

The Smithfield Town Council held its regular meeting on Tuesday, July 11th, 2017. The meeting was called to order at 7:30 p.m. Members present were Mr. T. Carter Williams, Mayor; Mr. Andrew Gregory, Vice Mayor, Mr. Michael Smith, Ms. Connie Chapman, Mrs. Denise Tynes, Mr. Randy Pack, and Dr. Milton Cook. Staff members present were Mr. Peter Stephenson, Town Manager; Mrs. Lesley King, Town Clerk; Ms. Ellen Minga, Town Treasurer; Mr. William H. Riddick, III, Town Attorney; Mrs. Ashley Rogers, Human Resource Director; Mr. Alonzo Howell, Smithfield Police Department; Mr. Patrick Araujo, Interim Chief of Police; members of the Smithfield Police Department; Ms. Judy Winslow, Tourism Director; Mr. Bill Davidson, Planning Commission member; and Mr. Charles Bryan, Planning Commission, Vice Chairman. There were approximately forty (40) citizens present. The media was represented by Mr. Ryan Kushner of the Smithfield Times.

Mayor Williams – Good evening ladies and gentlemen. Welcome to the Smithfield Town Council meeting of July 11th, 2017. It is now 7:30 p.m. Thank you all for coming out tonight. Would you stand with me for the Pledge?

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

Mayor Williams – We will start off tonight with the Informational Section with the Manager's Report.

Town Manager – Thank you, Your Honor. Good evening everyone. The June Activity Report was posted with the agenda on the town's website. I will be happy to answer any questions as always. Tonight's meeting was moved from last Tuesday until tonight due to the July 4th holiday. We appreciate everyone's patience in that regard. We had a Pinewood Heights Management Team meeting at 4:00 p.m. earlier today here at the Smithfield Center. We also had the Planning Commission meeting just a short while ago. The Board of Historic and Architectural Review will meet next Tuesday, July 18th, at 6:30 p.m. at the Smithfield Center. The next Town Council Committee meetings will be on July 24th and 25th at 4:00 p.m. each day. We are planning on an Intergovernmental Committee meeting. There will be two (2) I believe. The first is at 2:00 p.m. with just the town and the county. The second is a larger group meeting that the county is coordinating for 6:00 p.m. Both would be here at the Smithfield Center on August 3rd. Thank you.

Mayor Williams – Thank you. Are there any questions for the Town Manager? Hearing none, we will move to Public Comments. The public is invited to speak on any matter. Comments are limited to five (5) minutes please. Any required response from the town will be provided in writing following the meeting if you so desire. For the record, please state your name and address.

Town Manager – We have three (3) signups tonight. The first is Mr. Mark Gay.

Mr. Gay – Good evening. I live at 110 Goose Hill Way. Ladies and gentlemen of Council, my belief is that tonight's agenda item to consider a sublease by Windsor Castle LLC to Smithfield VA Events from the Town of Smithfield is little more than a clever, backhanded way of taking the first step to extend more than \$400,000.00 of taxpayer's credit to Smithfield VA Events for the next fifteen (15) years minimum. There has yet to be public approbation of what is transpiring at Windsor Castle since the Weiss family's legitimate offer for purchase and restoration was dismissed abruptly by several of you seated at the head table and by several of you who stand to benefit directly as officers and/or directors of Smithfield VA Events. Certainly, there is no requirement for the Town of Smithfield to restore the interior of the caretaker's house; nor to construct two (2) additional barns as confirmed last week by the Division of Historic Resources and reported by a local paper. Meanwhile, there remains the serious concern of our downtown townfolk with preservation of the Pierceville farm. It is the oldest and most historically relevant property in the Town of Smithfield. If we understand correctly, the property owner has brought a lawsuit against the town in lieu of appealing the town's demolition by neglect proceedings this spring against the Pierce house and farm was denied razing of the properties. Yet, it appears no trial date has been set for nearly nine (9) months and that neither the Crocker/Delk family or the town intend to press for legal resolution. My belief, at this point, is that most of you are content to allow the Pierce home to simply collapse rather than taking forceful and legal action to mothball the home and surrounding barns. Make no mistake; the wheels are turning for a respected town citizen to accomplish purchase very shortly. Both the Trust for Public Land and the Historic Virginia Land Conservancy are on the playing field to assist with that purchase. No, things will not be as easy to accomplish as if the town had worked with TPL and the people of the town; but we have crossed that bridge. I remain hopeful that there will yet be thorough accountability at a time to come. At least one of you has

