

SMITHFIELD TOWN COUNCIL AGENDA

September 3, 2013 at 7:30 p.m.

Held at Smithfield Center, 220 N. Church Street



A. INFORMATIONAL SECTION:

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

B. UPCOMING MEETINGS AND ACTIVITIES:

- September 3 - 7:30 p.m. – Town Council Meeting
- September 5 - 2:00 p.m. – Windsor Castle Park Foundation Board – Town Hall
- September 10 - 4:00 p.m. – Pinewood Heights Management Team Meeting
- September 17 - 7:30 p.m. – Board of Historic and Architectural Review
- September 23 - 4:00 p.m. – Town Council Committee Meetings (Consecutive)
Police Committee
Water and Sewer Committee
Finance Committee
- September 24 - 4:00 p.m. – Town Council Committee Meetings (Consecutive)
Parks and Recreation 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

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.

E. Summary of Consent Agenda items

- a. Police Committee Chair, Mrs. Denise Tynes
- b. Water and Sewer Committee Chair, Vice Mayor Gregory
- c. Finance Committee Chair, Randy Pack
- d. Parks and Recreation Committee Chair, Ms. Connie Chapman
- e. Public Works Committee Chair, Mr. Michael Smith
- f. Public Buildings and Welfare Committee Chair, Dr. Milton Cook

CONSENT AGENDA ITEMS

C1. Resolution for Street Closure Request in Cypress Creek for Parade of Homes October 3rd through October 22nd 2013 **TAB # 1**

Police Committee Chair, Denise Tynes

C2. Accept Proposal for Flow Monitoring Data Update from Draper Aden Associates

Water and Sewer Committee Chair, Vice Mayor Gregory

C3. Invoices Over \$10,000 Requiring Council's Consideration:

Finance Committee Chair, Randy Pack

a. Virginia Retirement System	\$10,961.37
b. Southern Auto Group (Budgeted Police Vehicles)	\$71,487.00
c. Draper Aden Associates	\$31,080.00
d. Blair Brothers, Inc.	\$15,255.00

C4. Renewal of Vehicle Maintenance Contract with Dave's Service Center for One Additional Year

Finance Committee Chair, Mr. Randy Pack

C5. Motion to Approve Updated Depreciation Schedule

Finance Committee Chair, Mr. Randy Pack

C6. Motion to Approve IOW Ruritan Club Proposed Bluebird Project at Windsor Castle Park

Parks and Recreation Committee Chair, Connie Chapman

C7. Motion to Approve Proposal for Pipe Repairs in Waterford Oaks by Lewis Construction of Virginia

Public Works Committee Chair, Mr. Michael G. Smith

C8. Motion to Authorize Acceptance of Grant Funding from the Virginia Department of Conservation and Recreation for Waterworks Lake Dam

Public Works Committee Chair, Mr. Michael G. Smith

C9. Motion to Request Extension of Pinewood Heights Grant Agreement – Phase II Multi Year 1

Public Buildings and Welfare Committee Chair, Dr. Milton Cook

TAB # 2

C10. Motion to Approve Budget Amendment for the Pinewood Heights – Phase II Project

Public Buildings and Welfare Committee Chair, Dr. Milton Cook

TAB # 3

ACTION SECTION

1. **Ordinance to Amend Parking Regulations in the Town of Smithfield**
Police Committee Chair, Mrs. Denise N. Tynes **TAB # 4**

2. **Ordinance to Establish an Ordinance to Prohibit Loitering and Sleeping on Town Benches**
Police Committee Chair, Mrs. Denise N. Tynes **TAB # 5**

3. **Ordinance to Name Roads in Windsor Castle Park**
Parks and Recreation Committee Chair, Ms. Connie Chapman **TAB # 6**

4. **Motion to Approve the Minutes for the Town Council Meeting of August 6th, 2013**
Town Attorney, William H. Riddick, III

5. **New Business:**

6. **Old Business:**

7. **Closed Session:**

8. **Adjournment**

August 30, 2013

TO: SMITHFIELD TOWN COUNCIL

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

SUBJECT: MONTHLY ACTIVITY REPORT – AUGUST 2013

TOWN MANAGER'S OFFICE:

- a. Attended: VML Insurance Programs board meeting in Williamsburg, Hampton Roads Criminal Justice Training Academy executive committee meeting in Newport News, Leadership Isle of Wight military day program, Smithfield on the Move advisory committee meeting.
- b. Had lunch meeting with Windsor Town Manager, Michael Stallings
- c. Wrapped up lease negotiations with Nansi Strickland for rental of 315 Main Street.
- d. Utilized four days of vacation leave.

TOWN CLERK'S OFFICE:

- a. Transcribed and proofed the monthly minutes from Town Council and BHAR
- b. Prepared August Town Council Committee Agenda and September Town Council Agenda
- c. Attended Town Council Committee meetings on August 26th and 27th and prepared summary reports of the committees.
- d. Utilized five days of vacation leave, August 19th thru 23rd.
- e. Continue to work on sorting and labeling Treasurer and Public Works Files

TREASURER'S OFFICE:

- a. Continued close out procedures for FY2013 in preparation for annual audit.
- b. Financial analyst prepared bank reconciliations and financial statements and graphs for July 2013.
- c. Met with Tracy James, Barbara Hunter, and representatives from Old Point Bank on August 5 for a detailed look at the payroll processing product that they offer. They are currently working on software upgrades then we will meet again to see if they would be a viable alternative for us. We would like to have a payroll processor who is local and can customize reports based on our needs.
- d. Began work on annual unclaimed property report.
- e. Provided Farmers Bank and TowneBank with requested financial information to renew annual lines of credit.

- f. Completed and submitted Virginia Local Tax Rate Survey requested by the Weldon Cooper Center.
- g. Received real estate file from IOW County and began the conversion process. We are currently waiting on requests from mortgage companies, so we can code them before bills are run

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 and repair broken water meters, 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 air release valves - both 51% complete.
 - b. 325 Grace St. - used sea snake to locate sewer line and found the problem to be backing up on the homeowner side of the sewer line.
 - c. 204 Grace St. - found sewer problem to be on homeowner side of sewer line.
 2. Sewer Pump Station Repairs and Maintenance:
 - a. Weekly and daily checks on all 27 pump stations.
 - b. Performed the following scheduled maintenance at all pump station
 - Cleaning of wet -wells
 - Alarms testing
 - Sump pump cleaning
 - Check Valve cleaning and repair
 - Generator checks / Godwin pump checks
 - Control Panel / Flow monitor checks
 - Fence and Grounds
 - Inspected Structure
 - Inspect and clean pumps
 - Level system check
 - Test limit switches
 - Bar screen cleaning
 - Rain gauge checks.
 - c. REW has completed the work on alarms at pump stations.
 - d. Minton Way Pump Station - new pump is having problems. Replacing cap cable to see if that corrects the problem.
 - e. Installed new pump at Bradford Mews Pump Station - both pumps back online and working.

- f. Unclogged pump #1 at Cypress Pump Station - pump is clear and working.
- g. Morris Creek Pump Station is down to one pump - pump 1 is bad and will be replaced.
- h. Rising Star Pump Station - need to replace discharge pipes inside pump station. REW is scheduled to do the work.
- i. Changed the oil in pump #1 at Crescent Pump Station due to a seal fail.

3. Water Line Repairs and Maintenance

- a. Repaired water leaks at the following address :

1607 Wilson Rd.

107 Cockes Ln.

- B. Installed valve at Hampton Inn to be able to isolate if ever need to turn off water and still have fire protection.

4. Well Repairs and Maintenance

- a. All wells except 8A and 10 A (at RO Plant) are off now that RO plant is running. Upgrades to well houses have been completed to keep wells in operating condition in case of an emergency. Emergency wells are flushed once a month.

5. Water Treatment Plant

- a. Daily lab analysis, sampling and reports for VDH, HRSD, DEQ and ITT.
- b. Removed black boxes and membrane for Avista technologies to autopsy.
- c. Replaced leaking end cap on third stage pressure vessel.
- d. Service technician from Carter Machinery changed oil, fuel filters, and overall check of RO plant generator.

6. Safety

- a. Monthly truck inspections.
- b. Monthly playground inspections.
- c. All Public Works employees attended Fire Extinguisher Training.

7. Windsor Castle Park

- a. Cleaned off and repaired walking trails twice per week or as needed. Trash cans, recycle bins, information stands and doggie bags are emptied, cleaned or refilled as needed on Mondays and Fridays.
- b. Replaced screens on doors at the Manor house.
- c. Removed mulch from area where dead trees were removed.

8. Miscellaneous

- a. Grounds crew- 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 and other areas.
- b. Minor repairs at Town Hall and Town Buildings.
- c. Cleaned storm drains at Great Springs Rd ,Smithfield Blvd. and Wilson Rd.

PLANNING AND ZONING:

1. Planning Commission – 08/13/13

- A. No Meeting Held

2. Rezoning Applications under review

- B. None

3. Special Use Permit Applications under review

- C. None

4. Subdivision and Site Plans under review

- D. None

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. Smithfield Foods Test Kitchen (98% complete)
- E. True Value (98% complete)
- F. Main Street Baptist Church (98% complete)

6. Board of Zoning Appeals 08/20/13

- E. No Meeting Held

7. Board of Historic & Architectural Review 08/20/13

- A. Proposed Exterior Renovations – 217 N. Church Street – Non-Contributing – Paul Mumford, applicant – Approved.

ENGINEERING:

- A. Church Square, Phase I, contractor has installed E & S controls as required by the Town and the approved site plans. 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. Condominiums are under construction at this time.
- C. Blair Bro.'s Contr. regraded roadside ditch at intersection of Smithfield Blvd. and Thurston Circle, reseeded and strawed same. Contractor also cleaned and repaired pipe joint sections of crossdrain pipe at the intersection of Minton Way and Kindred Place. Repaired pipe joint and asphalt pothole at the intersection of Minton Way and Applewhite Street. Contractor also cleared flared end section of pipe and regraded outfall ditch at this same location.

August 30, 2013

TO: SMITHFIELD TOWN COUNCIL

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

SUBJECT: INFORMATIONAL REPORT FOR THE POLICE COMMITTEE MEETING
HELD ON MONDAY, AUGUST 26TH, 2013

The Police Committee met Monday, August 26th, 2013 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; Mr. Andrew Gregory, Vice Mayor; and Ms. Connie Chapman. Other Council members present were Mr. Randy Pack, Mr. Michael G. Smith, Dr. Milton Cook, and T. Carter Williams, Mayor. Staff members present were: Mr. Peter M. Stephenson, Town Manager; Ms. Lesley G. King, Town Clerk; Ms. Ellen Minga, Town Treasurer; Mr. William T. Hopkins, III, Director of Planning Engineering and Public Works; Mr. William H. Riddick, III, Town Attorney; Mr. Steve Bowman, Smithfield Police Chief; Mr. Wayne Griffin, Town Engineer; Ms. Comarth Saunders, Financial Analyst; and Ms. Terry Rhinier, Tourism. Also in attendance were Mr. Andy Snyder and Mr. Scott Shriller of Draper Aden Associates. The media was represented by Ms. Abby Proch of The Smithfield Times.

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

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

1. Draft Parking Ordinance – Mrs. Tynes stated that at the last Police Committee meeting Officer Johnson had attended with information to amend the town's parking ordinance regulations. The Town Attorney stated that he has prepared a draft ordinance based on Officer Johnson's recommendations. Section 78-135 "Parking Prohibited in specified places" will be very helpful to the officers in enforcing no parking zones. Chief Bowman asked that language be included in the ordinance that all payments for violations be made by check or money order. The Town Treasurer asked if the Police Department was going to be accepting payment for these violations. Chief Bowman explained the reason why the Police Department should collect payments rather than the Treasurer's office. If an individual contests a violation it must be made through the Police Department. At that time a magistrate's summons will be issued to that individual to go to court. The problem with the Treasurer's office collecting the fines is a continuous report would have to be generated updating the Police Department on who

has paid their fines and who has not. Payments being made directly to the Police Department will make the process easier and the Treasurer's office will receive the summons with the receipt and payment. The Town Attorney stated that this is not an unusual process as it is done in many other municipalities. The Town Treasurer expressed some concern for the purpose of internal control if we are audited. Chief Bowman stated that he would do however it needs to be done for audit purposes. The Town Treasurer explained that she is not saying that it will not work but she needs to be aware of this process so that she can let the auditors know when they are doing their control checks. The Town Attorney suggested asking the auditors if this process will be okay. Committee recommends approval of ordinance if the Town Treasurer confirms with the town's auditors that process of collecting fines is acceptable.

