

The Smithfield Town Council held its regular meeting on Tuesday, November 5th, 2013. The meeting was called to order at 7:30 p.m. Members present were Mr. T. Carter Williams, Mayor; Mr. Andrew Gregory, Vice Mayor, Mrs. Denise N. Tynes, Ms. Connie Chapman, Mr. Michael Smith, Dr. Milton Cook, and Mr. Randolph Pack. Staff members present were Mr. Peter M. Stephenson, Town Manager; Mr. William T. Hopkins III, Director of Planning, Engineering, and Public Works; Ms. Lesley King, Town Clerk; Mr. Steven G. Bowman, Police Chief; Ms. Judy Winslow, Director of Tourism; Ms. Ellen Minga, Town Treasurer; and Mr. William H. Riddick III, Town Attorney. There were fifteen (15) citizens present. The media was represented by Ms. Abby Proch of The Smithfield Times.

Mayor Williams – Good evening ladies and gentlemen. Welcome to the Smithfield Town Council meeting of November 5th, 2013. Welcome everyone. At this time, we would like to have Julian Branch and Chris Bradby come forward and lead us in the pledge.

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

Mayor Williams – At this time, we will start with the Informational Section. Our Town Manager will give us the Manager's Report.

Town Manager – Thank you. Good evening everyone. The October Activity Report was included with the electronic posting. Regarding the month ahead we have a couple of holidays. The Veteran's Day holiday is Monday, November 11th. At the end of the month Thanksgiving falls on November 28th and 29th. Administrative offices will be closed on those days. We will have our Council Committee meetings one week early due to the holiday. They will be held at the Smithfield Center beginning at 4:00 p.m. on November 18th and 19th. We have Planning Commission next week. The Board of Historic and Architectural Review will meet on November 19th. There will not be a Board of Zoning Appeals meeting this month. The town newsletters are mailed out twice per year. There is a lot of information in it. They will be delivered to the post office tomorrow. I will turn the floor over to Chief Bowman who has a special presentation.

Chief Bowman – Thank you. Good evening Mr. Mayor, Town Manager, and members of Council. We are here tonight to recognize four young men who by virtue of their actions made the Town of Smithfield's streets safer one evening. On September 17th, 2013, William Thornton, Chris Bradby, Riley Tucker, and Julian Branch were

outside playing when they observed a vehicle driving erratically. The vehicle hit a neighbor's vehicle causing damage and then drove off. The quick thinking young men raced toward the vehicle to write down the license number. They immediately called 911 to report what they saw. Thanks to their accurate description and quick actions Officer Adams and Sergeant Araojo were able to intercept the vehicle before it caused more damage or put any more lives in danger. It was later determined that the driver of the vehicle was allegedly driving while under the influence and did not even realize that they hit another vehicle. By virtue of their quick actions they definitely made the streets of Smithfield safer. The message that I would like to get across is that if the adults around town would take the same actions as these young men to report such activity then the police would be in a better position to solve the crimes that come before us. Tonight, I am very pleased to recognize these young men. For the record, they received a Good Citizen Award in recognition of valuable contributions to the Smithfield Police Department. We really appreciate all of you.

Mayor Williams – Next is Public Comments. We have one sign up. I will remind you that we have five minutes allowed for public comments. Please state your name and address for the record.

Mr. Scott Watterson – I am Scott Watterson. I live at 326 Main Street. I believe that there may be a problem with the water supply. I do not think it is going to poison anyone. A lot of the pipes are galvanized steel in a lot of the older homes in Smithfield. My house was built in 1928. My neighbor's house was built in 1910 so the pipes are really old. They are corroded on the outside. Last year my pipe burst while I was in New Jersey. Even though there was no activity in the house, it still burst. This year my neighbor's pipe burst. I am a piping systems engineer in case I am using terms that some people may not necessarily know. The fact that this has been going on shortly after we switched from the fluoride water supply to the Reverse Osmosis Plant with chlorine in it. I have been researching it. You could probably write it off as these pipes are just old and breaking. When it was fluoride the water faucets at the YMCA had a yellowish tint to them which was no big deal. Maybe a month or two after the change to chlorine the chrome fittings had rusted out quite a bit. I would like to meet with the maintenance person at the YMCA to see if he saw the same thing as me. I have a feeling that some of these older pipes may be having some reaction with the fluoride

that was deposited and the chlorine in the water which has possibly caused some sort of exacerbated corrosion. Councilman Cook suggested that it may be better to discuss it at a committee meeting. I figure that by the time that comes around citizens and Council members could do a little research to be ready to have a conversation about it. I do not know what can be done about it. Does anyone have any questions?