made a big deal out of waiting to confirm the zoning ordinance's validity before considering further action. The Town Attorney, himself, has opined on several occasions that it is not the business of the town to invest its funds into private properties for the purpose of rehabilitation or repair. Our firm belief is that is incorrect. Another concerned citizen of Smithfield recently retained his own counsel to look into this whole matter. That attorney has examined relevant statutes of the state code and determined that Smithfield's ordinance is supported fully. In fact, he opined that our demolition by neglect provisions are actually lenient. The state law allows the real time collection of additional taxes for the property owner to compensate the town for necessary repairs as opposed to placing a lien to be repaid upon the sale of said property. Thus, unless a Circuit Court judge has had an off day at trial, he or she should quickly dismiss Mrs. Crocker's appeal and confirm the town's rulings to date. Lastly, what do we do then? Again, our belief is that the Pierce home requires immediate mothballing to prevent further deterioration. Our understanding of the law is that the town's Board of Historic and Architectural Review derives coercive authority from both federal and state laws and organizations to enforce our zoning ordinance in the historic district. Our expectation is that BHAR will act accordingly with funding made available from the town. Thank you.

Town Manager – The next signup is Mrs. Carolyn Torre.

Mrs. Torre – First of all, I would like to say in case I run out of time, it is wonderful to acknowledge our new police chief. This is a wonderful happy occasion for that; but we do have concerns about Pierceville that we want to bring forward from our group. All of Smithfield should be preserved that has historical importance. It does seem that there is not adherence to the ordinances as they stand. I have done a lot of research in recent months on those ordinances and how they are supported at the federal, state, and local level. Working backwards to the federal level, the local officers that are enabled by the national legislation, statutes, and codes is the Board of Historic and Architectural Review. They really do have the power. There seems to be some confusion even by that Board as to whether or not that is the case. I have also heard some of you on the Town Council refer to the ordinances as perhaps being weak and not really enforceable. Everything I have found with a lot of research which I plan to present to the BHAR next week, I will not belabor here. I have many websites, educational and governmental, that

backup those ordinances that you have that are sometimes singled out in these articles and writings and absolutely support Pierceville. You have an obligation as a town to enforce your ordinances and that is not happening not just for Pierceville but for other properties in town. It is not easy to go to our neighbors and say that they are letting a beautiful Landmark rot in effect; but your ordinances do give the town that power through the BHAR. At the state level, it is DHR. At the government level, it is the National Parks Association. It is legislation that has been tested and has precedence in all of those areas of federal, state, and local. So, we need to know as townspeople and taxpayers that you are prioritizing based on your ordinances in a timely fashion because it has not been timely. It is very clear, the timeline, when you read the ordinances and when you read at the state and federal level. You have the right to do it. You have the right to send the Planning and Zoning Administrator in to enforce it. I will read this line. It states: 'if the owner fails to act, the BHAR may order the Planning and Zoning Administrator after due notice to the owner to enter the property to make or cause such repairs as necessary to preserve the integrity and safety of the structure.' My opinion is that the town could even be sued if teenagers went in there and climbed on the roof and fell. It is an attractive nuisance. For so many reasons, it needs to be mothballed and protected. It is time. It is time that the enforcement was put in place. Thank you very much.

Town Manager – Thank you. The next signup is Ms. Betty Clark.