2. Establish an Ordinance to Prohibit Loitering and Sleeping on Town Benches – Chief Bowman stated that he does not like to over regulate things but at the same time he does not want police officers in a position that they ask a citizen to do something that they do not have the lawful authority to do so. Recently there have been incidents in areas that the town as designed to be attractive to tourist and locals that come downtown to shop. Individuals are lying down and sleeping on town benches particularly on Hayden's Lane but also on Main Street. This ordinance is not unique as it is very common in cities. Chief Bowman stated that they would like to ask people to kindly move along but sooner or later they will come across an individual that will not want to move along. This ordinance will allow the officers something to enforce. Mayor Williams agreed that this is an increasing problem within the town. Ms. Chapman asked if this ordinance would apply to just Main Street. Chief Bowman stated that it would be throughout the town. Ms. Chapman stated that the Smithfield Library has the same issue with the benches there. Chief Bowman stated that if the benches are on public property then the officers can enforce. Vice Mayor Gregory expressed some concern over the loitering aspect of the ordinance. He feels that benches are where people would loiter and hangout for awhile. Chief Bowman stated that loitering would be when people gather and it becomes a problem with passage around groups or if a group was hanging out on a bench conducting themselves in a matter that is detrimental to a positive environment as far as what the town is trying to convey in the downtown area. Dr. Cook stated that he understands the intent of the ordinance to prevent undesirable activities such as sleeping on a public bench. He explained his concerns that under strict interpretation of the ordinance what do you consider loitering. The Town Attorney stated that park benches are designed for sitting on them however if you abuse the use of them or monopolize them in such a way that it is not being used as it is intended to do so then this ordinance will help with asking people to move along. Dr. Cook continued to explain that much like Chief Bowman he does not like to over regulate. He stated that he does not doubt the regulation that will come from Chief Bowman; however twenty years from now when this ordinance is still in place we do not know how it will be regulated. This is an ordinance that if read strictly at its word could be overreached. Chief Bowman stated that as a police officer they do not like to lose cases so before a summons is issued the facts would have to stand up to what the intent of the regulation is. Ms. Chapman stated that she understands Dr. Cook's concerns however she sees two different scenarios. She continued to explain that someone having a picnic at Windsor Castle Park and hanging

out on a bench during their lunch break is not really the same as hanging out on a bench along Main Street where you have a possible elderly tourist looking for a place to sit and rest and the benches are being monopolized by a group of young kids. She thinks that enforcement of ordinance will be on a case by case basis depending on the behavior of the individuals involved. The Town Attorney stated that it would have to be more than just sitting on the park bench. Mayor Williams stated that there is a homeless person that lives under the shelter across from the VFW building on Washington Street. You hate to ask him to move on but at the same time it is uncomfortable for the kids in that neighborhood, the people at the Smithfield Library and the YMCA to walk around when that individual is sitting there. Mrs. Tynes asked if they are asked to move on where do they go. Chief Bowman stated that they have a list of homeless shelters that they can provide these individuals. Committee agreed to have the Town Attorney prepare a draft ordinance for adoption at the September 3rd meeting.

3. Street Closure Request for Parade of Homes – October 3rd through October 22nd 2013 - Mrs. Tynes stated that this item came before committee last month; however the builders are unable to finish the homes by the original show dates in September. Therefore, the new dates for the show are October 5th thru October 20th. The street closure request is for October 3rd thru October 22nd to allow for setup and breakdown. Committee recommended approval of street closure request as present on the special event application.

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

1. Operational Updates - Chief Bowman reported that National Night Out was very well attended. He stated that they were very appreciative of the number of Town Council members that attended. He also reported that they received a number of positive comments from the public. Chief Bowman reported that the department has been speaking with the Virginia Department of Transportation (VDOT) on a couple of issues pertaining to signage within the town. He continued to explain that while he was on patrol approximately three months ago he noticed a tractor trailer parked at a pull off adjacent to Westside Elementary School’s playground. VDOT has agreed to put up “No Parking” signs so that vehicles are not allowed to park adjacent to this area where children are playing. Chief Bowman stated that the next issue that they have been discussing with VDOT is no thru trucks in the downtown historic district. He explained that ninety percent of the time when a truck is stopped they point to their GPS. He stated that they have had the opportunity to observe a sign in the Richmond area that is a yellow and black warning sign that says “Notice to Truckers GPS information is incorrect”. They are asking VDOT to look into installing these signs on the VDOT corridors coming into the town. Officers have been writing some tickets depending on the circumstances. Chief Bowman stated that the problem with enforcement is if they are not caught where it is four lanes along South Church Street it becomes a traffic hazard to take the time to issue a summons. He stated that the truckers that get breaks get them out of frustration from the Police Department because we do not want to tie up the traffic and cause a

hazardous situation. Chief Bowman also reported that the three budgeted police vehicles that normally take months to come in have been delivered. Mrs. Tynes asked if there had been any additional residential break-ins since last committee. Chief Bowman stated that there have not been any additional break-ins.

2. Additional item Discussed – FYI – Community Crime Prevention Committee – Ms. Chapman stated that the Community Crime Prevention Committee is working on another initiative towards getting certified as a crime prevention community. We are required to have another national event like National Night Out. Coming up in October is National Gang Awareness Month and they would like to do some community education piece. In the past Sergeant Evans made a presentation to the community at the YMCA. There was great attendance for that in the past. Ms. Chapman stated that she will keep council posted as she gets updates on what is planned. Mr. Pack asked if we have gang presence here in Smithfield. Chief Bowman stated that the observations that the department has made pertaining to gang activity in Smithfield based on the crimes that they have investigated there is not a large organized presence of gang members in Smithfield. They have noticed that there are individuals that are affiliated with gangs in the surrounding metropolitan areas. Gang members that are from more organized and functional gangs in the metropolitan area come here to Smithfield and cause the problems that we are confronted with. Chief Bowman stated that through investigations the department is relatively certain that the last homicide in Smithfield was connected to gang activity in the Newport News area. Chief Bowman stated that there are certain groups in Smithfield that strive to appear to be a gang but as far as the real problem gangs such as the Bloods and the Crips they tend to migrate back and forth. Chief Bowman stated that the Police Department works very hard to discourage this type of activity. The Town Manager stated that within the last thirty days the new camera system has been installed at Jersey Park Apartments. It is a license plate reader so any vehicle that goes in and out will get their license plate read. The hope is that the cameras will deter illegal activity.

3. Additional Item Discussed: Skateboarders – Mrs. Tynes stated that she is thinking it is just the time of year but has concerns over the increasing number of skateboarders in the downtown historic area. Chief Bowman stated the signs are in place; however most of the individuals are children so they try to address them when approached as children and explain the hazards. He stated that he has not noticed a significant increase but has noticed them go right by the signs that are posted and they are encouraged to take note of the sign and not skateboard on the sidewalks. Chief Bowman stated that after the first Tuesday in September gets here the number of skateboarders will go down with less opportunity of time and as it gets colder outside that will decrease the number as well.

The meeting adjourned at 4:35 p.m.

August 30, 2013

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, AUGUST 26TH, 2013

The Water & Sewer Committee held a meeting on Monday, August 26th, 2013 at 4:35 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee members attending were: Mr. Andrew C. Gregory, Chair; Mrs. Denise N. Tynes and Mr. Michael G. Smith. Other Council members present were Ms. Connie Chapman, Mr. Randy Pack, Dr. Milton Cook, and Mr. T. Carter Williams, 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 G. King, Town Clerk; Ms. Ellen Minga, Town Treasurer; Mr. William H. Riddick, III, Town Attorney; Mr. Wayne A. Griffin, Town Engineer; and Ms. Comarth Saunders, Financial Analyst. Also in attendance were Mr. Andy Snyder and Mr. Scott Schriener of Draper Aden Associates. The media was represented by Ms. Abby Proch of The Smithfield Times.

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

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

1. Proposal for Draper Aden Associates For Flow Monitoring Data Update – Mr. Schiller stated that there is a submittal due on October 1st which is the last chance for the town to submit updated flow monitoring parameters to the region. He continued to explain the initial flow monitoring program that was done in 2008 recorded six months of data. During this time only a one year storm was recorded which met the minimum requirement at that time. As part of the general analysis however, the response to the one year storm needed to be scaled up to a ten year storm to identify what would be considered as the peak flow for a basin. Mr. Snyder stated that one of the purposes of the flow monitoring data is to determine which basins meet the good standards and what does not. With the initial flow monitoring there are basins that are part of the consent order and basins that are in compliance. Mr. Snyder stated that because the town only has one piece of data it is like having a graph and you are trying to get information from one point. He continued to explain that the way the system is judged is based on what happens in a ten year storm. At the time we were required to submit the best data that we

had we did not know what basins qualified and what basins did not. Mr. Snyder stated that their concern is that if we move forward with data that is really not what is going out of the system then some basins maybe incorrectly designated. The flow monitoring system that the town has now has collected additional data that would allow the town to reanalyze the flow parameters that were established during the initial Flow Monitoring Program. Some other localities that have been doing this have actually been able to remove basins. Mr. Snyder stated that he sees in the future all localities moving into flow agreements with HRSD. These agreements will need to be based on sound data. Mr. Schiller stated that another thing to keep in mind is as we move into rehabilitation programs there will be post rehabilitation monitoring. The best scenario is to record a ten year storm to know how the system will react. Mr. Snyder tried to simplify the process. He gave an example of the process. He explained that the level that is set forth on a ten year storm basis is 775 gallon per day per connection. This has been the line that has been drawn in the sand that says you are good or bad. They can extrapolate based on the data that we have that a certain basin will be below or above it. He stated that the concern that they have is the curve may not be correct. It may say that this basin does 900 but in reality it does 1500. It would still qualify as a bad basin but if we went in there and did all this work and were monitoring it and said it was a 900. What this fails to show is that we reduced it by 600. Vice Mayor Gregory asked that out of the initial data how many of the town's basins are out of compliance. Mr. Schiller replied it was about 50% of the basins. He stated that DEQ's intent on this is for us to develop a list of rehabilitation projects. He continued to explain because of the regional wet weather management program that all the localities have to deal with a regional model. They are requiring localities to make a commitment to reduce a certain flow to another certain flow. If we do not have the data to confirm the figures it makes it difficult. Vice Mayor Gregory asked if a town is scored better for taken a basin that is over the number and getting it under the number or is it more on percentage of improvement all. Mr. Snyder stated that was a good question and has been debated. No one is exactly sure what the standard should be. The way the document is set up there is some flexibility into what you commit to and what you do not commit to. How that goes across the board in fairness is an entirely different matter. Again there has been a lot of debate on this but the regionalization effort has kind of tabled that however the deadline that we have on October 1st has remained in effect. Mr. Snyder stated that in regards to 50% of the Town of Smithfield's basins not being in compliance the town is in far better shape than most localities. The Town of Smithfield only has one or two basins that have a lot of inflow and it is manageable. Vice Mayor Gregory stated that the only reason he asked the question the way that he did was because the town is looking at spending some money to get better data and that is important but if we knew half of them were awful and the other half were in much better shape would it be better to take this money and use it to fix what we know is already wrong. Mr. Snyder stated that if we assume that all the numbers are correct their recommendation to the town would be find and fix. Those things that are obvious lets go correct those and then get some data to see where that takes us. If it gets the town under that level you are done. There is no reason to spend a lot of money unless

you have to do it. From the discussions that they have had with the town staff he feels that this approach will find favor. The town has made some other repairs with find and fix that are not reflected in this data to see if it has made a difference. Mr. Pack asked for clarification. The problem the town has is in the sewer system with inflow of rain and groundwater? Our consent order is designed to reduce the amount of intrusion of water. Based on the initial study that was done in 2008 roughly 50% of our basins are not in compliance. What is the town's goal? What are we trying to get to? Mr. Snyder stated the consent order sets up the basis by which you decide whether your basin meets the standard or it does not. At this time there really is not a set standard as to what we are really supposed to meet. Mr. Snyder stated that from their view because we really do not know they have been reporting everything from a more conservative angle. The information that Draper Aden has given the town has been worse case scenerio. Mr. Pack asked why we would want to study this again if we still do not know what we are supposed to be getting to. Mr. Snyder replied the problem is with the track on what they call the preliminary peak flow estimates. These are numbers that must be submitted on the town's behalf saying where we think we are going to go. Mr. Schiller stated that these estimates are being locked in on October 1st regardless of where they are going in the future. Vice Mayor Gregory stated that the deadline does not go away even though they have not set a standard. Mr. Schiller stated that was correct. Mr. Schiller stated that they already have this information based off the study that was done in 2008. Mr. Snyder stated that the study that was done in 2008 covered a whole lot of things. They have all of this data however they are looking for specific pieces of data that they want to go back and look at now that all the equations and GIS boundaries have been setup. Mr. Snyder stated that they do not need to redo the entire study but there are a number of things that they could do to check the data and confirm its accuracy. The Town Manager mentioned that the town now gets data through the SCADA system that records flow monitoring on a daily basis. Mr. Snyder stated that in all fairness what they are asking to do does not have to be done. They are extremely mindful that no one wants to spend any money but feel that these numbers may have a significant impact on how we move forward with the process. Mr. Pack asked for clarification that Mr. Snyder and Mr. Schiller thinks the town will be in a much better position using data from 2013 opposed to using the data that we already have from 2008? Mr. Snyder stated that the town's data will be more accurate using data from 2013 opposed to 2008. Mr. Hopkins reminded everyone that some improvements have been made to the system as well since 2008. Mr. Snyder stated that we may find out that with the current data and the improvements that were made that some of the basins may be removed. This is our goal. The town does not need to do work in basins that are in compliance. Mr. Snyder stated that the SCADA system that was installed to record the town's flow monitoring data is excellent and accurate. Mr. Snyder reiterated that the town does not have to do this for them to submit flow numbers for October 1st. However, their concern is the level of accuracy that they have will result potentially in peak flow estimates that are not accurate. Being accurate as possible is in the best interest of the town moving forward. Dr. Cook asked if Mr. Snyder could explain where spending this \$22,000 would save us money in the future. Mr. Schiller