Mayor Williams – Thank you, Mr. Watterson. The Town Manager will contact you by phone or letter. You are welcome to come on November 18th at 4:00 p.m. for our Water and Sewer Committee meeting. Does anyone else wish to come up with comments? Hearing none, the public comments section is closed. Next we have a Briefing by Mr. Al Casteen, Isle of Wight County Board of Supervisors, Smithfield District.

Supervisor Casteen – Thank you, Mr. Mayor and members of Council. I am sorry that I was not here last month. The Board voted 5-0 to rescind the motion made by Supervisor Alphin at the Board's September 19th, 2013 meeting that any future emergency service vehicles purchased by the County shall remain titled in the name of Isle of Wight County. The practice of titling them in the name of various volunteer organizations will continue for the time being. It should be noted that as many as sixty rescue squad and firefighter volunteers attended the meeting to make their displeasure known with the change in policy and how it was done at the September meeting. The Board will conduct a budget retreat with the School Board on November 7th, 2013 from 9:00 a.m. until 10:00 a.m. in the board room then the Board will meet with Davenport & Company. The Board voted to accept the amended Proffer Statement #3 for the Bennis Grant development which halved the proffers. The motion was adopted by a vote of 4-1 with Supervisors Darden, Bailey, Hall, and Alphin voting in favor of the motion. Supervisor Casteen voted against the motion. Next is the proposed proffer amendment for the Bennis Grant Project regarding the potential financing by the County for the changes to the Bennis Church intersection. Supervisor Bailey moved that staff be authorized to discuss with the County's financial advisors as to what kind of terms the county can expect to get from a lender so that staff will know what to discuss with the developers and investigate the possibility of personal endorsements from Mr. Morgan and Mr. Turner. The motion was adopted by a vote of 5-0. Are there any questions?

Councilwoman Tynes – I wanted to ask you about voting against the Bennis Grant Proffer. Could you explain that please? I do not have a concern. I am just asking why.

Supervisor Casteen – There were a number of factors. We received an email on the 10th of October stating what the proffers were going to be. Later, before our meeting on the 17th, we received word that they were changing that. Proffers can be somewhat complicated. When we arrived at the meeting, we finally get the proffer statement which was dated October 17th with the signatures notarized effective October 14th. I thought it seemed odd. I posed a question about it but did not get an answer. It did not make sense to me. Also, when it was presented to us that it was a matter of timing. They had changed the proffers last time so that they would have to build the apartments first. They gave them some financial incentives on the apartments. Supervisor Hall and I argued vehemently against it at the time but we lost. Supervisor Hall argued that by zoning property for apartments then the density in and of itself gave you reduced proffers for development considering the amount of space that you had. Now, the discussion during the meeting it was just a timing issue. It was a dollars and cents issue which failed to be highlighted to the Board whatsoever. We have a couple of issues there that are going on. As a practical matter, you all have your Committee meetings the week before your Council meeting and things are pretty well discussed and items resolved before the Council meeting. We would love to get the county to operate at that same level. I think it is a poor way to do business because things can get slipped by you such as what just happened.

Councilman Pack – What was the emergency personnel's concern with the rescission of the motion about emergency service vehicle's titles?

Supervisor Casteen – They did not agree with it. This was another situation in my view where it was not handled appropriately. Supervisor Alphin made the motion. He does not have a single qualified EMT volunteer in his district working out of his fire house. He has a limited number of people there. The issue is that there is a committee of Supervisor Alphin and Supervisor Hall who are working with fire and rescue trying to come up some standardization about how to report and ways to improve effectiveness and performance with the citizens. None of the other Board members and I have a clue. Supervisor Alphin and Supervisor Hall are the only ones that know the results. At the

meeting on the 19th when I asked for the background information, Supervisor Alphin said that it had been discussed at the 19th meeting. They looked at the insurance rates as far as what they would be if they put everything in the County's name. It would cost the County \$25,000.00 more per year. We are trying to change the policy with no real facts to support that strategy. It was not even on the agenda for that night. If you are going to have a major change in policy for our volunteers then you should be sure that they are aware of it and have a public hearing on the matter. We should be sure that there is some financial gain as well. I asked for a postponement of thirty days so the findings of the two person committee could be shared with rest of the Board. It was denied. A month later we had a meeting and still no information from the committee. It is not the way to treat your volunteers. I was told by a number of volunteers that they took it as a real slap in the face. They acted like they did not trust them. Supervisor Alphin is suddenly worried about the security on the vehicles. However, last year when his group received an ambulance that was not even in the budget the Board agreed to give them the extra money so they could still get it. It was titled in their name. This year when they would be titled in Smithfield and Windsor suddenly it was an issue for Supervisor Alphin. I do not go for that. We should treat everybody the same.