Ms. Clark - Good evening. I live at 120 N. Church Street. There is \$450,000.00 that at some point you all may approve for new barns at Windsor Castle. Now, there is nothing wrong with new barns at Windsor Castle. I think if that is what is needed then at some point that should be dealt with; but, besides being a conflict of interest for some of you, your timing is off. New construction can wait until Pierceville has been mothballed. The citizens in the historic district of Smithfield have told you time and time again that we want Pierceville preserved. It is our history; all of our history. It is the responsibility of the community to save this 1730's house and outbuildings. Thank you.

Mayor Williams – There are no more signups. Would anyone else like to come up and speak even though you did not sign up? You are certainly welcome to come up for public comments. Hearing none, we will move to a Briefing by Dick Grice, Isle of Wight County Board of Supervisors, Smithfield District. Mr. Grice is not here so we will skip

over that. We will now move to Council Comments. Does any Council member have any comments?

Councilman Dr. Cook – Yes, sir. I want to speak about what was brought up earlier about the Smithfield VA Events sublease at Windsor Castle. I am not a Board member for SVAE and can speak a bit more freely. This is in response to the ‘direct benefit’ for SVAE Board members that Mr. Gay referred to. I am trying to think of the benefit here. It is the money they get; oh, they are not paid. It is all the free extra time they get for being on the Board; oh, there are hundreds of hours a year given by members of that Board. There are days off of work before every event to provide tens of thousands of dollars from every event to this town and to the volunteer organizations that help run those events. When you are saying that the town is not looking into the best interest of our money, I just laugh. This is money coming to the town. Every dime raised by SVAE stays in this community to all of the volunteer organizations; the people who volunteer their hours for those events. To attack Board members and say that they are personally benefitting from this is laughable. You step up and do the job. I will applaud that day. You step up and do this Town Council job. I will love to see that happen. I will leave and let you do it. We do not do this for the money. We do not do this for the accolades. We do not do this for anything other than our civil service back to this community. To assume anything else, I just cannot think of the right adjective to say about that. We give up time from our families and our jobs to sit here and be berated time and again. So, I hate to tell you this but a long time ago, I stopped listening to you. You can say whatever you want because I do not listen anymore. When I get attacked personally about acting illegally and holding illegal meetings, it just attacks me and I stop listening. So, if you want to do something about it then you step up and do this job. I do not care. It will be interesting to see what the real, general public thinks about your position. That is fine; but to attack volunteers that make this community run is insulting. Thank you.

Mayor Williams – Are there any other comments from Council members?

Councilwoman Chapman – I will just reiterate what I said last month. We will have two (2) Council members that will be coming off of Town Council next year. So, think about it. You have a little bit of time to plan and get your signatures. Next May, there will

be an election; consider standing up and serving Smithfield, running for election and giving back to your community.

Mayor Williams – Is there anyone else who has any comments? Hearing none, we will move to the Summary of the Consent Agenda Items. We have nine (9) items tonight. Would any Council member like to pull any item for further discussion?

Councilman Pack – Yes, sir. I would like to pull C9 for further discussion.

Mayor Williams – We will pull C9. We will start with the Police Committee Chair, Ms. Denise Tynes. She has three (3) items.