stated that more accurate data would allow them to make smarter decisions about rehabilitation programs. Accurate numbers would help determine what type of rehab work needs to be done in certain basins. Mr. Snyder could not say for sure that it would save the town money because there are so many things that are up in the air at this time. Dr. Cook stated that three years ago a smoke test to find out where rain and groundwater was entering the sewer system was done. With all these leaks repaired where would water be entering the sewer system? Mr. Snyder stated that some have been fixed and some have not been fixed because we are not sure how to fix them at this time. Some of the areas that have not been fixed are on private property. Vice Mayor Gregory asked if he was accurate to say that if the town spends this money to get updated data and the results allowed the town to remove one or two basins from the non compliant list would it be safe to say that the town would save more than enough money in rehab and repairs down the road to pay for itself. Mr. Snyder stated that was correct. Vice Mayor Gregory stated that the town is trusting Draper Aden Associates staff based on what we already know that there is a better chance that it will help the town than hurt the town. Mr. Snyder stated that there are other communities that are already dealing with how accurate their data is. Vice Mayor Gregory asked if the cost of this proposal was increased any due to the deadline for this information to be submitted is so close. Mr. Snyder stated that there was no additional premium for this work to be done in such a short timeframe. Mr. Snyder stated that they understand the process has been very frustrating for the town as it has been very frustrating for them as well not knowing how to answer the town's questions. Mr. Schiller mentioned that in the FY 2013 budget they requested money for some regionalization study assistance and in the FY 2014 budget they requested a larger sum as well for the regionalization study. To date only a small portion of the budget has been spent so they remain well under budget. Committee thanked Mr. Snyder and Mr. Schiller for their update and recommend approval of the proposal for flow monitoring data update.

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

1. HRSD Regionalization Study and Consent Order Update – The Town Manager stated that Mr. Andy Snyder and Mr. Scott Schiller of Draper Aden Associates were present to give an update on where we stand in terms of our consent order. Last month committee did talk about the regionalization study; however it was deferred to this month waiting on the study to be finalized. Elected officials were given a briefing at the end of July at the Planning District Commission and that was what was included in last month's committee packet. Since that time there has been quite a bit of pushback from the larger localities from the draft study. We do not know at this time if that is the reason that it has not been finalized. There have been a number of concerns that vary from the huge assumption that all assets would be donated to HRSD, economic development and representation on the board. The Town Manager stated that the reality is that time continues to move forward on having some work that is due by October 1st on the consent

order. Mr. Snyder stated that he does not have a whole to add on the regionalization study. There have been five regional meetings that helped with producing this draft regionalization document. At this time there is a question has to whether there is an asset transfer or not and there maybe another proposal in the works. Mr. Snyder stated that when they learn something that is concrete he will share that with town staff. Mr. Snyder stated that they have been waiting on the results of the study before moving forward with work on the town's consent order work. However there are a couple of things that are coming up that they feel are still important to accomplish even though the study has not been finalized. Mr. Schiller stated that while the region is deciding whether the regionalization will take place there is also some parallel work that is being looked at by various localities so when that decision is made we are still in a suitable timeframe to get work done as required by the Department of Environmental Quality (DEQ), HRSD and EPA.

The meeting adjourned at 5:18 p.m.

August 30, 2013

TO: SMITHFIELD TOWN COUNCIL

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

SUBJECT: INFORMATIONAL REPORT FOR THE FINANCE COMMITTEE MEETING
HELD ON MONDAY, AUGUST 26TH, 2013

The Finance Committee held a meeting on Monday, August 26th, 2013 at 5:18 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee members attending were: Mr. Randy Pack, Chair; Mr. Andrew Gregory, Vice Mayor; and Dr. Milton Cook. Other Council members present were: Mr. Michael G. Smith, Ms. Connie Chapman, Ms. Denise Tynes and Mr. T. Carter Williams, 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 G. King, Town Clerk; Ms. Ellen D. Minga, Town Treasurer; Mr. William H. Riddick, Town Attorney; and Mr. Wayne A. Griffin, Town Engineer. The media was represented by Ms. Abby Proch of The Smithfield Times.

Committee Chair, Mr. Randy Pack 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. Virginia Retirement System \$ 10,961.37

This invoice is from VRS for the Line of Duty Act Fund. The Town Manager stated that this invoice is an unfunded mandate from the General Assembly a year and a half ago. Ms. Minga stated that this is a budgeted item. Committee recommended approval of invoice.

b. Southern Auto Group (Budgeted Police Vehicles) \$ 71,487.00

This invoice is for three budgeted police vehicles for fiscal year 2013/2014. All three vehicles have been delivered to the Police Department. Committee recommended payment of invoices.

c. Draper Aden Associates \$ 31,080.00

This invoice is for continued work on consent order related items. Mayor Williams expressed concern over the rate per hour for three people under general review services. He asked what these services were for. The Town Manager stated that he had mentioned this last month that Draper Aden Associates has been attending the

regionalization meetings at the town's request to help town staff to understand the regionalization study. This invoice covers the cost of Mr. Snyder and Mr. Schiller to attend these meeting since December 2012. Mayor Williams asked if the town had approved the rates for their services. The Town Manager stated that Draper Aden's rates for service were included in their engineering contract renewal. Committee recommended approval of invoice.

d. Blair Brothers Inc.

\$ 15,255.00

This invoice is for streetprint work. There were two that were redone in front of the Smithfield Station and one near Luter Drive because when VDOT paved the road they paved over the streetprints that were there. Committee recommended approval of invoice.

2. Vehicle Maintenance Contract Renewal – The Town Manager reported that this contract expires on August 31st. He explained that the way the contract was written the town has the right to renew this contract for up to four years. He stated that he knows that there are other businesses that would like the chance to bid on this service so staff is recommending renewing this contract for one additional year and consider re advertising next year. Staff has been pleased with their work. Committee agreed with staff's recommendation.

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

1. June Bank Statements and Graphs – Ms. Minga reported that the June financials are 99.9% complete. They are still open so they are technically in draft form. She mentioned that if you read through all the notes there are still a few things that have not been booked such as every year the town has to accrue a value for sick leave and vacation that is used between July 1st and August 31st. This gets added to the value of our salaries for the year. There are also a few bills that are still floating around. Ms. Minga stated that they are still working on the fixed asset depreciation. This is a non cash item so it is not as significant as far as what the bottom line really is. Ms. Minga stated that FY 2012/2013 has been a pretty complicated year. The public restroom came in a lot higher than anticipated however they have a zero net effect because they come in on the contribution side and the expense side. Ms. Minga reported that the General Fund ended the year very strong. The town ended up with approximately \$1,500,000 in reserves. The town pulled in less funds from the Urban Fund than we had anticipated because the project cost were a little lower than what we thought was going to be carried forward to this year. Part of this is utility related and it depends on how this utility issue goes moving forward on whether we would need to go back in and reevaluate and drawdown of more Urban Fund money. The town is getting very close to final project closeout so we may need to make this decision very soon. Ms. Minga stated that she wanted to emphasize again this year that Tourism and E911 expenses are booked at accrued value based on budget. The town does not have the actual values because the true-ups have not

been done by the Finance Department at Isle of Wight County. These values should come in towards the end of September or the first of October. Ms. Minga stated another reason the General Fund ended up so strong is because all the CDBG funds were budgeted as if the project was going to be completed in one fiscal year. That is how it is required to be done for the revenue and expense side. She continued to explain that we only closed on four out of the ten properties last fiscal year. These funds will be carried forward in this year's budget and we expect to be moving along fairly quickly on the remaining six properties. Ms. Minga reported that the Sewer Fund with the adjusted income was positive, however we still ended up a little bit in the hole after Capital. There is some improvement in that direction. The Water Fund was okay as well after the town added back the debt service fees that were used to pay down the principle and interest for the year. Ms. Minga stated that now is the time to decide whether or not we want to move the remaining budgeted funds for the reverse osmosis plant for this year into the escrow account that was set up last year or wait a year to make sure the money is strong enough and build up some reserves there. Ms. Minga stated that in the Highway Fund she had to move around some money for the John Rolfe Drive project. This was an expense sharing with VDOT. VDOT gave the town \$36,000 to go toward the project and the town had to match these funds. Ms. Minga explained that the town was not allowed to use the state highway grant funds for the town's portion. This portion of the funds were paid for with proffers through the General Fund. Ms. Minga stated that overall the town came out pretty much where she expected us to be at the end of the year. Ms. Minga did mention that there were large fluctuations again this year in materials and supplies for water and sewer. This is again because of the work that the public works staff has done on the inventory system. The new inventory system (PubWorks) for this year has been installed so staff hopes to have a better grasp on the inventory this year. Dr. Cook stated that in looking at the graph for HRSD expenses they stayed low whereas last year they went higher with the town's consumption being the same as it was last year. Committee asked if the town is getting better return now. The Town Manager stated that he would check with Mr. Reed at the RO plant to see if he knows why HRSD expenses remain lower than last year with the same amount of consumption. Dr. Cook mentioned that the Police Department did come in under budget for overtime.

2. July Bank Statements and Graphs – Ms. Minga stated that she did not have a lot to report on July's financial statements. Ms. Comarth Saunders prepared the July Financials. She explained that there is not a lot of activity in July. Most of the activity is salary and revenues. The majority of the expenses that are paid in July are for June which has been accrued in the prior year. Committee asked if the Town Treasurer could prepare graphs with three years of data for comparison purposes.

3. July Cash Balances Ms. Minga reported that the town ended the year very strong even with what has to be paid out of water and sewer for yearend such as intercompany balances. An intercompany balance is money that is fronted from the General Fund for things like benefits and overhead for water and sewer. She reported that the Water Fund

after the adjustment from intercompany balances ends the year with \$130,127.48. If the town takes out the \$63,000 for the reverse osmosis it would bring that balance down, however the town has raised the rate and we should be collecting additional revenue. She stated that it is committee's decision to make whether to move those funds or not. Committee decided not to move them at this time. General Fund balance is getting pretty high. She explained that she has not forgot about looking into new invest policies. Ms. Minga mentioned that she was asked to serve on the VML VACo Financing program. — Water = \$130,127.48; Water Debt Service = \$1,122,193.54; Water Capital Escrow Availability Fees = \$286,487.38; Water Treatment Plant Escrow = \$111,178.34; Water Development Escrow = \$76,769.50; **Subtotal Water = \$1,726,756.24.** Sewer = \$(60,892.46); Sewer Development Escrow = \$329,187.90; Sewer Capital Escrow Availability Fees = \$819,999.97; Sewer Compliance = \$307,858.89; **Subtotal Sewer = \$1,396,154.30.** Highway = **\$206,143.28.** General Fund = \$2,051,620.63; Payroll = \$175,618.35; Money Market General Fund Town Bank = \$2,176.60; Business Super NOW-General Fund = \$32,990.21; Money Market General Fund Farmers Bank = \$288,081.67; General Fund Capital Escrow = \$213,714.83; Certificate of Deposit = \$525,635.03; Certificate of Deposit Police Dept = \$36,523.66; Special Project Account (Pinewood) = \$221,553.76; Pinewood Heights Escrow = \$27,598.78; South Church Street Account = \$11.57; **Subtotal General Fund = \$3,575,525.09.** Beautification = \$7,824.21; Money Market Beautification = \$47,652.20; **Subtotal Beautification = \$55,476.41; TOTAL ALL FUNDS = \$6,960,055.32.**

