Town of Smithfield did its part; and

WHEREAS, evocative combinations such as the inviting yellow and deep red of the Mansion on Main Bed & Breakfast spurred the judges to name the Town of Smithfield the winner; and

WHEREAS, an award-winning town, the Town of Smithfield also won three awards from America in Bloom in 2012: first place in its population category, the Special Award for a Historic Walking Tour, and the Heritage Preservation Award; and

WHEREAS, the residents of the Town of Smithfield have reveled in the beauty of their town for years by participating in the "Pork-a-Razzi" photo contest, many photos

from which would later be used to judge the Prettiest Painted Places in America contest;
and

WHEREAS, the Prettiest Painted Places in America award illustrates Smithfield residents' pride and loving devotion to their community; now, therefore, be it

RESOLVED by the House of Delegates, that the Town of Smithfield hereby be commended on the occasion of winning the Prettiest Painted Places in America award from the Paint Quality Institute; and, be it

RESOLVED FURTHER, the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Peter M. Stephenson, Town Manager of Smithfield, as an expression of the House of Delegates' admiration for the hard work and creativity shown by the entire town.

Delegate Morris – Mr. Mayor, I would like to congratulate the Town of Smithfield from the House of Delegates for this great, little town especially since it is just a genuine showing of the leadership that is involved with this town and the hard work of everyone involved. Congratulations.

Mayor Williams – Thank you, Delegate Morris. We appreciate that as does Ms. Winslow who is in the audience.

Director of Tourism – Yes.

Councilwoman Tynes – Can we get a picture?

Mayor Williams – Yes. We will move to Council Comments. Does anyone have any comments?

Councilwoman Chapman – I would like to recognize the Town Attorney, Mr. Bill Riddick for his twenty years of service to the Town of Smithfield. He has two hundred and forty Council meetings that he has presided over.

Mayor Williams – Thank you, Ms. Chapman. Does anyone have any other comments? Councilwoman Tynes has again been appointed to the VML 2013 Legislative Committee. The Legislative Committee considers the public policy issues of greater concern to our local governments, develops a legislative program, and addresses the local government position on these issues. This is signed by Edwin Daley who is the VML President. We congratulate Councilwoman Tynes for another year. I went to the McDonald's ribbon cutting. It was very nice. They had all of the executives throughout the McDonald's organization there. The five higher ranking executives that I

chatted with said that the McDonalds that they built in Smithfield is going to be the model for the rest of the McDonalds from now on if the town codes will allow that. They went on to stress what a beautiful place we have here. They said that the staff that they worked with to get permits and so forth was outstanding. They have never had such a relationship in any of the other McDonalds that they built or remodeled as good as the one in Smithfield. They asked me to pass it along to Mr. Hopkins so that he could pass it on to his staff. They said that the people in the town were the warmest, politest, and friendliest people that they know of. I do not think they were just saying these things. I think they truly meant it. The town, staff, and citizens of the town are to be commended. Next is the Summary of the Consent Agenda Items. We have five items on the consent agenda. Would any council member like to pull one for discussion?

Vice Mayor Gregory – Water and Sewer Summary. The only item for water and sewer this month is a motion to accept a proposal from Draper Aden Associates for ARC Flash Assistance. This is not to exceed \$35,000 in regards to some electrical work that is being done on our pump stations.

Councilman Pack – Finance Committee Summary. We have a couple of items for the Finance Committee beginning with invoices over \$10,000 which requires Council's consideration. We have a bill from Caldwell Tanks for \$25,468.32 for continued maintenance on our water tanks. We have a bill for \$17,560.00 for Lewis Construction of Virginia, Inc. which is the final payment on the doghouse manhole on Main Street which Mr. Hopkins says is complete. We have a bill for Virginia Resources Authority for \$12,140.58. This is a pass thru bill for some pump stations reimbursed to the town. We also have a great one here that I am real proud of that our council does. This is a bill for the Smithfield Volunteer Fire Department (run money). This is money that incentivizes our volunteers at a higher rate for taking their runs. I believe it is in the neighborhood of three dollars per run right now per volunteer. It is \$12,978.46 to our volunteer fire department. We have another Smithfield Volunteer Fire Department (pass thru fund) for \$19,461.00. All of these have been sent to Council for approval tonight. The next item we have is a motion to waive town utility fees and zoning permit fees for the 2013 Parade of Homes Charity House. This is what Supervisor Casteen was referring to when the county agreed to waive their building permit fees. This is a sewer and water tap that we have agreed to pass on in the name of charity to this home. Item C-4 is a

resolution to continue to phase in at 1% to the Virginia Retirement System member contribution for a total of five years. This is the second year that we have had to do this as a mandate from the state. The state employees have to pick up part of their retirement.

Mayor Williams – Public Buildings and Welfare Committee Chair, Dr. Milton Cook.

Councilman Dr. Cook – Public Buildings and Welfare Committee Summary. We have a motion to authorize the Town Manager to accept Round 12 Grant Funding from the Obici Healthcare Foundation on behalf of Smithfield on the Move and to authorize the Town Treasurer to open a new bank account in order to monitor the SNAP Program. This is the next level of funding for Smithfield on the Move.

Mayor Williams – Are there any questions or discussion for Items C1 – C5?

Vice Mayor Gregory – I make a motion that we approve the consent agenda as presented and amended.

C1. Motion to Accept ARC Flash Assistance Budgeted Proposal from Draper Aden Associates in an Amount not to exceed \$35,000.