Councilwoman Tynes – Police Committee Summary. Thank you, Mr. Mayor. The first item is a proclamation in support of the 2017 National Night Out to be held on August 1st, 2017 from 5:00 p.m. until 7:00 p.m. at the Smithfield Center. I would like to read the proclamation. It states ‘WHEREAS, the National Association of Town Watch (NATW) is sponsoring a unique, nationwide crime, drug, and violence prevention program on Tuesday, August 1st, 2017 called “National Night Out”; and WHEREAS, the “34th Annual National Night Out” provides a unique opportunity for Smithfield, Virginia to join forces with thousands of other communities across the country in promoting cooperative, police-community crime prevention efforts; and WHEREAS, Smithfield Community Crime Prevention (S.C.C.P.) Team and the Business and Neighborhood Watch programs play vital roles in assisting the Smithfield Police Department through joint crime, drug and violence prevention efforts in Smithfield and is supporting “National Night Out 2017” locally: and WHEREAS, it is essential that all citizens of Smithfield, Virginia be aware of the importance of crime prevention programs and the impact that their participation can have on reducing crime, drugs and violence in Smithfield: and WHEREAS, police-community partnerships, neighborhood safety, awareness and cooperation are important themes of the “National Night Out” program; NOW, THEREFORE WE, THE SMITHFIELD TOWN COUNCIL MEMBERS, do hereby call upon the citizens of Smithfield to join the Smithfield Police Department, the S.C.C.P. Team, and in supporting the “34rd Annual National Night Out” as “NATIONAL NIGHT OUT” in Smithfield, Virginia.’ This is signed by the Mayor and the Town Clerk of Smithfield. Thank you. The second item is C2 which is a donation of two (2) retired police vehicles to the Smithfield Volunteer Fire Department. We did this a couple of years ago also. The fire department will re-donate the two (2) previous vehicles that we

donated back to us. We will put them on GovDeals to be sold and that income will come to the town. The next one is C3 which is a resolution to approve the street closure request at Jericho Road and South Church Street and at Dan Smith Lane and Kayak Lane for the BBQ Classic Competition on August 5th. This is the first time for this event in the town. If you are not familiar with those road closures, most of them will be in Windsor Castle Park. Thank you.

Mayor Williams – Thank you, Mrs. Tynes. We will now move to our Finance Committee Chairman, Mr. Randy Pack.

Councilman Pack – Finance Committee Summary. Thank you, Mr. Mayor. We have several invoices this evening over \$10,000.00 which require Council authorization. The first is to RAD Sports which is a May progress billing. RAD Sports is responsible for land disturbance and reconstruction out at the new ballpark facility. The bill is for \$187,007.50. It is recommended for approval by our consultants for the job. We also have an invoice to A. R. Chesson Construction for \$88,562.44 for the concession building. Anybody that has been by there has seen it coming out of the ground. Our final invoice this evening is to Blair Brothers, Inc. for \$180,244.00. It is highway fund money for assorted road repaving in the town. It is recommended for approval this evening. Item C5 is a resolution to renew a line of credit with Farmers Bank. The Town of Smithfield holds a line of credit of \$1,000,000.00 with Farmers Bank. We have been very fortunate in not using this money that I can remember. I have been here for five (5) years. We have done a pretty good job managing our money. It is always nice to have it there. It does not cost us to hold onto it. We recommend a renewal of this line of credit. You should have gotten, this afternoon, two (2) motions to adopt an appropriation resolution. It is to carryforward funds and restricted funds appropriated in fiscal year 2016/2017. It is basically projects that we had not finished up last year and want to move into this year's budget. Item C7 is a motion to adopt an appropriation resolution for funds for fiscal year 2017/2018 effective July 1st, 2017. We approved our budget at our continued meeting in June and now we have to appropriate the funds to move forward with paying our bills and operating expenses for this year. We also recommend this for approval this evening. Finally, under Finance Committee, we have motion to amend the Town's pay and classification plan to create a new position for a Parks maintenance Supervisor. This is a new position that the town has come up with and was

funded in this 2017/2018 budget. We have to formally amend the pay and classification plan to include this new position. That is all I have for tonight. Thank you.

Councilman Dr. Cook – I would like to make a motion to approve the Consent Agenda items C1 – C8.

C1. Proclamation in Support of the 2017 National Night Out to be held on August 1st, 2017 from 5:00 p.m. until 7:00 p.m. at the Smithfield Center.

C2 Donation of two (2) Retired Police Vehicles to the Smithfield Volunteer Fire Department.

C3. Resolution to Approve the Street Closure Request at Jericho Road and South Church Street and at Dan Smith Lane and Kayak Lane for the BBQ Classic Competition on August 5th, 2017.