4. Virginia Retirement system – Hybrid Plan - The Town Manager stated that VRS reform is getting another unfunded State mandate. Currently we have Plan 1 employees, Plan 2 employees and come January 1st, 2014 there will be Hybrid employees. Ms. Minga stated that at this time there are still a lot of questions that have not been answered. An overview of the Hybrid Retirement Plan was included in the packet. She stated that this will not be an option. There will be a Hybrid Retirement Plan. It includes everyone that comes in after January 1st, 2014 and anyone that is in the current plan that would like to move over to the Hybrid Retirement Plan. The Hybrid Plan changes the pension from a completely defined benefit plan to a combination of defined benefits and defined contribution plans. She stated that there are some changes for some employees that are in Plan 1 or Plan 2 and those that will become Hybrid. She explained that the only employees that are excluded from the Hybrid Plan are Police Officers. They have a hazardous duty coverage that excludes them from being a part of the Hybrid Plan. Currently, Plan 1 and Plan 2 have no short term disability. All employees have sick leave on the books that they can be accrued for short term disability. Employees may also purchase short term disability through AFLAC. The new Hybrid plan requires the town to provide short term disability and long term disability would kick in after that. It is like a self funded short term disability plan. The employee would stay on the town's payroll and pay their salary for the short term disability. At the point that it becomes a long term disability plan it would move over to VRS or VML unless they go into retirement. Ms. Minga stated that the VRS plan has a long term care component to it as well. Ms. Minga

stated that we had until September 1st to make a decision however we have applied for an extension which gives us until November 1st before we have to make a decision whether we go with VRS or another provider like what VML is offering. Ms. Minga stated that once the decision is made it cannot be changed. If the town decides to go with VRS then we can never opt out. She explained that looking at the way it is setup right now for VML they are offering two options and in most cases VML has been more advantageous than VRS price wise on what they offer. She is not so sure this is going to be the case this time. VML's option one is coverage for all employees. The cost for the short term disability program is \$2.49 per employee per month. The fully insured long term disability coverage is \$.49 per hundred dollars of covered monthly payroll for local governments. This means that all employees would be covered under this plan. Employees would not need a lot of sick leave on the books because anything over seven days would be paid under short term disability. Ms. Minga stated that the town currently has thirty-eight eligible employees and the cost to the town would be \$9,000 a year to provide this coverage. Ms. Minga stated that option two that VML offers is not available to town employees because the town does not have fifty eligible employees. Ms. Minga stated that looking at the VRS plan for now the cost for the program would be .91% of the Hybrid Retirement Plan covered payroll. These rates are good until 2014. The town does not know what the rates will be after that. At this time the .91% of the Hybrid Retirement Plan would be zero compared to the \$9,000 from VML because the town has no Hybrid Plan employees at this time. Ms. Minga stated that years down the road the bulk of the employees may be Hybrid but that is not the case at this time. Ms. Minga stated that this item must be presented to town employees because current employees have from January to April to decide whether they want to become Hybrid employees. She stated that for most employees it would probably not be a good idea. If the town went with VML and everyone was offered short term disability that would equalize thing a little more. Ms. Minga stated that the one differential is for those in the Hybrid Plan you can contribute more under the defined contribution portion than what you can contribute under the defined benefit. So there is an opportunity to grow your retirement savings a little bit more than if you are in Plan 1 or Plan 2. The town would contribute the same regardless of how much employees contributed. Ms. Minga stated that the town will need to make a decision by November 1st whether we go with VRS and never be able to opt out no matter what their rates are or go with VML or some other provider. Ms. Minga stated that as of today VRS is cheaper for the town but down the road when we have more new hires that are on the Hybrid Plan she does not know if that will be the case. Ms. Minga stated that this was for informational purposes only this month because it is so complex and will be brought back next month for further discussion and voted on at the October 1st Town Council meeting.

5. Updated Depreciation Schedule – Ms. Minga stated that this is a housekeeping item. Back in 2004 the town adopted our original capitalization policy when we started having to show this detail on our financial statements. The town borrowed from Isle of Wight County and Maximus came in and did our original evaluation. As the town has

grown and we have had more complex audits some changes have been suggested in the length of our assets lives. Included in the packet are the recommended changes. The auditors from last year agreed with these recommended changes with a lot more detail to the depreciation schedule. Ms. Minga mentioned that this item might be something that the town needs to review each year to be sure it is accurately reflects new items and changes. Committee recommended approval of the depreciation schedule.

The meeting adjourned at 6:05 p.m.

August 30, 2013

TO: SMITHFIELD TOWN COUNCIL

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

SUBJECT: INFORMATIONAL REPORT FOR THE PARKS AND RECREATION
COMMITTEE MEETING HELD ON TUESDAY, AUGUST 27TH, 2013

The Parks and Recreation Committee held a meeting on Tuesday, August 27th, 2013 at 4:00 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee members attending were: Ms. Connie Chapman, Chair; Mrs. Denise Tynes, and Mr. Randy Pack. Other Council members present were: Mr. Andrew C. Gregory, Vice Mayor; Mr. Michael G. Smith, Dr. Milton Cook, and Mr. T. Carter Williams, 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 G. King, Town Clerk; Mr. William H. Riddick, III, Town Attorney; Ms. Sonja Eubank, Office Manager of Public Works, Mr. Wayne Griffin, Town Engineer; Ms. Amy Musick, Smithfield Center Director; and Ms. Judy Winslow, Director of Tourism. Also in attendance were Mr. Rick Bodson of Smithfield 2020; Mr. Dawson Moody of AVES; and Mr. Robert Hayes of the IOW Ruritan Club. The media was represented by Ms. Abby Proch of The Smithfield Times.

Committee Chair, Connie Chapman called the meeting to order.

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

1. Parks and Recreation Committee Report – Ms. Musick reported that events for the past month at the Smithfield Center has not been as busy as it was the rest of the summer. There have been only one event a weekend whereas the previous months they were doing three events each weekend. As far as upcoming events in September and October they will be busy at the Smithfield Center and Windsor Castle Park site with a number of events planned. Windsor Castle Park had one wedding in August and it rained for the entire ceremony. The bride and groom were married under umbrellas. The Windsor Castle Park Foundation Board Playground Campaign Committee met on August 25th and decided on a campaign direction. They have also met with tourism to go over some promotional materials. They will meet again September 5th. Ms. Musick reported that kayak rentals continue to do well. To date the rentals have made approximately \$5,000 and after paying staff the town has a net revenue of \$2,700. She stated that it has been decided to extend the season through Town and Country Days weekend, October 13th, since it has been so successful. The staff that was hired for the summer season have

agreed to continue for the extended season. Ms. Musick reported that two nighttime paddles were scheduled for August however only one took place due to weather conditions. There are two more night paddles scheduled for the month of September. Ms. Musick mentioned that the tandem (2 person kayak) has been extremely popular and would like to add a second one to the town's inventory for next season. Ms. Chapman asked if Ms. Musick had priced anything out yet on what a new tandem kayak would cost. Ms. Musick replied that she has not. Ms. Musick stated that under old business discussion has been held on road names for two of the roads within Windsor Castle Park. Included in the report are some of the suggestions for the two roads. Ms. Chapman asked if there were any other suggestions for names. Mrs. Tynes mentioned the name Charles H. Gray who served as a Town Council member years ago. Ms. Chapman stated that she had heard some concern over streets being named after people opposed to after the area. She stated that she did not know if that was a 911 concern. Mayor Williams stated that he thinks naming roads after people is asking for something that the town does not want to get into. He recommends sticking with suggestions such as Kayak Launch Trail or Cypress Creek Trail. Mr. Hopkins stated that once committee makes a recommendation staff will look back to be sure they do not duplicate another street name in Isle of Wight County and see if 911 approves of the recommendation. Vice Mayor Gregory stated that he received a call from a citizen that would like to see A.S. Stephenson as a street name. Mr. Pack stated that it was his understanding that Windsor Castle Park Foundation Board was going to discuss this and bring a recommendation to Town Council for approval. Ms. Musick stated that Windsor Castle Park Foundation Board's focus has shifted to mostly fundraising efforts. Mrs. Tynes expressed her concerns over the delay in getting anything from the Windsor Castle Park Foundation Board. Ms. Chapman stated that with the development of the new Parks and Recreation Committee by Mayor Williams they are currently working on establishing the roles of the Foundation Board, town staff and the Parks and Recreation Committee. The Town Council originally created the Foundation Board and they were tasked with everything from operations to development of programs, education and fundraising. It has been very challenging for them to have any kind of direction. Ms. Chapman stated that she feels that the Foundation Board has a lot of issues that are more relevant to a Board than naming roads. Mrs. Tynes asked who is responsible for naming roads within the town? Mr. Hopkins stated that the developer names the streets within subdivisions and Town Council would name streets outside of subdivisions. Mr. Smith asked who approved the street name change when Mr. Little requested a name change from Purdie Drive to River Road. Staff replied that was approved by Town Council. After a lengthy discussion on what to name the roads committee recommended naming the road to the kayak launch Kayak Lane and the road to the dog park Dan Smith Lane. Mr. Pack asked that before staff moves forward with signage to contact the family of Dan Smith to be sure that they are okay with the recommendation. This item will be placed on the action agenda for consideration from Town Council.

2. IOW Ruritan Club Proposed Bluebird Project – Mr. Hopkins reported that Mr. Robert Hayes was present representing the Isle of Wight Ruritan Club’s Environmental Committee. He is requesting to install ten bluebird houses in Windsor Castle Park. A map was included in the packet with approximate locations. All the bluebird houses will be built to the requirements of a bluebird house. Mr. Hayes will be applying for a grant through the Virginia Bluebird Society to assist with funding. Mr. Hayes stated that the reason they are applying for the grant is because the members of the environmental committee are retired and to build the bluebird houses to the Virginia Bluebird Society requirements it cost approximately \$30 a house. If the grant application is denied the environmental committee still plans on building and installing ten bluebird houses in Windsor Castle Park if approved by Town Council. Mr. Hayes stated that the Environmental Committee is chaired by Mr. Mitchell Norman who is a retired supervisor and former employee of the Virginia Department of Game and Inland Fisheries. At this time there are ninety bluebird houses installed in Isle of Wight County. All bluebird houses will be install and maintained by the Isle of Wight Ruritan Club with no cost to the town. Mr. Hayes stated that to facilitate park maintenance any house installed in areas that require mowing the birdhouses will include suppression of grass immediately around the base of the box using standard herbicides. Mrs. Tynes stated that she thinks it is a great idea and would like to donate a house if grant funding is not approved by the Virginia Bluebird Society. Mr. Pack and Dr. Cook stated that they would donate one as well. Dr. Cook asked if bluebirds are a native bird species from Virginia. Mr. Hayes replied that they are not a migratory bird so they are here year round. Committee thanked Mr. Hayes for his presentation and this item will be sent to Town Council for consideration. Mr. Hopkins asked committee if Mr. Hayes could move forward with applying for the grant through the Virginia Bluebird Society. Committee was okay with Mr. Hayes proceeding with applying for grant at this time.

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

1. Additional Item Discussed: Reorganization of Windsor Castle Park Foundation Board – Ms. Chapman stated the Town Manager, Mayor Williams, Ms. Musick, Mr. Hopkins, Ms. Ivy and herself held a meeting that was facilitated by Mr. Rick Bodson to discuss the roles of all parties. Narrowing roles will allow us to be more efficient in the goals that we have. The park has already been registered with the State Corporation Commission and is now a non stock corporation. They are in the process of getting the paper work together to file for their 501c3 status. Mr. Cole has received some assistance from Mr. Bodson on this as well. Mr. Bodson has a lot of experience on the establishment of a 501c3. The current Windsor Castle Park Foundation Board bylaws will need to be revised for this reorganization of task. Committee would like to change the Board’s responsibilities to be more productive and give them guidance in areas that the town wants them to focus on. These revised bylaws will continue to give the town

interest in the park as the town owns the property. Committee will meet again next Thursday to discuss the current bylaws and how they need to be revised to outline what their new responsibilities will be. Ms. Chapman stated that Mayor Williams really wants the Town Council to maintain some control and interest in the actual Foundation Board. However, they will be a standalone entity. They will be suggesting who they would like to appoint to that Board; however their recommendation for appointment will still come to Town Council for approval. Mrs. Tynes stated that she would like for the Town Attorney to review the revised bylaws to protect the town's interest. Ms. Chapman stated that everything will go through the Town Attorney. Ms. Chapman stated that with the formation of the new Parks and Recreation Committee it is the best time to make these revisions to the bylaws so that everyone knows their role. Mayor Williams asked for Ms. Chapman to touch on the purpose of establishing a 501c3. Ms. Chapman asked Mr. Bodson to help with the discussion on the 501c3. The Town Attorney stated that Mr. Cole has been working on this and has done a great job. Ms. Chapman stated that Mr. Cole has been consulting with Mr. Bodson along the way as Mr. Bodson is very familiar with the process. Mayor Williams stated that we are getting ready to embark on a very serious fundraising campaign for Windsor Castle Park through the Foundation Board for the playground. He stated that Mr. Bodson will explain how it is being done now through Historic Smithfield because we do not have a 501c3 and how it needs to be done in the future. Mr. Bodson stated that he would refer to the current Foundation Board as the committee and the new Foundation Board as the foundation. The foundation has been established as a non stock corporation in the Commonwealth of Virginia. This is the first step in becoming tax exempt. They must be an organization before they can file the paperwork to become a 501c3. The bylaws are part of the checklist to file for a 501c3. The current bylaws cannot be filed with the current 501c3 application because it does not state that they are a standalone entity. They are a committee of the town. The first step is to establish in the bylaws that they are a fundraising organization. The current bylaws give them a lot of latitude for operations of the park. Basically, the town was launching a new initiative and the town gave them a lot of responsibility. At this time the current committee wants to be a fundraising organization for Windsor Castle Park. They do not want to take over the operations and maintenance of the park. They want to raise money for new initiatives in the park. The new bylaws need to reflex this change in responsibilities. The question was asked if there could be more than seven members serving on the foundation. Mr. Bodson stated that the bylaws can say that you can have no fewer than this number and no more than this number so long as it is an odd number. Mr. Bodson stated that the current Foundation Board will see the new bylaws for the first time at their meeting scheduled for September 5th. Mr. Bodson explained that when the committee was first established they wanted to do fundraising. Historic Smithfield is a tax exempt 501c3 organization and they hold the bank account for Windsor Castle Park initiatives. The committee has transitioned from a town committee to a standalone non stock corporation but not yet tax exempt. The intent is if the town wants to cut a check to contribute to the natural playground you will still have to write a check to Historic Smithfield at this time. It will take approximately nine months to a year for them to hear