Mayor Williams – Next we have the Western Tidewater Free Clinic Presentation by Stephanie Broadwater.

Mrs. Broadwater – Good evening Mr. Mayor, Town Manager, and members of Council. I am here tonight as a volunteer for Western Tidewater Free Clinic to thank you and give you an update on what is happening at the clinic. We estimate by the end of the year we will have treated about fifteen hundred patients. From the time that we opened in 2007, it will bring us up to treating about thirty-three hundred people. We treat them multiple times for medical, dental, and all of the services that we provide but in that thirty-three hundred we only count them one time so those are unduplicated patient numbers. Since we opened the clinic the percentage of patients coming from Smithfield has stayed constant at about 11% to 12%. Of the fifteen hundred or so patients that we will see in 2013 about one hundred and eighty to one hundred ninety of those patients come from Smithfield. Thank you for your support and interest in what we are doing. I would like to share a couple of stories about the people that you are helping. It really speaks volumes about the good that we are doing and the difference we are making in

the community than all of the numbers in terms of how we run the clinic. A gentleman that we will call J.C. is forty years old. Like most of our patients he suffers from multiple diseases such as diabetes, heart disease, hypertension, muscular skeletal pain, and depression. He has no health insurance so he was using the emergency room to get his medical care. While the emergency room is great for emergencies it is not there to provide long term primary managed care to people. He has learned how to manage his illnesses with the help of our staff and the medications that he is now able to get. His health is improving. He is enjoying a much better quality of life than he was two years ago before he came to see us. We have a lady who is forty-five years old. Even though she was very ill she was working as a cashier in a local business. She makes below the federal poverty level. She was living on about \$930.00 per month. For a time, she had health insurance. Even when she could afford the premiums she could not afford the co-pay for her doctor or her medicines. In her case having the health insurance did not do her any good. Now she is back to work. She knows how to manage all of her diseases and gets the medications that she needs. We have a book in our reception area where our patients can write down feedback. If it were not for the clinic I would have died when I was only forty-five years old. The doctors at the hospital told me that I was almost dead when I was referred to clinic. The clinic saved my life. The best part is that it let me live long enough to see my four grandchildren. I have used two extreme examples but these are the type of patients that we see. Everybody is very sick. We would love to get to the point where we are taking in people who are not so sick to do more preventative care. Our waiting list is running about two hundred and fifty patients right now. We work really hard all the time to find volunteer medical professionals. We need doctors, nurses, and nurse practitioners. Thank you all so much for your partnership and support.

Councilwoman Chapman – What is the average waiting time on the list for those two hundred fifty people?

Mrs. Broadwater – The wait time on the list is a little hard to determine. They are given a level of acuity or sickness based on some questions that they ask. Once we bring them in for eligibility and they are qualified they generally see a doctor within seven to ten days. Some of them stay on the list longer than we would like. It is about our capacity. We have been taking in about forty-five to fifty new patients per month.

Our medical director has resigned. Our number of new patients for this month and probably next month will probably drop down to about twenty-five until we fill that gap. Some people if they are sick enough we find a way to move those people right in. We get calls sometimes from the emergency room at Sentara Obici Hospital of people who need help right away.

Councilwoman Tynes – You shared a couple of stories with us of people who needed the clinic. I would like to share a story that touched me. There was a gentleman who was out of work at the time and needed medical help. He received medical help from the clinic. He was able to go back to work at a business in Windsor. The company that he worked for had a volunteer list. He noticed that your clinic was on the list. He signed up to volunteer in order to give back to the clinic. We often hear of people receiving but not giving.

Mrs. Broadwater – Thank you, Councilwoman Tynes. It is very true. He has actually been back two more times to volunteer. The staff loves to see him. He likes giving back to an organization that helped him when he needed it.

Mayor Williams – At this time, we move to Council Comments. I will start off. I would like to welcome Councilwoman Tynes' daughter, Aston. Does any Council member have any comments?