C4. Invoices Over \$10,000.00 Requiring Council Authorization:

a. RAD Sports	\$187,007.50
b. A. R. Chesson Construction	\$ 88,562.44
c. Blair Brothers, Inc.	\$180,244.00

C5. Resolution to Renew Line of Credit with Farmers Bank.

C6. Motion to Adopt an Appropriation Resolution to Carryforward and Restricted Funds Appropriated for Fiscal Year 2016/2017.

C7. Motion to Adopt Appropriation Resolution for Funds for Fiscal Year 2017/2018 Effective July 1st, 2017.

C8. Motion to Amend the Town's Pay and Classification Plan to Create a New Position for Parks Maintenance Supervisor.

C9. Pulled from Consent Agenda.

Councilman Pack – Second.

Mayor Williams – A motion has been made and properly seconded to approve the Consent Agenda items C1 – C8. Roll call vote.

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

Mayor Williams – Item C9 is now up for discussion. It is a Motion to Authorize the Town Manager to Execute a Commercial Sub-Lease between Historic Windsor Castle

Dr. Milton Cook.

Councilman Dr. Cook – We have spoken about this for the last couple of months. You will notice in the lease that there is not mention of the town taking out a loan for Smithfield VA Events because we are not taking out a loan for SVAE. We are taking out a loan to build barns that were on the historic plantation at one time and we are just rebuilding them. We were lucky enough to find a tenant who will pay for said barns for us. There will be no money out of pocket by townspeople in any way, shape, or form. To contradict something that was said earlier, this is not a \$450,000.00 loan. We can tell where they got their information because that amount was printed in the paper. It is a \$350,000.00 loan. Over the repayment period, it will be repaid to the tune of approximately \$404,000.00. The take-home message is that no taxpayer money is being used to fund this. It is completely getting paid for by this lease. So, we have two (2) members of Council that are not allowed to vote on this.

Mayor Williams – You need to add that it is also to remodel the inside of the caretaker's house.

Councilman Dr. Cook – Yes, it will refurbish the interior of the caretaker's house also.

Councilwoman Tynes – Dr. Cook, I just want to mention what I brought up in the committee meeting. I know our Town Attorney explained it to me but I just want you to explain to the public that we have here today about what happens in the event that SVAE dissolves. Attorney Riddick explained to me that, yes, the town would be responsible for the remainder of the loan.

Councilman Dr. Cook – He actually spoke very well at our committee meetings about the ramifications. There is an inherent risk in that the tenant could decide to stop doing things. If there is no new interest, people get burned out. At that point, the town does become liable for the loan. We have a couple of beliefs behind our decision. The first is that SVAE has a long tract record so far. They have been around for six (6) years. They have had successful and ever-growing events. There is no sign of slowing down; there are only signs of growing. It is why I, personally, feel confident. It is my money too. You and I both pay taxes and this is on us. We will probably be gone if anything happens. I feel comfortable and confident in their longevity.

Councilwoman Tynes – I just wanted you to explain that because I want everything on the table and to let the citizens know the risks. It is a risk.

Councilman Dr. Cook – Yes; but we take risk a lot.

Councilwoman Tynes – I know we do; but I want them to know that there is a risk if this organization decides to dissolve and that we are responsible for the loan.

Town Attorney – Mrs. Tynes, the town is responsible for the loan from the very beginning. The town is borrowing money to fix up and renovate and improve its property. It is not someone else's property. It is property that belongs to the Town of Smithfield. If the loan is obtained, one point I want to make is that the motion tonight is to authorize the Town Manager to sign it at some point in the future because all of this is still in a state of flux. It looks like it is going to go forward; but everything is not completely hammered out yet. Assuming that all the terms are favorable and the Town Council decides to go forward and borrow the money, at that point the Town Manager would be in a position to execute the authorization on behalf of the Town Council to approve the sublease. The sublease is actually between the LLC that has the lease on the Windsor Castle Park and the historic site and the SVAE. Pursuant to the terms of the existing lease, the Town Council, as the landlord, has the right and obligation to consent to that sublease which is what you are authorizing tonight. It needs to be clearly understood that it is not likely to be immediately effective because there are some things that have to be worked out with respect to financing. If the town chooses not to go forward and build the barns and renovate the interior of the caretaker's house then there would be no need for the sublease. The sublease is a very fortunate stream of income that has been identified which will effectively pay for the debt service on this loan. The characterization that this money is being borrowed on behalf of a third party is wrong. It is misguided and improperly characterized and that is not what you are doing. What you are doing is entirely legal. It is reasonable. It is prudent. It is good stewardship of your property; so, that needs to be understood as well.