back from the IRS that they are a standalone 501c3 once the application has been submitted. Once the establishment of a 501c3 is complete then Historic Smithfield can back away. Mr. Bodson stated that based on what has to be done with drafting new bylaws it will most likely be at the November 2013 town council meeting when Town Council makes a motion that they agree with the revised bylaws. The Town Attorney agreed that applying for a 501c3 status is a process. The Foundation Board has already been established as a corporation and the next step is the bylaws. The current board wants to focus on raise money and hand off all the other responsibilities to the new Parks and Recreation Committee. The foundation will be still be able to make recommendation to council on what they would like the money they raise to be used on. Fundraising money will only be used on capital development in the park. It will not be used for maintenance and operations of the park. Mrs. Tynes agreed with the establishment of a foundation to focus on fundraising initiatives. Dr. Cook expressed concern about the foundation being a completely separate entity from the town. How will that effect how and what money can be spent on when the foundation has total autonomy over the funds. The Town Attorney stated that they cannot spend money in your park unless the Town Council approves it. Mr. Bodson stated that the town can recommend that funds be spent on a specific amenity but the town cannot mandate the funds be used on a specific amenity. If the town is wanting more flexibility to how funds can be spent a separate Memorandum of Understanding would need to be prepared and signed both organizations. A lengthy conversation was held on what a standalone entity means in order to become a 501c3 organization. Dr. Cook stated that this is very similar to the Friends of the Smithfield Library where you have an organization that fundraises for the betterment of the library. The Town Attorney stated that was correct. He also explained that more than likely a project will be identified before they start fundraising for the project. It makes it easier to fundraise when people know what they are donating to. Also included in the bylaws is the ability to request an audit of the books. Committee thanked Mr. Bodson for his assistance in the process of establishing a 501c3 for Windsor Castle Park.

2. Additional Item Discussed – Over Growth in Windsor Castle Park – Mr. Pack stated that he wanted to discuss over growth in the park. He stated that it does not have anything to do with the normal grass cutting in the park. As an example in the past when sitting on one of the benches at Windsor Castle Park you could see the Smithfield Station. Over growth has taken over and this view is no longer there. He stated that many of the views from the trail and benches that could once be seen can no longer be seen do to overgrowth. He asked if there was any way to address these concerns before the overgrowth gets out of control. Mr. Hopkins stated that he would look into this matter to see what needs to be done.

The meeting adjourned at 4:47 p.m.

August 30, 2013

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, AUGUST 27TH, 2013

The Public Works Committee held a meeting on Tuesday, August 27th, 2013 at 4:47 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee members attending were: Mr. Michael G. Smith, Chair, Mrs. Denise Tynes, and Dr. Milton Cook. Other Council members present were: Mr. Andrew C. Gregory, Vice Mayor; Mr. Randy Pack; Ms. Connie Chapman, and Mr. T. Carter Williams, 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 G. King, Town Clerk; Mr. William H. Riddick, III, Town Attorney; Mr. Wayne Griffin, Town Engineer; Ms. Sonja Eubank, Office Manager of Public Works; and Ms. Judy Winslow, Director of Tourism; Also in attendance was Mr. Dawson Moody of AVES. The media was represented by Ms. Abby Proch of The Smithfield Times.

Committee Chair Michael G. Smith called the meeting to order.

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

1. Proposal for Pipe Repairs in Waterford Oaks – Mr. Hopkins reported that the proposal included in the packet was from Lewis Construction of Virginia in an amount of \$19,395.50. This proposal is a little lower than what the town had seen before. The pipe repair is not reinforced concrete pipe however it is a special kind of plastic pipe. It is the same type of pipe that was used in Cypress Creek when those repairs were made. The price on the fence is a little bit lower as well. Mr. Hopkins stated that Lewis Construction's proposal came in approximately \$7,000 lower than Blair Brother, Inc. for the same project. Committee agreed with staff's recommendation and will send to Town Council for consideration.

2. Authorization to Accept Grant Funding from the Virginia Department of Conservation and Recreation for Waterworks Lake Dam – The Town Manager reported that included in the council's packet was the entire packet that came back from the state. In May Town Council had authorized the Town Manager to submit the grant application. In that application the town requested a matching grant of \$9,500.00 because that is what the town budgeted. For the second year in a row they have decreased the amount awarded by more than fifty percent. The grant amount being offered to the town is \$4,000. The Town Manager stated that one area of the grant that would need to be amended is Exhibit "C" where it says they are going to pay their \$4,000 and the town will pay the remaining amount of the project. He explained that is not the case because all the town budgeted

was the \$9,500 and not \$15,000. The Town Manager also reported that the engineering report for the first round of grant funding is due by December 31st. Draper Aden Associates has that engineering report in draft form at this time and will be getting that to the town very soon. Once we receive that it will be submitted by the end of December to complete the first grant cycle. Acceptance of this second round of funding will get us started with Phase II of the project. It will not be enough to do all the things that we had hoped but we can only do what we have funds to do with. Next May the town will apply for more grant funding. Mr. Smith asked if the Virginia Resource Authority is okay with the pace the project is going. The Town Engineer stated that they have been very receptive as long as they see that the town is continuing to work on the project as funds become available. The Town Attorney stated that if the town is going to amend exhibit "C" you should amend exhibit "B" for the scope of work as well. Committee recommends acceptance of grant funds.

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

1. Recycling Program Update from Staff and AVES – The Town Manager reported that town staff had a question from one of the Council members as to what is accepted and what is not accepted in the recycling cans. A copy of the recycling brochure was included in your packet. Mr. Dawson Moody was present to give committee an update on how the new schedule of collections is going. Mr. Dawson reported that eighty percent of the residents are utilizing the cans. The town is collecting a lot more recycling than we were before we changed to one day trash and one day recycling each week. Mayor Williams asked how the Wednesday call-ups for pickup doing? Mr. Moody stated that they are doing well. He reported that Cypress Creek has eight to ten stops that they pickup every Wednesday and there are approximately 20 to 30 stops in other areas of the town. This amount should increase as fall approaches. Vice Mayor Gregory asked if there was any feed back to what is being put in the recycling cans since that was a concern going into recycling once a week. Mr. Moody stated that he has not heard of any complaints. Dr. Cook stated that he has received some concerns with different groups providing a different list of items that can be recycled than what we have received from AVES. He stated that it was his understanding that the recycling facility would accept everything except Styrofoam and organic material. Mr. Dawson stated that they will be willing to accept it but they do not want to promote it. He explained that there are a lot of items in household trash that people think is recyclable because it is plastic however it is the wrong kind of plastic. Dr. Cook asked if this brochure was mailed to each household. Ms. Eubank stated that it was and can also be found on the town's website. Ms. Eubank stated that this brochure was mailed out before our trash and recycling collection went to once a week. Dr. Cook stated that it might not be a bad idea to resend brochure out to residents now that everyone has recycling cans to bring awareness to what can and cannot be recycled. Mr. Dawson stated that he had one other concern that he would like to request the town's help with. A couple of weeks ago on Main Street during regular trash pickup one of the businesses along Main Street had put loose Styrofoam peanuts that are used for packing in their can and when the truck picked the can up to dump the wind caught the Styrofoam peanuts and blew them all down the road. He asked if there was a way to notify the business that things like that need to be bagged up to prevent them from blowing out when dumped. Committee asked Ms. Winslow if she could contact the

businesses to address this issue. Ms. Winslow replied that she would take care of notifying businesses.

2. Additional Item Discussed: Plastic Grocery Bags – Ms. Smith expressed his concern over the number plastic grocery bags that are blown all over the town's roads and fields. These bags are getting caught up in the farmers equipment and burning their bearings up. He has visited areas where plastic trash bags are not allowed in grocery stores. Mr. Smith asked if this was something that could be mandated to prohibit the use of these plastic bags. Vice Mayor Gregory stated that the compromise that was made when this item came up in the county was that all stores had to offer paper bags but they could not force you to use one over the other. The Town Attorney stated that he would check with the County Attorney but he thinks they came to the conclusion that there was nothing in the state law that permitted them to prohibit the use of plastic bags.

The meeting adjourned at 5:13 p.m.

August 30, 2013

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, AUGUST 27TH, 2013.

The Public Buildings and Welfare Committee held a meeting on Tuesday, August 27th, 2013 at 5:13 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee members attending were: Dr. Milton Cook, Chair; Ms. Connie Chapman, and Mr. Michael Smith. Other Council members present were: Mr. Andrew C. Gregory, Vice Mayor; Mr. Randy Pack, Mrs. Denise Tynes, and Mr. T. Carter Williams, 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 G. King, Town Clerk; Mr. William H. Riddick, III, Town Attorney; Mr. Wayne Griffin, Town Engineer; and Ms. Judy Winslow, Director of Tourism. The media was represented by Ms. Abby Proch of The Smithfield Times.

Committee Chairman, Dr. Milton Cook called the meeting to order.

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

1. Pinewood Heights Phase II Update - The Town Manager reported that Mr. Michael Dodson of Community Planning Partners had his monthly update included in the packet. He explained that there were a couple of action items that would need to be placed on the consent agenda for approval. The first item is a time extension request for multi-year 1 of Phase II. The town has had some financial issues to work out with some of the property owners which have slowed the process of acquiring properties. The second item to be place on the consent agenda is authorization to allow the Town Manager to submit budget revisions for the project. The Town Treasurer has been working with Mr. Dodson on the necessary budget revisions. Dr. Cook asked if the town does an extension does that push back our deadline for multi-year 2 or will they overlap. He stated that it is nice that we are slowing down so that we can raise the money to do what needs to be done but at some point are we going to be going to slow. He expressed concern over ending up in the end having to close on several houses at once time to complete by deadline.

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

1. Closed Session: Acquisition / Disposition of Real Property- 315 Main Street – The Town Attorney stated that we need a motion to go into closed session for the purpose of discussing acquisition/disposition of real property. Ms. Chapman so moved the motion and Dr. Cook seconded the motion. Motion passed.

In Closed Session at 5:18

Out Closed Session at 5:38

The Town Attorney stated that we need a motion to come out of closed session and go back into the Public Buildings and Welfare Committee. Ms. Chapman so moved the motion and Dr. Cook seconded the motion. The Town Attorney stated that we need a motion that during closed session that the only item discussed was acquisition /disposition of real property. Ms. Chapman so move the motion and Mrs. Tynes seconded the motion. Motion passed.

Meeting Adjourned at 5:38 p.m.