Councilwoman Tynes – I would like to thank my colleagues and citizens for allowing Mayor Williams, Vice Mayor Gregory, Town Manager, and I to represent the Town of Smithfield at the Virginia Municipal League Conference in Arlington. We always learn a lot. I get to discuss with colleagues from other localities what they are doing. Thank you for allowing me to go to represent you.

Mayor Williams – Does anyone else have any Council comments? Next are the Consent Agenda items. We move now to the Summary of Consent Agenda Items. We have Finance Chair, Mr. Randy Pack.

Councilman Pack – Finance Committee Summary. We have four invoices tonight over \$10,000.00 requiring Council's consideration. The first is for Draper Aden in the amount of \$11,742.75 related to the Consent Order. The second item is for Virginia Resources Authority (VRA) which is a payment on a loan in the amount of \$12,140.58 for our pump station that is near Smithfield Foods. This is totally reimbursed to the town by Smithfield Foods. The third item is for Lewis Construction of Virginia for the line that

was put in at Waterford Oaks and there is a \$2,700.00 additional fee on this. Mr. Bill Hopkins spoke with them about it and they agreed to split that with us. It was lowered to a little below \$1,500.00 which brought the new invoice to \$20,745.50. The last item is REW Corporation in the amount of \$43,582.00 for some work that has been done to the pump out stations.

Mayor Williams – Thank you. Now we will move to the Parks and Recreation Chair, Ms. Connie Chapman.

Councilwoman Chapman – Parks and Recreation Committee Summary. The first item is a motion to authorize an encampment at Windsor Castle Park. Ms. Jennifer Williams, who is the Isle of Wight County Historic Resources Manager, did a presentation to Council for the Battle of Smithfield during the Civil War. They want to have an encampment on January 31st and February 1st, 2014 at Windsor Castle Park in the area near the dog park. January 31st would be the day that they invite schools and students to come and on February 1st it would be open to the general community. The next item is a motion to accept the Captain John Smith Trail kiosk from the National Park Service for Windsor Castle Park. It will explain the voyages of Captain John Smith and the Chesapeake Bay. It is being donated to the town. The National Park Service will actually be fabricating it. The town will install it near the kayak launch.

Mayor Williams – That concludes the consent agenda items. Do I hear a motion to approve the consent agenda?

Councilwoman Chapman – So moved.

C1. Invoices over \$10,000.00 Requiring Council's Consideration:

a. Draper Aden Associates	\$11,742.75
b. Virginia Resources Authority (VRA)	\$12,140.58
c. Lewis Construction of Virginia (REVISED)	\$20,745.50
d. REW Corporation	\$43,582.00

C2. Motion to Authorize Encampment at Windsor Castle Park for the Civil War Sesquicentennial January 31st and February 1st, 2014.

C3. Motion to Accept Captain John Smith Trail Information Kiosk from the National Park Service for Windsor Castle Park.

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. 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 – We now move to the Action Section. The first item is an Ordinance to Amend Loitering Ordinance as it Pertains to Camping on Public Property.

Councilwoman Chapman – The ordinance for loitering has to be amended to allow the encampment at Windsor Castle Park.

Town Attorney – Actually, this will give the Town Manager the ability to issue permits for camping on any town property not just the park. It would permit the Town Council acting through their Town Manager the ability to allow the property to be used for whatever purposes that they want to. You can issue permits for camping. This amendment will provide that.

Councilwoman Chapman – So it is not specific to this event?

Town Attorney – Correct.

Councilwoman Chapman – I will make a motion to amend the loitering ordinance to permit camping on town property in the town by permit.

Councilman Pack – Second.

Mayor Williams – A motion has been made and properly seconded. Are there any questions? 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 – The next item is a Motion to Extend the Windsor Castle Park Request for Proposals Negotiation Period for Three (3) Additional Months.

Councilman Dr. Cook – I will make a motion to extend the Windsor Castle Park RFP negotiation period for three additional months.

Councilman Smith – Second.

Mayor Williams – A motion has been made and properly seconded. Are there any further comments? 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 – Next is a Motion to Approve the Minutes for the Town Council Meeting of October 1st, 2013.

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

Councilwoman Tynes – So moved.

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. 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 – Next is New Business. Does any Council member have any new business? Next is Old Business. Does any Council member have any old business? We are adjourned.

The meeting adjourned at 8:06 p.m.


T. Carter Williams
Mayor


Peter Stephenson, AICP, ICMA-CM
Town Manager