C2. Invoices over \$10,000 Requiring Council's Consideration:

a. Caldwell Tanks	\$25,468.32
b. Lewis Construction of Virginia, Inc.	\$17,560.00
c. Virginia Resources Authority	\$12,140.58
d. Smithfield Volunteer Fire Department (run money)	\$12,978.46
e. Smithfield Volunteer Fire Department (pass thru funds)	
	\$19,461.00

C3. Motion to waive Town Utility Fees and Zoning Permit Fees for 2013 Parade of Homes Charity House.

C4. Resolution to continue to Phase in at 1% to the Virginia Retirement System Member Contribution for a Total of Five Years.

C5. Motion to Authorize the Town Manager to Accept Round 12 Grant Funding from Obici Healthcare Foundation on behalf of Smithfield on the Move and to Include Authorization to Town Treasurer to Open a New Account to Implement SNAP Program at the Farmers Market.

Councilwoman Chapman – Second.

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

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

Mayor Williams – Next is our Action Section. We have a Public Hearing on the Capital Improvement Program. We have a staff presentation by our Town Manager, Mr. Peter Stephenson.

Town Manager – Thank you, Your Honor. The Capital Improvement Program has been advertised for Council public hearing. It is for fiscal years 2013-2014 through fiscal year 2017-2018. It is a five year CIP which is an implementation of our Comprehensive Plan. It is a guide for large capital items over \$5,000. These are items that for auditing purposes have to be capitalized versus our general operations and maintenance each year so that we can plan ahead as best we can for some of these larger items. The Planning Commission held a public hearing on March 11th, 2013. I do not believe there was not a lot of public comment. The Planning Commission did recommend a few amendments to the CIP. It has been discussed at Council committee level for several months now. Tonight is the public hearing and it has been advertised. The only things that I will note are a couple of changes that the staff has made with the version that was posted this afternoon based on Council budget discussions. We had originally had the migration to the Munis system to the comprehensive financial software for the Treasurer's office. We originally thought that next fiscal year that we would try to make that happen. It is a very large ticket item less than we thought but still \$130 thousand dollars. Based on our conversations with the County and the Town of Windsor and again with the reality of the budget we are looking at that has been moved to the following fiscal year 2014-2015. The Munis migration has been pushed back for one year. The Christian Outreach Program building renovation, Council has so far been supportive of their one time request of a \$25,000 contribution for the expansion. This is a capital item kind of like the YMCA. It is for expansion over multiple years. Council had directed staff to plan for \$8000 for the next fiscal year, \$8000 for the following year, and \$9000 for the year after to total \$25,000 so that needed to be put into the CIP based on your budget discussion. Lastly, in both the water and sewer fund we did have monies

originally in the CIP for next fiscal year for a Water and Sewer Master Plan update.

Based on the budget restrictions of the utility funds and the fact that there is an HRSD regionalization study going that will not be completed until the summer felt that it would be best to push that back one fiscal year as well. The Water and Sewer Master Plan update has been pushed back to 2014-2015. The notes were reflected to note those amendments. Everything else remained the same. Following the public hearing, if there is no further discussion, staff would recommend Council's consideration of the updated CIP. We have completed several large projects in the last couple of years so it was a great opportunity to take a look at where we are and look ahead for the next five years.

Mayor Williams – Next is a Public Hearing. At this time, we declare the public hearing open. Is there anyone who wishes to come forward and talk about this? Seeing none, we will declare the public hearing closed. At this time, we will take it to Council for consideration with Finance Committee Chair, Mr. Randy Pack.

Councilman Pack – Thank you, Mr. Mayor. We have discussed the CIP at length. The Town Manager has given us several updates. Is there any further discussion from the Council tonight? I make the motion that we approve the Capital Improvement Program as presented this evening.

Vice Mayor Gregory – Second.

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

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

Mayor Williams – The motion passes. Next is a Motion to Appoint Nominating Committee to Appoint/Reappoint the Expiring Term (6-30-13) of Harold Lawrence to the Board of Zoning Appeals. I would like to select Councilwoman Chapman and Councilwoman Tynes to the nominating committee and to report back to us at the next meeting. Councilwoman Chapman will be the chair person. Next is a Motion to Approve the Town Council minutes for the meeting of April 2nd, 2013.

Town Attorney – I made a very minor correction and would recommend that the minutes be approved as revised and corrected.

Vice Mayor Gregory – So move.

Councilman Pack – Second.

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

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

Mayor Williams – Next is New Business. Does any Council member have any new business? Next is Old Business. Next is a Closed Session.

Town Attorney – Mr. Mayor, we need a motion to go into closed session for the purpose of consultation with legal counsel regarding matters requiring specific legal advice pursuant 2.2-3711.A.7 of the Code of Virginia.

Councilwoman Chapman – So moved.

Councilman Smith – Second.

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

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

Town Council went into closed session at 8:01 p.m.

Town Council went back into regular session at 8:35 p.m.

Town Attorney – Mr. Mayor, we need a motion that during the closed session that there was only a consultation with legal counsel regarding matters requiring specific legal advice.

Vice Mayor Gregory – So moved.

Councilwoman Tynes – Second.

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

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

Mayor Williams – We are back in regular session. Is there any other business?
We are adjourned.

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The meeting adjourned at 8:36 p.m.



T. Carter Williams
Mayor



Peter Stephenson, AICP, ICMA-CM
Town Manager