**SMITHFIELD POLICE DEPARTMENT
MANAGER'S REPORT
August 2013**

Committees and Projects:

08/03 National Night Out mtg – PD – Kurt Beach
08/07 Crime Prevention – Interagency Code Enforcement – PD – Kurt Beach
08/07 Regional Robbery Investigators mtg – Center – Lt. Valdez, Sgt. Meier
08/07 Department Head – Center – Chief Bowman, Deputy Chief Howell
08/08 Leadership School Graduation – CNU – Chief Bowman
08/14 Hampton Roads Chief of Police mtg – Norfolk Airport – Deputy Chief Howell
08/16 Smithfield Crime Prevention mtg – PD – Kurt Beach
08/20 Crime Line mtg – Center – Sgt. Meier, Annette Crocker
08/20 Public Safety forum – Windsor Municipal Building – Lt. Valdez
08/21 Department Head mtg – Center – Lt. Rogers
08/26 – 28 Virginia Association of Chiefs' of Police conference – Williamsburg, VA – Deputy Chief Howell
08/26 HEATWave Award – Williamsburg, VA – Deputy Chief Howell, Officer Phillips
08/26 Convocation – Smithfield High School – Chief Bowman
08/28 Kick off meeting - Isle of Wight School Board – Chief Bowman

Training

08/02 Sovereign Citizen/Gang Training - - Officer Wright (8 hrs.)
08/05 – 09 Defensive Tactics School – HRCJTA – Officer Hill (40 hrs.)
08/05 – 08 Leadership School – CNU – Sgt. Jones
08/012 – 15 OSSI Training – Greensboro, NC – Kristi Jenkins (32 hrs.)
08/16 Leadership Isle of Wight 2013 – Military: It's Importance to our Region – Kristi Jenkins (8 hrs.)
08/12 – 13 Defensive Tactics School – HRCJTA – Officer Hill (24 hrs.)
08/12 – 13 Taser Recert – Chesapeake, VA – Sgt. Brady (16 hrs.)
08/12 – 16 Interview and Interrogation – Portsmouth – Sgt. Meier (32 hrs.)
08/16 Advanced Interview and Interrogation Technique – Lt. Valdez (8 hrs.)
08/20 – 22 New Deputy Chief's Training – Sandston, VA – Deputy Chief Howell (24 hrs.)
08/22 – 23 5th Annual Historic Triangle Conference on Crimes Against Women – Williamsburg, VA – Officer Anderson (16 hrs.)
08/26 – 28 Virginia Association of Chiefs of Police – Williamsburg, VA – Deputy Chief Howell (24 hrs.)
08/27 Grant Training – Norfolk, VA – Lt. Rogers, Kristi Jenkins

In-House Training:

08/29 Fire Extinguisher Training – PD – all staff

Community Relations

08/01 Pop Warner Football for the month of August – Smfd High School – Sgt. Jones
08/02 Talking with kids – First Street/Riverview Avenue – Officer Wright
08/06 Business Check – 7-11 – Officer Cook
08/06 National Night Out – YMCA – Chief Bowman, Sgt. Meier, Sgt. Miller, Sgt. Araojo, Officer Phillips, Officer Bancroft, Officer Fordham, Officer Johnson, Officer Anderson, Officer Wright, Officer Seamster, Kurt Beach, Annette Crocker, Lorrie Porter, Amanda Weihe, Kristi Jenkins
08/08 Residential Crime Prevention Survey – Officer Seamster
08/13 Kid Talk – Cypress Creek Parkway – Lt. Rogers
08/14 Talking with a group of kids – Taco Bell – Sgt. Araojo
08/25 Gang Awareness – Soteria Christian Church – Sgt. Jones, Officer Seamster

Investigations:

Case#: 2013-00720
Location: Farmers Bank
Offense: Check Fraud, Felony
Disposition: Cleared by arrest

On 018/02/2013 officers responded to Farmers Bank in reference to a possible check fraud. A bank employee called the Police Department after an individual came in and was attempting to pass a \$9,000.00 check. The suspect was acting weird and the check, although printed on the proper paper has some minor errors or blemishes that caused the bank employees to question its authenticity. While speaking with the suspect, he became agitated towards the banks employees. The bank employees were attempting to stall the suspect long enough for law enforcement to make contact. As officers arrived at the Bank the suspect fled through the back door. After getting a description of the suspect, officers began canvassing the area in an effort to locate him. He was located walking along South Church Street in front of the True Value Hardware Store, and when officers approached him, the suspect took off running. The suspect led officers on a foot pursuit across South Church Street, around Council Sales and then through the residential yards crossing Wilson Road and Magruder Road. The suspect was last seen by an officer running into the swamp area near the 1500 block of Magruder Road. A search of the area was negative and officers were unable to locate the suspect, even with the utilization of a police K-9. Later in the evening the same day, an individual matching the description of the suspect was reported to the Police Department walking along South Church Street towards the McDonalds. The suspect was identified and taken into custody by police at the McDonalds. This case is cleared by arrest.

Case#: 2013-00750
Location: 501 North Church Street
Offense: Grand Larceny
Disposition: Cleared by Arrest

On 08/12/2013 officers responded to the Premium Pet Food Production Facility at 501 North Church Street in reference to a theft of metal. The construction manager, in charge of the demolition and removal of the old plant facility advised that an estimated \$4,000 worth of metals to include, lead, copper and various radiator parts, had been stolen over the weekend. An online search of individuals scrapping similar metals provided a positive hit. We were able to identify a subject that scrapped metals matching the description of those stolen at the Carrollton Metals scrap yard, located in Carrollton, VA. Further investigation revealed that the suspect, who had taken the metals to the scrap yard, was employed at the Premium Pet Food plant. After identifying the subject, he was brought to the Police Department for questioning. The suspect stated he did remove the metals from the packing plant and had taken them to the scrap yard. This case is cleared by arrest.

Case#: 2013-00757
Location: 200 Block Lenora Cove
Offense: Carnal Knowledge of a child, Felony
Disposition: Cleared by Arrest

On 08/12/2013 officers responded to the 200 Block of Lenora Cove in reference to a possible sexual assault of a 14 year old female. Upon arrival officers made contact with the father of the juvenile victim. The father stated that during a doctor's appointment earlier in the day, where his daughter was to have a medical procedure completed, he was advised by the doctor that his daughter was pregnant. When he asked her about the pregnancy, his daughter admitted to having sexual intercourse with an older male. The victim had a name of the suspect and through his cell phone records we were able to positively identify him as a 24 year old male suspect. Charges were brought against him and he was subsequently brought to the Police Department for an interview. The suspect stated he met the victim through an online dating website and also admitted to having sex with the victim, stating he thought she was 16 years of age and claimed to be unaware of her real age. Through the investigation we were able to show the suspect met with the victim on three separate occasions. The suspect was subsequently charged with three separate counts of having carnal knowledge of a child. This case is cleared by arrest.

Reporting Period: 8/1/2013 thru 8/29/2013

Total deposits for August 2013 - \$8,161.80

Trx. Type	Date	Invoice No.	Pay Type	Check No.	Group	Event	Res ID	Book ID	Amount
Invoice	8/6/2013	SC1727			Minga-Blackwell Wedding & Reception	Minga-Blackwell Wedding & Reception	1564		0.00
Invoice	8/6/2013	SC1728			March-Van Wassen Wedding & Reception	March-Van Wassen Wedding & Reception	2061		0.00
Invoice	8/6/2013	SC1729			Tate Vow Renewal	Tate Vow Renewal	2207		0.00
Invoice	8/6/2013	SC1730			Hill and Blythe Reception	Hill and Blythe Reception	2239		0.00
Invoice	8/6/2013	SC1731			Backhus-Glei Wedding & Reception	Backhus-Glei Wedding & Reception	1913		0.00
Invoice	8/6/2013	SC1732			Heal and Wood Wedding and Reception	Heal and Wood Wedding and Reception	2183		0.00
Invoice	8/9/2013	SC1733			Bowman and Cline Wedding and Reception	Bowman and Cline Wedding and Reception	2153		-187.50
Invoice	8/23/2013	SC1735			Hall and Fenner Wedding and Reception	Hall and Fenner Wedding and Reception	2238		-350.00
Invoice	8/28/2013	SC1736			Ayers and Fletcher Reception	Ayers and Fletcher Reception	2349		-488.75
Invoice	8/28/2013	SC1737			Haynie-Bell Wedding & Reception	Haynie-Bell Wedding & Reception	2131		50.00
								Total	-976.25
Payment	8/9/2013	SC1733	Check	Refund	Bowman and Cline Wedding and Reception	Bowman and Cline Wedding and Reception	2153		-187.50
Payment	8/23/2013	SC1735	Check	Refund	Hall and Fenner Wedding and Reception	Hall and Fenner Wedding and Reception	2238		-350.00
Payment	8/28/2013	SC1736	Check	Refund	Ayers and Fletcher Reception	Ayers and Fletcher Reception	2349		-488.75
								Total	-1,026.25
Deposit	8/5/2013		Master Card	Master Card	Harris and Jones Wedding and Reception	Harris and Jones Wedding and Reception	2088		100.00
Deposit	8/5/2013		Visa	Visa	Arkeme "Kim" Ellis	Sonny's Birthday Party	2225		121.84
Deposit	8/5/2013		Check	2546	Arkeme "Kim" Ellis	Sonny's Birthday Party	2225		500.00
Deposit	8/7/2013		Visa	Visa	Moore and Baise Reception	Moore and Baise Reception	2363		500.00
Deposit	8/8/2013		Master Card	MC	Bradley and Little Wedding and Reception	Bradley and Little Wedding and Reception	2205		75.00
Deposit	8/8/2013		Master Card	Master Card	Ross and Stephenson Wedding and Reception	Ross and Stephenson Wedding and Reception	1919		19.08
Deposit	8/9/2013		Check	1260	Debbie Coble	Amber's Bridal Shower	2380		100.00
Deposit	8/13/2013		Visa	Visa	Westmoreland-Scott Wedding & Reception	Westmoreland-Scott Wedding & Reception	2382		600.00
Deposit	8/15/2013		Master Card	MC	Gilliam-Crocker Wedding & Reception	Gilliam-Crocker Wedding & Reception	2384		700.00

Reporting Period: 8/1/2013 thru 8/29/2013

Total deposits for August 2013 - \$8,161.80

Trx. Type	Date	Invoice No.	Pay Type	Check No.	Group	Event	Res ID	Book ID	Amount
Deposit	8/16/2013		Visa	Visa	Carver-Martin Wedding & Reception	Carver-Martin Wedding & Reception	2383		700.00
Deposit	8/16/2013		Visa	Visa	Danielle Ford-Daughtrey	Ford Anniversary Party	2062		300.00
Deposit	8/19/2013		Check	2016	Bonney-Sylvester Wedding & Reception	Bonney-Sylvester Wedding & Reception	2387		375.00
Deposit	8/21/2013		Master Card	Master Card	Wilson and East Wedding and Reception	Wilson and East Wedding and Reception	2084		700.00
Deposit	8/21/2013		Check	214	Wilson and East Wedding and Reception	Wilson and East Wedding and Reception	2084		100.00
Deposit	8/21/2013	SC1737	Visa	Visa	Haynie-Bell Wedding & Reception	Haynie-Bell Wedding & Reception	2131		206.00
Deposit	8/26/2013		Visa	Visa	Danielle Ford-Daughtrey	Ford Anniversary Party	2062		200.00
Deposit	8/26/2013		Master Card	Master Card	Gillespie and Rice Reception	Gillespie and Rice Reception	2060		474.88
Deposit	8/29/2013		Check	13396	Farm Bureau Insurance Company	Farm Bureau Banquet	2353		250.00
Total									6,021.80
Grand Total									-5,971.80

August 2013

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
				Amy Off Smithfield Foods Meeting MH plus Suites 300	Kiwanis Board Retreat D 10	Waters and Hirst Reception MH plus Suites 170
4	5	6	7	8	9	10
	Dominion-Power Line Work Smithfield Meeting MH 300	Town Council A&B 20	Regional Robbery Meeting A&B 25 Smithfield Meeting MH 100 Staff Meeting C&D 12	Bradley and Little Rehearsal MH 20	Courtney Off Bradley and Little Wedding and Reception MH plus Suites 145	Calvin Off Courtney Off Alston and Heberling Reception MH plus Suites 300
11	12	13	14	15	16	17
Courtney Off	Amy Off Courtney Off	Courtney Off Schoolhouse Meeting C&D 20 Transportation Alternative Program Workshop MH 60	Courtney Off Ross and Stephenson Rehearsal Deck 20	Courtney off Ross and Stephenson Wedding and Reception MH plus Suites 88	Courtney Off	Courtney Off Sonny's Birthday Party MH 75
18	19	20	21	22	23	24
Courtney Off	Courtney Off Helen Off Farm Bureau Banquet MH plus Suites 250	Helen Off BHA&R A&B 12 Crimeline C&D 20 Smithfield on the Move C&D 5	Helen Off Staff Meeting C&D 12	Helen Off	Helen Off	Haynie-Bell Wedding & Reception MH plus Suites 175
25	26	27	28	29	30	31
	Amy Off at 2 PM-Dentist Appt Herbert Off Committee Meetings C&D 12 Smithfield Foods Meeting A&B 60	Herbert Off Committee Meetings C&D 20	Herbert Off	Herbert Off Hiller Hood Inspection	Sat Rate Herbert Off	Helen Off Herbert Off Gillespie and Rice Reception MH plus Suites 250