Councilwoman Tynes – Thank you. I just wanted everything explained.

Councilman Dr. Cook – Are there any other questions? Hearing none, I would like to make a motion to authorize the Town Manager to execute the commercial sublease between Historic Windsor Castle Restoration, LLC and Smithfield VA Events and the Town of Smithfield.

Councilwoman Chapman – Second.

Mayor Williams – A motion has been made and properly seconded. Is there any further discussion? Roll call vote.

On call for the vote, seven members were present. Vice Mayor Gregory abstained, Councilwoman Chapman voted aye, Councilman Dr. Cook voted aye, Councilman Smith voted aye, Councilwoman Tynes voted aye, Councilman Pack abstained, and Mayor Williams abstained. There were three (3) abstentions. The motion passed 4-3.

Mayor Williams – We will now move to the Action Section of the agenda. It is my pleasure to have a Motion to Confirm the Town Manager's Appointment of a New Police Chief.

Town Manager – Thank you, Your Honor. First off, let me apologize if it is hard to hear in the back. We are having some audio difficulties. I will try to project the best I can. Welcome to everyone including the members of the Smithfield Police Department and the Isle of Wight Sheriff's Office. We also have special guests and friends and family here this evening. I had a very brief memorandum that went out as part of the packet late on Friday. It cannot begin to really encapsulate things or tell the story of the man that I am presenting here this evening as my appointee for your consideration of confirmation. It is someone that I have worked with for the past 21 ½ years who has dedicated almost a quarter of a century to the Smithfield Police Department. He has an existing rapport with the Council and with the community. I will say, as well, that he is a lifelong learner and an active member of the Virginia Association of Chiefs of Police as well as the International Association. He is someone that wants to inspire others within the organization and learn from everyone that he surrounds himself with and get input. We have discussed that and it is very important. Again, I think probably the most important thing for me and for those that know him is his unwavering commitment; but also his 'calm in the storm' persona. He does not easily get his feathers ruffled. I believe that it is really a very strong basis in his faith in our Lord and that rock and foundation that he has that guides him and his principles day in and day out. To me, that may not be very politically correct these days; but in the times that we are living in and being in a profession that is so noble that it is under a microscope every single day of our lives here, we need someone with that steadfast faith and commitment that can weather the

storms because they are here all around us. I say that from the heart. I am very honored to present my appointment for the next Chief of Police for the Smithfield Police Department, Mr. Alonzo Howell. I will turn this over to the Chair of the Police Committee, Mrs. Denise Tynes.

Councilwoman Tynes – Thank you. Before I go forward with a motion, I would like to commend our Town Manager and our HR Director for the professionalism during the process of hiring our new Police Chief. I agree with Mr. Stephenson about what it entails to be in that position. It requires a whole lot of work and concentration. We had about thirty-five (35) applicants. When you have to look through that many people to find a professional person at the top, it is a whole lot of work. I think you all did a wonderful job. Thank you. At this time, I would like to make a motion to confirm the Town Manager's appointment of the new Police Chief, Mr. Alonzo Howell.

Councilman Pack – Second.

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

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

Mayor Williams – At this time, the new Police Chief will be pinned.

Town Clerk – Please raise your hand and repeat after me the following oath.

