

The Smithfield Town Council held its regular meeting on Tuesday, January 8th, 2019. The meeting was called to order at 7:30 p.m. Members present were Mr. T. Carter Williams, Mayor; Mr. Michael Smith, Vice Mayor; Mrs. Denise Tynes, Mr. Randy Pack, Mrs. Valerie Butler, Mr. Wayne Hall, and Ms. Beth Haywood. Staff members present were Mr. Brian S. Thrower, Town Manager; Mrs. Lesley King, Town Clerk; Mr. William G. Saunders IV, Director of Planning, Engineering and Public Works; Ms. Ellen Minga, Town Treasurer; Mr. William H. Riddick, III, Town Attorney; Mrs. Ashley Rogers; Director of Human Resources, Mrs. Amy Novak, Director of Parks and Recreation, Ms. Judy Winslow, Director of Tourism; Mr. Bill Davidson, Planning Commission member; Mr. Alonzo Howell, Chief of Police; Mr. John Settle, Planning and Zoning Administrator; Officer Paul Jones, and Officer William Wooley of the Smithfield Police Department. There were approximately twenty-five (25) citizens present. The media was represented by Mr. Frederic Lee of the Smithfield Times.

Mayor Williams – Good evening ladies and gentlemen. Welcome to the Smithfield Town Council meeting of January 8th, 2019. It is now 7:30 p.m. I want to thank all of you for coming out tonight and wish you a very happy new year. I hope 2019 is very prosperous. We have with us tonight Miss Sandy Emrick from West Side Elementary who will lead us in the Pledge.

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

Mayor Williams – Thank you. The first order of business tonight is our Informational Section starting with the Manager's Report with Mr. Brian Thrower.

Town Manager – Honorable Mayor and Council, the December Activity Report is in your packet. I will be glad to answer any questions you may have regarding that. We are also pleased to announce that we have a couple of new employees here tonight that we would like to introduce. Chief Alonzo Howell will introduce our new officer.

Chief Howell – Mr. Mayor and members of the audience, it gives me great pleasure to present to you all tonight the newest officer that has joined the ranks of the Smithfield Police Department; Mr. Paul Jones. Mr. Jones is a native of Isle of Wight County. He comes to us from the Hampton Sheriff's Department. He was hired in June and has recently graduated from the Police Academy on November 20th. Since that time until this time, he has been in FTO training and learning how to utilize the tools he

learned in the Academy. We are pleased to add Mr. Jones to the ranks of the Smithfield Police Department. I would like to present him to you all tonight.

Town Manager – Thank you Chief Howell. We have our Director of Planning, Engineering and Public Works, Mr. William Saunders, to introduce our new Planning and Zoning Administrator.

Director of Planning, Engineering and Public Works – Good evening Mr. Mayor and members of Council. I am very glad to introduce Mr. John Settle. He is our new Planning and Zoning Administrator. He has been with the town for a few months but this is his first time presenting in front of Council. He has a public hearing he will present tonight. We are glad to have him. He has a good bit of experience, education, and a good head on his shoulders. We are very happy to have him with us.

Mayor Williams – We will now move to Public Comments. The public is invited to speak to Council on any matter except for scheduled public hearings. We have two this evening. Comments are limited to five minutes per person please. Any required response from the town will be provided in writing following the meeting if you so desire. Please state your name and address as you come to the podium. Do we have anyone who would like to come up for public comments?

Town Manager – First up is Mr. Greg Vassilakos.

Mr. Vassilakos – I am here to talk about the bike trail. I brought with me a document. You may have already seen this but in case you have not it is the Birthplace of America Trail Study. It is prepared by VDOT and the Hampton Roads Transportation Planning Organization. This document describes two multi-use bike trails. One would go from Williamsburg to the tip of the Peninsula starting at the end of the Capital Trail which extends all the way from Williamsburg to Richmond. The other branch of this would extend from the ferry in Surry down through Isle of Wight County to Suffolk. If you read through this document, most segments of the trail have two or three alternatives. They give a preferred alternative. There is one segment of the trail in Smithfield where they give no alternatives. They just have one option shown which is going from the intersection of Main Street and South Church Street going toward Battery Park Road. The trail is on South Church Street. Based on this, the action that I think the town should be taking is, first, make a firm decision that the extension of the Park to Park Trail should go along South Church Street. It should be a bike trail which is at least eight

feet wide so that two bikes can pass at speed. Once you have made those decisions, you should get a consultant to draw up a preliminary design and then go to Richmond. Let them know you are ready to start the first segment of the trail and please give the town some money. Beyond that, I wanted to touch on one other aspect of the trail. It is the segment from Royal Farms to the Villas of Smithfield. Presently, it is just a sidewalk which is about five feet wide I believe. It is really going to be a problem. I hope when the town builds the extension of the trail that they will address that and widen it to at least eight feet. The final comment on this is that there are at least two traffic circles being planned in this area. One is at Battery Park Road and Nike Park Road. The other is on Route 10 at Gumwood Drive which is right by the Rite Aid. Traffic circles and pedestrians do not mix. The whole point of the traffic circle is to avoid putting in a traffic light. There would be a lot of pedestrian traffic because the preferred place for this Birthplace of America Trail is to exit town on South Church Street and turn onto Route 10 and continue down Route 10 to Suffolk. This would go right past the Gumwood intersection. Of course, we have the bike trail that is being built now that goes through the intersection of Battery Park Road and Nike Park Road. Any bikes trying to get on it from the Battery Park area would have to navigate that traffic circle. If you go up to Washington D. C., you can see what happens where there are traffic circles and a lot of pedestrian traffic. If you go to DuPont Circle, there is a traffic light at every intersection on the traffic circle. If you want to make a left turn, you have to navigate five traffic lights. No one I have talked to likes the idea of having traffic circles. VDOT is intent that they should be considered as an option. It needs to be pointed out that there will not be any savings by avoiding putting in a traffic light if you have a lot of pedestrian and bike traffic going through the intersection. Thank you.