Smithfield Center Discounts - August 2013

Booking Date	Event Name	Room Code	Discount Percent
8/2/2013	Kiwanis Board Retreat	D	0.00%
8/3/2013	Waters and Hirst Reception	MH plus Suites	0.00%
8/5/2013	Smithfield Meeting	MH	0.00%
8/6/2013	Town Council	A&B	100.00%
8/7/2013	Regional Robbery Meeting	A&B	100.00%
8/7/2013	Staff Meeting	C&D	100.00%
8/7/2013	Smithfield Meeting	MH	0.00%
8/8/2013	Bradley and Little Rehearsal	MH	0.00%
8/9/2013	Bradley and Little Wedding and Reception	MH plus Suites	0.00%
8/10/2013	Alston and Heberling Reception	MH plus Suites	0.00%
8/13/2013	Planning Commission	B	100.00%
8/13/2013	Schoolhouse Meeting	C&D	100.00%
8/13/2013	Transportation Alternative Program Workshop	MH	0.00%
8/14/2013	Ross and Stephenson Rehearsal	Deck	0.00%
8/15/2013	Ross and Stephenson Wedding and Reception	MH plus Suites	0.00%
8/17/2013	Sonny's Birthday Party	MH	0.00%
8/19/2013	Farm Bureau Banquet	MH plus Suites	0.00%
8/20/2013	BHA&R	A&B	100.00%
8/20/2013	Crimeline	C&D	100.00%
8/20/2013	Smithfield on the Move	C&D	100.00%
8/21/2013	Staff Meeting	C&D	100.00%
8/22/2013	Bentley and Fordham Set-Up	MH	20.00%
8/23/2013	Bentley and Fordham Reception	MH	20.00%
8/24/2013	Haynie-Bell Wedding & Reception	MH plus Suites	0.00%
8/24/2013	Haynie-Bell Wedding & Reception	MH plus Suites	0.00%
8/26/2013	Smithfield Foods Meeting	A&B	0.00%
8/26/2013	Committee Meetings	C&D	100.00%
8/27/2013	Committee Meetings	C&D	100.00%
8/31/2013	Smithfield High School Cross Country Races	Courtyard	0.00%
8/31/2013	Gillespie and Rice Reception	MH plus Suites	0.00%
	100% discounts		11
	50% discounts		0
	20% discounts		1

Smithfield/Isle of Wight Tourism Activity Report – August 2013

- Director attended the Isle of Wight Board of Supervisors Meeting 8/22/13.
- Director attended Smithfield Town Council Meeting 8/6/13.
- Attended VACVB Quarterly Meeting 8/1-2/13.
- Held monthly Tourism Staff Meeting 8/5/13. All FT staff in attendance.
- Held Olden Days planning meeting 8/6/13 for Car Show 2014. Car Show will be moved to the Smithfield Center and Smithfield Little Theater.
- Attended National Night Out 8/6/13.
- Smithfield 2020 Meeting 8/7/13. For more info and minutes of Smithfield 2020 meeting, please visit www.smithfield2020.org
- Farmers Markets held 8/3/13, 8/10/13, 8/17/13, 8/24/13 and 8/31/13. FABULOUS attendance numbers! Great season!!!! The Farmers Market is open every Saturday until the end of October and for specialty markets in November and December. Market started accepting SNAP on 6/22/13.
- Serving as Chair for the HSL Board Search Committee for the new Executive Director for Historic Saint Luke's Church. Interviews held 8/6/13, and 8/15/13. Search Committee meetings held 8/14/13, 8/19/13 and 8/28/13. Candidate selected and will be presented to the full board 9/5/13.
- Asked to serve on the VA-1 Programming Committee for the 2013 VA-1 Tourism Summit Conference (to take place in Hampton 11/13) hosted by Virginia Tourism/VACVB/VHTA. Meetings held in Richmond 8/7/13, 8/16/13, 8/26/13.
- All advertising and creative completed for IOW County Fair throughout 8/13 including Press Releases, radio spots for the Eagle and WLQM, TV spots for Prime Media, print for Smithfield Times, Tidewater News, VA Pilot, Military Newspapers, Cooperative Living, and on-line with Pilot-on-line.
- Schoolhouse Museum Board Meeting 8/13/12.
- Preliminary creative produced for Windsor Castle Park Foundation regarding marketing materials for funding campaign 8/14/13.

- Sesquicentennial Meeting held 8/15/13. Plans for Battle of Smithfield event and teaching materials presented.
- Attended County Wellness Committee 8/15/13. County will be doing free FLU shots, a wellness fair and will have a HOG JOG team!
- Attended annual audit and CAFR meeting with IOW Budget and Finance 8/20/13.
- Met with Ron Pack regarding upcoming Class Reunion events 8/20/13.
- Attended Smithfield on the Move Advisory Team meeting 8/20/13.
- Met with Hampton Roads Magazine 8/21/13.
- Met with Town staff regarding electricity installation at the Farmer's Market 8/27/13.
- Met with Kurt Beach and Sgt. Miller to work on communications modules for Crime Prevention Community certification 8/28/13. Unable to attend Certified Crime Prevention Community Committee 8/16/13 due to previous meeting commitment.
- Attended CVTA full meeting 8/28/13.
- Held Core Branding Team meeting 8/29/13.
- Held new Oyster Roast event planning meeting 8/29/13.
- Staff attended County Staff Meeting 8/26/13
- Attended Council Committee meetings 8/26/13 and 8/27/13.
- Staff attended Smithfield Staff Meeting 8/7/13, 8/21/13, 8/26/13.
- Tourism Facebook postings throughout month.
- 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!

ZONING PERMITS JUNE 2013

PERMIT #	CONSTRUCTION TYPE	PROJECT	ADDRESS	CONTRACTOR/ OWNER
6243	SINGLE FAMILY DWELLING	CYPRESS CREEK	109 NAIRN	CYPRESS CREEK DEVELOPMENT CO LLC.
6244	DEMOLISH SINGLE FAMILY DWELLING	JERSEY PARK	308 MIDDLE STREET	OAKWOOD HOMES WILLIAMS
6245	ADD 4' TO DECK	CYPRESS CREEK	103 TURNBERRY	NELSON STALL
6246	ENLARGE DECK	WATERFORD OAKS	204 BUCKINGHAM WAY	KEVIN BAGGETT
6247	REPLACE CHAIN LINK FENCE		919 SOUTH CHURCH STREET	ISLE OF WIGHT COUNTY
6248	ERECT TOOL SHED 3' X 7'		344 SOUTH CHURCH STREET	DAVID W. GOODRICH
6249	SINGLE FAMILY DWELLING	MOONE PLANTATION	18057 CYPRESS CROSSING	EDGERTON CONTRACTING JERRY HUGHES
6250	COVERED PORCH 21' X 12'	MOONE PLANTATION	317 CALVARY WAY	MINDY HUFFAKER
6251	UNCOVERED PATIO 12' X 21'	WELLINGTON ESTATES	112 DOVER COURT	DENISE WILSON-BROWNING
6252	ERECT 4' TALL FENCE	HISTORIC DISTRICT	348 SOUTH CHURCH STREET	KATHLEEN SWEDISH
6253	ERECT 5' TALL FENCE	WELLINGTON ESTATES	658 WESTMINSTER ROAD	JOSEPHAT MBOYI
6254	SINGLE FAMILY DWELLING	CYPRESS CREEK	1020 CYPRESS CREEK PKWY	CYPRESS CREEK DEVELOPMENT CO. LLC
6255	SINGLE FAMILY DWELLING	CYPRESS CREEK	104 NAIRN	CYPRESS CREEK DEVELOPMENT CO. LLC
6256	SIGN PERMIT – RAYS IMPORT AUTO REPAIR		932C SOUTH CHURCH STREET	RAY BETTERTON RAYS IMPORT AUTO REPAIR
6257	ERECT 6' OR LESS TALL FENCE	PAGAN POINT	384 PAGAN ROAD	GREGORY K. BROWN
6258	ERECT 10'X16' SHED	MOONEFIELD	115 MOONE DRIVE	SABRINA CHAPPELL
6259	ERECT 10' X 16' SHED	WATERFORD OAKS	911 CANTEBERRY LANE	ROBERT EDWARDS
6260	ERECT 20' X 20' DECK	WATERFORD OAKS	106 WINCHESTER PLACE	PENNIE BOYACK
5777 AMENDED	FENCE	MOONEFIELD	11 JAMESVIEW CIRCLE	M. R. TRULL, JR.

ZONING PERMITS JULY 2013

PERMIT #	CONSTRUCTION TYPE	PROJECT	ADDRESS	CONTRACTOR/ OWNER
6261	5' TALL WHITE ALUMINUM FENCE	WELLINGTON PARK	125 GRANDVILLE ARCH	DANIELS ADVANTAGE FENCE
6262	4' TALL BLACK ALUMINUM FENCE	WELLINGTON PARK	216 GRANDVILLE ARCH	SMITHSON ADVANTAGE FENCE
6263	SINGLE FAMILY DWELLING	CYPRESS CREEK	110 MUIRFIELD	CYPRESS CREEK DEVELOPERS CHESAPEAKE HOMES
6264	MODIFY EQUIPMENT AT CELL TOWER		12025 GREENBRIER LANE	AT & T AT & T MOBILITY
6265	POOL AND SUN ROOM	CYPRESS CREEK	408 MUIRFIELD	CLARK PARADISE AQUATICS
6266	SINGLE FAMILY DWELLING	JERSEY PARK	308 MIDDLE STREET	BRUCE WILLIAMS OAKWOOD HOMES
6267	SINGLE FAMILY DWELLING	PAGAN POINT	502 CRANFORD ROAD	HENRY MCBURNEY ASHETT CONSTRUCTION
6268	12' X 6' SHED, 10' X 10' SHED 6' X 10' SHED	PAGAN POINT	500 BAILEY AVENUE	CAROLYN HARRIS
6236 AMENDED	LOCATION CHANGE FOR DETACHED SIGN		1294 BENNS CHURCH BLVD.	TACO BELL MID ATLANTIC TACO LLC

RESOLUTION FOR THE
CLOSURE OF PORTIONS OF CERTAIN STREETS FOR HOMEARAMA EVENT

WHEREAS, Big Home Shows, an entity of the Tidewater Homebuilders Association, is holding a Homearama in the Cypress Creek subdivision within the Town of Smithfield beginning October 5, 2013 through October 20, 2013; and,

WHEREAS, numerous events have been scheduled for the enjoyment of the citizens and visitors to the Town during this event; and,

WHEREAS, it is anticipated and hoped that large numbers of the Town's citizens and visitors will attend and participate; and,

WHEREAS, the Town Council deems it to be important and in the best interest of the Town to provide a safe environment for the events and activities held in connection with the Homearama; and,

WHEREAS, the organizers have asked that the portion of Cypress Creek Parkway between the two points where it intersects with St. Andrews and Nairn (a cul-de-sac off of Cypress Creek Parkway) shall be closed from October 3 through October 22, 2013 to not only accommodate the event but to permit set-up and take-down; and,

WHEREAS, it appears to the Town Council that it will be necessary to close portions of in order to provide ample space and a safe environment for the scheduled events and activities; and,

WHEREAS, it appears to the Town Council that such street closures will not work an unreasonable hardship on the Town's citizens.

NOW, THEREFORE, be it resolved that the portion of Cypress Creek Parkway between the two points where it intersects with St. Andrews and Nairn (a cul-de-sac off of Cypress Creek Parkway) shall be closed from October 3 through October 22, 2013, subject to such rules, guidelines and procedures as may be established by the Town Manager and the Chief of Police.

Adopted this 4th day of September, 2013.

TOWN COUNCIL OF THE
TOWN OF SMITHFIELD

By _____
T. Carter Williams, Mayor

ATTEST:

Lesley G. King, Clerk

August 30, 2013

Ms. Denise H. Ambrose
Associate Director
Department of Housing and Community Development
Project Management Office
Main Street Centre
600 East Main Street, Suite 300
Richmond, VA 23219

RE: Pinewood Heights Phase II Redevelopment Project
Request for Multi-Year 1 Amendment

Dear Ms. Ambrose:

The Town of Smithfield is submitting a request for an extension of time and a budget revision to complete the Multi-Year 1 contract for the Pinewood Heights Phase II Redevelopment Project. The Town is looking to continue the progress made thus far on the project however it has found that it will need additional time and the reallocation of funds between categories in order to complete the acquisition of blighted properties and the relocation of the families to decent, safe, and sanitary homes.

As you may know, the Town's Multi-Year 1, Phase II contract's start date was extended thirty four (34) days however the signed contract did not extend the deadline for the completion of this work. The current contract requires that Multi-Year 1 be completed by September 20, 2013. The Town has also experienced delays beyond its control in the relocation of several families in this project. Several homeowners have had serious financial issues, including an active bankruptcy for one household, which are preventing the completion of their relocation. The Town has been working with these residents and a credit counselor to address these issues. However, the bankruptcy case will require a petition before the Court for permission to acquire the property. The Town does expect to have purchase offers made to all property owners by September 20, 2013 but the relocations will not be completed. Thus the Town respectfully requests an extension until January 20, 2014 to complete all the activities in the Multi-Year 1, Phase II contract.

The Town has also found that the costs of the acquisition have been much higher than originally budgeted while the relocation costs have been lower than expected. Thus the Town is requesting the reallocation of \$100,000 in CDBG

funds from the line item of owner relocation to owner acquisition. This change will not alter the overall CDBG funded portion of the project and is designed to ensure that funds are allocated to the categories so as to best reflect the actual costs, both spent and to be expended, as we reach the halfway point of our project.