Chief Howell – I, Alonzo Howell, do solemnly swear that I will never betray my badge, my integrity, my character, or the public trust. I will always have the courage to hold myself and others accountable for our actions. I will support the Constitution of the United States and the Constitution of the Commonwealth of Virginia, and that I will faithfully and impartially discharge all duties incumbent upon me as the Chief of Police for the Town of Smithfield, Isle of Wight County, Virginia, according to the best of my ability, so help me God.

Chief Howell – This is our future. This is my grandson here with me. It is important for me to have the next generation to pin the rank on. We need to reach out to our children. I hope that my grandson and others like him will remember this moment for the rest of their lives. These are our changing agents. Thank you.

Councilwoman Tynes – While they are doing the pinning, I would like to welcome Sheriff Marshall here. Our new Chief of Police was his Deputy Chief. He did an excellent job while in that position. He got a lot of charging as far as being Chief; because, during the Sheriff's last year with us, he had a national position that kept him away that we allowed him to do. That is how they grow. Our Deputy Chief stepped in a lot for him. He got a lot of experience in working with the citizens and the staff of the Town of Smithfield.

Mayor Williams – Welcome aboard Chief.

Chief Howell – Thank you sir.

Mayor Williams – Thank you everyone. Our next item is a Motion to Approve the Town Council Meeting Minutes of June 6th and the Continued Town Council Meeting Minutes from June 26th, 2017.

Town Attorney – Mr. Mayor and members of Council, I recommend approval as presented.

Vice Mayor Gregory – So moved.

Councilman Pack – Second.

Mayor Williams – A motion has been made and properly seconded. All in favor say aye, opposed say nay.

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

Mayor Williams – Our next item is a Motion to Accept the Nominating Committee's Recommendation to Fill the Expiring Term of Clem Batten (6-30-2017) for the Board of Zoning Appeals. We will have consideration by Mr. Michael Smith and Ms. Connie Chapman.

Councilman Smith – Thank you, Mr. Mayor. Ms. Chapman and I have talked about this for a long time. Mr. Batten has been on this committee for a very long time. He is almost ninety (90) years old. With those thoughts, I was thinking about my father who is turning eighty-nine (89) this August. To be active in a community, like my father and Clem are, I think it is important that we not think that their minds are gone. Sometimes, I think mine is. I know my father's is. What I understand about elderly

people is that they understand their mindset of what they came through and what they went through and where they have been and what they want to do with future generations. Even though sometimes they may seem lackadaisical, it is important to them to be part of this community. I talked to Clem the other day at length and it was almost like he did not want to accept the idea that somebody was going to take his place. Therefore, Ms. Chapman and I discussed this and we do not want anybody taking his place. He will probably be ninety-three (93) at the end of this term; but we had a great talk. He reminded me that he does not do much anyway. His spirit and dedication to this town means a lot. He said he would serve one (1) more term and then step down. Tonight, I would like to reaffirm his appointment for the Board of Zoning Appeals and keep him in place. I would like to make a motion that Mr. Clem Batten continue his expertise as a Board of Zoning Appeals member.

Councilwoman Tynes – Second.

Town Attorney – For the record, this is a recommendation to the Circuit Court.

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

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

Mayor Williams – Congratulations to Mr. Batten on another term. Thank you for what you do for this town. We really do appreciate it. Our next item is New Business. We have Additional Invoices Requiring Council Authorization: Kimley Horn Associates for \$15,798.86.

Councilman Pack – Thank you, Mr. Mayor. We have another invoice for Kimley Horn Associates for all three (3) urban fund projects they have been working on with us with some of our highway money. It is for the Route 258 right turn lane going into the ballparks, for the analysis of the continuation of Phase III of the Nike Park Trail from Battery Park Road to the Smithfield Station Bridge, and for the intersection improvement alternatives where South Church Street meets the bypass at Route 10. They have done some work for us that we asked them to do. This is their invoice for doing said work of \$15,798.86. I would like to make a motion that we approve this invoice as presented this evening.