The Town respectfully requests your review and favorable consideration of this contract amendment. Please do not hesitate to contact me with any questions that you may have.

Sincerely,

Peter M. Stephenson, AICP, ICMA-CM
Town Manager

Cc: Joanne Peerman, DHCD Program Manager
Elizabeth Boehringer, DHCD Community Representative
Ellen Minga, Town of Smithfield Treasurer
Michael Paul Dodson, CFM, Community Planning Partners, Inc.

BUDGET REVISION WORKSHEET

Smithfield CIG #11-10 MY-1

Pinewood Heights Phase 2

BUDGET LINE ITEMS	Current CDBG	Proposed CDBG	+/- Change CDBG	Current Non-CDBG	Proposed Non-CDBG	+/- Change Non-CDBG
ADMINISTRATION						
Precontract/ERR	0.00	0.00	0.00	6,000.00	6,000.00	0.00
Management Assistance	0.00	0.00	0.00	24,000.00	24,000.00	0.00
Monitoring/Closeout	0.00	0.00	0.00	3,000.00	3,000.00	0.00
Subtotal	0.00	0.00	0.00	33,000.00	33,000.00	0.00
ACQUISITION						
Acquire Improvements/Land						
6 Owner-Occupied Units	352,800.00	452,800.00	100,000.00	0.00	0.00	0.00
4 Renter-Occupied Units	0.00	0.00	0.00	321,085.00	367,085.00	0.00
Appraisal (10 @ \$250 each)	0.00	0.00	0.00	2,500.00	2,500.00	0.00
Legal (10 @ \$712 each avg.)	0.00	0.00	0.00	7,120.00	7,120.00	0.00
Closing Costs (10 @ \$305 each avg.)	0.00	0.00	0.00	3,050.00	3,050.00	0.00
Acquisition Specialist	0.00	0.00	0.00	15,000.00	15,000.00	0.00
Subtotal	352,800.00	452,800.00	100,000.00	348,755.00	394,755.00	0.00
PERMANENT RELOCATION						
Rental Relocation (10 units)						
6 Owner-Occupied Units	271,920.00	171,920.00	(100,000.00)	231,000.00	231,000.00	0.00
4 Renter-Occupied Units	0.00	0.00	0.00	151,500.00	151,500.00	0.00
Moving Costs	0.00	0.00	0.00	18,500.00	18,500.00	0.00
Relocation Specialist	0.00	0.00	0.00	15,000.00	15,000.00	0.00
Subtotal	271,920.00	171,920.00	(100,000.00)	416,000.00	416,000.00	0.00
CLEARANCE & DEMOLITION						
5 Duplexes @ \$5,800 each	0.00	0.00	0.00	29,000.00	29,000.00	0.00
Subtotal	0.00	0.00	0.00	29,000.00	29,000.00	0.00
TOTAL	624,720.00	624,720.00	0.00	826,755.00	872,755.00	0.00

AN ORDINANCE AMENDING ARTICLE IV, OF CHAPTER 78 OF THE CODE OF THE TOWN OF SMITHFIELD, VIRGINIA, AS AMENDED, IN ORDER TO REVISE AND AMEND THE REGULATIONS AS TO VEHICLE PARKING

WHEREAS, the Town Council's police committee and the chief of police have reviewed the provisions of the Town Code pertaining to the regulation of vehicle parking and have recommended to Town Council that the certain ordinances should be revised and amended; and,

WHEREAS, the Town Council of the Town of Smithfield deems it to be in the best interest of the citizens of the Town of Smithfield to revise and amend certain of the Town's ordinances as to vehicle parking.

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

1. That Article IV, Section 78-131(b) of the Code of the Town of Smithfield, Virginia is repealed and reenacted as follows:

Sec. 78-131. General authority of town manager relative to stopping and parking.

(b) It shall be unlawful for any person to fail, refuse or neglect to observe and comply with any rule or regulation made and promulgated by the town manager pursuant to this section; provided that no such rule or regulation shall be deemed to have been violated unless appropriate and adequate signs, markers or other devices are erected to inform ordinarily observant persons using the street of such rule or regulation, which sign, marker or other device shall be so placed that they may be readily and easily seen by an ordinarily observant person.

2. That Article IV, Section 78-140 of the Code of the Town of Smithfield, Virginia is repealed and reenacted as follows:

Sec. 78-140. Parking and citations generally.

Whenever any motor vehicle without driver is found parked, stopped or standing in violation of any of the restrictions imposed by this Code or other ordinances of this town, the officer finding such vehicle shall take its registration number, make and model of the vehicle and any other information displayed on the vehicle which may identify its user and shall conspicuously affix to such vehicle a parking citation for the driver to answer the charge against him within five days, during the hours and at a place specified in the citation. The officer shall deliver one copy of such citation to the police department.

3. That Article IV, Section 78-141 of the Code of the Town of Smithfield, Virginia is repealed and reenacted as follows:

Sec. 78-141. – Penalty for parking violations generally.

(a) Unless otherwise provided, any person parking a vehicle in violation of any provision of this article or other ordinance provision of the town or any rule or regulation promulgated pursuant to this article shall, upon conviction thereof, be punished by a fine of not less than \$10.00 nor more than \$20.00 for each offense; however, any such violation may be satisfied, in full, by payment of \$10.00, by check or money order only, to the police department within five days of such violation.

(b) All uncontested parking citations paid under this section shall be accounted for by the chief of police. The contest, by any person, of a parking citation shall be certified in writing, upon an appropriate form, to the general district court by the chief of police.

4. That Article IV, of the Code of the Town of Smithfield, Virginia is amended by the adoption of the following provisions:

Sec. 78-135. – Parking prohibited in specified places.

(a) No person shall park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or traffic control device, in any of the following places:

- (1) On a sidewalk or a town right-of-way between the sidewalk and curb.
- (2) In front of a public or private driveway.
- (3) Within an intersection.
- (4) Within 15 feet of a fire hydrant.
- (5) On a crosswalk.
- (6) Within 15 feet of a crosswalk at an intersection.
- (7) Within 20 feet upon the approach to any flashing beacon, stop sign, yield sign or traffic control signal located at the side of a roadway.
- (8) Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by official signs or markings.
- (9) Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of the entrance when properly posted.
- (10) Alongside or opposite any street excavation or obstruction when such parking would obstruct traffic.
- (11) On the roadway side of any vehicle parked at the edge or curb of a street.
- (12) Upon any bridge or other elevated structure upon a street or highway.
- (13) At any place where official signs or markings prohibit parking.
- (14) On any median.
- (15) In any public or private fire lane. A fire lane parking violation shall be punishable by a fine of \$250.00. All above grad signs posted for fire lanes shall include the following language: PENALTY \$250 FINE.

(b) No person other than a police officer shall move a vehicle into any such prohibited area or away from a curb such distance as is unlawful or start or cause to be started the motor of any motor vehicle or shift, change or move the levers, brakes, starting device, gears or other

mechanism of a parked motor vehicle to a position other than that in which it was left by the owner or driver thereof or attempt to do so.

Sec. 78-145. – Penalty for abuse of parking spaces reserved for exclusive use of person with disabilities.

It shall be unlawful for a vehicle not displaying disabled parking license plates, an organizational removable windshield placard, a permanent removable windshield placard or a temporary removable windshield placard issued under Code of Virginia, §46.2-1241, or DV disabled parking license plates issued under Code of Virginia, §46.2-739(B), by the commissioner of the department of motor vehicles to be parked in a parking space reserved for persons with disabilities that limit or impair their ability to walk or for a person who is not limited or impaired in his ability to walk, to park a vehicle a parking space so designated except when transporting a person with such a disability in the vehicle. Notwithstanding any of the provisions of this section, any person parking a vehicle in violation of parking regulations pertaining to spaces for persons with disabilities shall be punished by a fine of not less than \$100.00 nor more than \$500.00 for each offense; however, any such violation may be satisfied, in full, by payment of \$100.00, by check or money order only, to the police department, within five days of such violation. A summons or parking ticket for this offense may be issued by law enforcement officers, volunteers serving in units established pursuant to §46.2-1244, and other uniformed law enforcement department personnel employed by the town to enforce parking regulations without the necessity of a warrant being obtained by the owner of a private parking area.

78-146. – Parking on streets or public parking lots on which time limit is designated by signs.

When any sign is erected on a public street to public parking lot giving notice thereof, no person shall, stop, stand or park a vehicle for longer than the time designated by such signs. For the purpose of this section, “public parking lot” shall mean any parking lot operated by the town.

78-147. – Presumption in prosecution for parking violation.

In any prosecution charging a violation of any provision of this article regulating parking, proof that the vehicle described in the complaint, summons, parking violation notice or warrant was parked in violation of this article, together with proof that the defendant was at the time, the registered owner of the vehicle, shall constitute in evidence a *prima facie* presumption that the registered owner of the vehicle was the person who committed the violation

78-148. – Removal of motor vehicles against which there are outstanding parking violations.

(a) Whenever there is found any motor vehicle parked upon the public streets or highways or public grounds against which there are three (3) or more outstanding, unpaid or otherwise unsettled parking violation notices, such vehicle may, by towing or otherwise be removed or

conveyed to a place designated by the chief of police for the temporary storage of such vehicle. The removal or conveyance of the vehicle shall be by, or under the direction of, an officer or member of the police department, or other authorized agent of the town.

(b) It shall be the duty of the officer or member of the police department, or other authorized agent of the town, removing such motor vehicle or under whose direction such vehicle is removed to inform as soon as practicable the owner of the removed vehicle of the nature and circumstances of the prior unsettled parking violation notices for which or on account of which such vehicle was removed.

(c) The owner of such removed motor vehicle, or other duly authorized person, shall be permitted to reclaim and take possession of the vehicle by payment of the outstanding parking violation notice for which the vehicle was removed and by payment of all reasonable costs incidental to the removal and storage of the vehicle, and the efforts to locate the owner of the vehicle. Should such owner fail or refuse to pay or should such owner be unknown and unascertainable, then any such motor vehicle may be sold in accordance with the procedures set forth in Title 46.2 of the Code of Virginia, 1950, as amended.

Section 78-149. – Exemptions from provision pertaining to private parking lots.

The town manager shall have the authority to regulate parking in any public or private parking lot outside the scope of Section 78-143 of this article for the purpose of enforcing parking regulations for disabled persons and fire lane violations.

5. This ordinance shall become effective immediately upon adoption.

ADOPTED this 3rd day of September, 2013.

TOWN COUNCIL OF THE
TOWN OF SMITHFIELD, VIRGINIA

T. Carter Williams, Mayor

Attest:

Lesley G. King, Clerk

AN ORDINANCE TO PROHIBIT LOITERING WITHIN THE TOWN

WHEREAS, the Town Council and its Police Committee have determined that Chapter 50 of the Town Code should be amended to include a prohibition on loitering in public places within the Town of Smithfield.

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

1. That **Chapter 50, Article I, Section 50-27. Loitering** is hereby enacted as follows:

Section 50-27. Loitering

It shall be unlawful for any person to loiter, camp, tent, encamp or quarter upon any public grounds, parks, playfields, playgrounds or any other public property owned or maintained by the Town or lie upon any benches located within any such public property.

2. This ordinance shall become effective immediately upon adoption.

ADOPTED this 3rd day of September, 2013.

TOWN COUNCIL OF THE
TOWN OF SMITHFIELD

By _____
T. Carter Williams, Mayor

ATTEST:

Lesley G. King, Clerk

AN ORDINANCE TO NAME CERTAIN STREETS
WITHIN THE TOWN OF SMITHFIELD.

WHEREAS, the Town of Smithfield, as part of the construction of the Windsor Castle Park, has constructed two new streets which are shown on a map of Windsor Castle Park, attached hereto as Exhibit "A; and, ,

WHEREAS, the Town Council of the Town of Smithfield believes it to be in the best interest of the citizens of the Town of Smithfield to name these streets to conveniently identify said streets and to comport with E-911 requirements.

NOW, THEREFORE, be it ordained by the Town Council of the Town of Smithfield, Virginia:

1. That the new street which intersects with Jericho Road at a point northeast of the intersection of Joshua Road and Jericho Road, which new street is perpendicular to Jericho Road and runs in a northwesterly direction, shall be named **Dan Smith Drive**.

2. That the new street which intersects with Jericho Road at a point northeast of the intersection of Joshua Road and Jericho Road, which new street is perpendicular to Jericho Road and runs in a southeasterly direction to a point where it terminates at a kayak launch site owned by the Town shall be named **Kayak Lane**.

3 That a copy of this ordinance shall be recorded in the Clerk's Office of the Circuit Court of Isle of Wight County, Virginia in order to give public notice of these changes.

4. That this ordinance shall take effect upon adoption.

Adopted this 4th day of September, 2013.

TOWN OF SMITHFIELD,
a Virginia municipal corporation

By _____
T. Carter Williams, Mayor

Attest:

Lesley G. King, Clerk