Vice Mayor Gregory – Second.

Mayor Williams – A motion has been made and properly seconded. Is there any further discussion? Hearing none, roll call vote.

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

Mayor Williams – We will now move to Old Business. We will have an Update on the Windsor Castle Restoration Project by Dr. Milton Cook.

Councilman Dr. Cook – This is the monthly update on the restoration of Windsor Castle. To date, the kitchen and smokehouse are complete. Four (4) of the barns are ninety (90%) percent complete on the facades. Three (3) of those need roof repairs. We have not begun work yet on the log crib or the farm office. The archeological survey between the north outbuildings and the vineyard did not uncover anything of significance. We did not expect it to because it is just dirt that has been windblown across the field and piling up against the barns. Excavation for a drainage swale can begin this month. On the manor house, there are new gutters installed to get the rainwater away from the foundation and away from the house. Excavation work will remove the bushes near the foundation and build up a slope at the foundation to lead water away from the basement. It is one of our big issues in the house; water intrusion. Excavation work will continue to remove the foundation of the two (2) wings. If you have driven by there, you have seen that there is no longer a kitchen. This will wrap up Phase I of work on the manor house. On the caretaker's house, half of the siding has been repaired or restored and painting is underway. Half of the window frames and sills have been repaired and some windows have already been replaced. Next, we will re-install the front porch, the kitchen porch, and install a new roof on the kitchen wing of the caretaker's house. Does anyone have any questions? Thank you.

Mayor Williams – Thank you, Dr. Cook. Ladies and gentleman, we will now go into a Closed Session for personnel matters. We thank you all for coming out tonight; especially the new Chief's family.

Town Attorney – Mr. Mayor, we need a motion to go into closed session for the purpose of discussing personnel matters pursuant to section 2.2-3711A-1 of the Code of Virginia.

Councilwoman Chapman – So moved.

Vice Mayor Gregory – Second.

Mayor Williams – A motion has been made and properly seconded. All in favor say aye, opposed say nay.

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

Town Council went into closed session at 8:22 p.m.

Town Council returned to open session at 9:15 p.m.

Town Attorney – Mr. Mayor, we need a motion that during the closed session there was only a discussion of personnel matters pursuant to 2.2-3711A-1 of the Code of Virginia.

Vice Mayor Gregory – So moved.

Councilwoman Chapman – Second.

Mayor Williams – A motion has been made and properly seconded. All in favor say aye, opposed say nay.

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

Mayor Williams – We are back in open session. The next item on the agenda is the Motion to Approve the Annual Contract and Amendment of the Town Manager's Employment Agreement.

Vice Mayor Gregory – So moved.

Councilman Dr. Cook – Second.

A motion has been made and properly seconded. Is there any further discussion? We have all read the contract. Everybody knows what it is. It is really the same as last year. Everything is about the same except the location for the ICMA Conference. It will

be in Texas this year. There is also a two (2%) cost of living increase just like everyone else received. Hearing none, roll call vote.

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

Mayor Williams – The motion carries unanimously. Is there anything else to come before Council?

Councilwoman Tynes – Mayor Williams, I want to say something. I should have said it earlier; but I just thought about it. Last week, I met with the Town Manager. At the beginning of the process of going through the hiring of our new Chief of Police, there were several Council members who had some concerns as far as the Chief living within the town or not. I just wanted to let everyone know that the Town Manager did address that. At our meeting, he said that monies that we used to renovate the old rescue building provided facilities in there if there is a need for the Chief to stay in town. He currently lives in Surry County; but if he needs to be here he is willing to stay in town. They have facilities for that to happen. I just wanted to address that with you. It will not be a big issue if he needs to be here in town for anything.

Mayor Williams – Thank you. Is there anything else to come before Council? Hearing none, thank you very much ladies and gentlemen; we stand adjourned.

The meeting was adjourned at 9:18 p.m.



Mr. T. Carter Williams
Mayor



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