Town Manager – The next speaker is Mrs. Cristin Emrick.

Mrs. Emrick – Hello everyone. I live here in Smithfield. I have a lot of information. I know I only have five minutes so I am going to go through it rather quickly. Most of you that know me know that I really like to talk. I promise I will try to keep it brief. My husband and I have owned a home in Smithfield for over ten years. I have owned a business. My children are in local schools and sports. My family volunteers for numerous local organizations. I was honored to be named the 2018 Isle of Wight County Citizen of the Year as well as being a Smithfield Community Ambassador. I am

not telling you these things to boast. I share them with you so that you understand my commitment to my community. Despite the fact that I am a Yankee, please forgive me since I did not have any control over that. I am speaking to you tonight to urge you to fund the remaining segment of the Park to Park Trail. Because of the efforts of the county government and involved citizens, the first two segments are nearing completion. Segment 1 along Battery Park Road is slated to be opened by the end of February. Segment 2 should be completed by December 2019. Through the use of Tap Grants, VDOT Revenue Sharing Grants, and Federal Highway Transportation Enhancement Grants the county was able to secure over 60% of the funds for those two segments leaving them to commit just 40% to invest back into their community to build the segments. Based on the combined experiences and resources of our Council members and town government, I see no reason we could not follow suit. Once the entire trail is completed, it will connect more than eight thousand households to more than ten miles of trails as well as shopping and government facilities. Our town is a collection right now of communities with no ability to safely walk even short distances between neighborhoods or access shopping and recreation facilities. Numbers matter here. As any math and statistic student knows, this is usually the part where we are going to lose people but please bear with me because these numbers are important. In reference to concerns from property and business owners, I offer you this. According to the 2016 Urban Land Institute Study, values of properties located within one block of the Indianapolis Cultural Trail soared since the trail opened in 2013. Studies completed in Denver, Seattle, and other communities across the country have consistently found that proximity to this type of amenity increases the values of homes and businesses alike. I have more data on the impact of trails to nearby residents. According to the Virginia Department of Health, 31% of our county residents are considered obese. As we all know, obesity leads to an onslaught of other health issues which also leads to increased costs to our community. Research shows that providing easy access to multi-use paths increases the level of physical activity in a community which in turn will lead to healthier residents. The Indiana Trail Study surveyed users on six different trails in their state. In every location, over 70% of the people reported they were getting more exercise as a direct result. In a 2009 national survey, 88% of rural Americans said that pedestrian friendly transportation was important to them. Many people have been calling this a bike

trail. I want to discourage that. It is not only that. This is a multi-use trail that will be used by many people including cyclists. I do not think you will see riders now as you do on the road. This trail is perfect for leisure riding and children piloting their bikes while out with their families. You will also see cyclists who, right now, do not ride their bike on the road for fear of traffic. Americans spend more money on cycling each year than they do on airline travel. I know this personally. I have actually started paying for all of my bike and cycling equipment in cash so my husband does not actually understand what I pay for this hobby. My fear is that, when I die, Eric will sell my bikes for what I told him I paid for them. The bottom line is that trail based tourism is a major economic driver in small communities supporting small local businesses through annual revenue of millions of dollars per trail in direct consumer spending. I could spout statistics all day. There have been many studies done to show the positive impact trails have in the communities. The pros far outweigh the cons. In 2013, our own Town Council signed a resolution promising to fund the trail because you knew that too. There are always projects out there competing for space in the budget. I ask you to support this one as you have resolved to do and make our community stronger and more beautiful. I have confidence in all of our elected Council members to once again secure and keep funding to bridge the gap between Windsor Castle and the current end of the trail. I do know there are a few people here who came to support this project. If you would like to be acknowledged, you can go ahead and stand now. (Approximately seven people stood in support) I appreciate your time. Thank you so much.

Town Manager – Our next speaker is Ms. Dawn Riddle.

Ms. Riddle – Good evening and happy New Year. I am here specifically to comment on the Wombwell House; one of two of our oldest and most at risk historic homes in the town and county at large. In a professional capacity, I have been the manager of an adaptive historic home tourism oriented business for over fifteen years now on the heart of Main Street in Smithfield. I am definitely committed to this community. There are many, many comments that I can attest to, statements online, social media, and reviews about how important and attractive our history is. It is why people come to Smithfield. It is the hallmark effect and we are our history. It is our branding and we are our genuine history. The Wombwell house is one of the two. The other is the 1730's Pierceville house. In a personal capacity, it is a travesty of

mismanagement to allow the Wombwell House to be destroyed. It is a travesty of mismanagement to the town that you are elected to serve and support. Thank you.

Town Manager – The next speaker on the list is Mr. Albert Burckard.

Mr. Burckard – Mr. Mayor and members of Town Council, you know I am not a resident of the town but I can claim to be, I think, an honorary member. When you go into the Visitor Center, I am on the television 24/7. In fact, they see so much of me they are complaining they want to make another tape. Before I get into what I want to talk about, I am getting to the point that I only want to speak positively when speaking in public. I want to remind all of the folks here in support of the bike trail that the last time I spoke here I spoke positively for the trail. I encouraged it to be completed. The reason I am here tonight is to speak for the Isle of Wight County Historical Society. We have joined with Preserve Smithfield, at our last meeting, to support and circulate a petition to encourage the town to conserve, preserve and save the Wombwell House. I cannot add much to what the words of the petition were. You probably read them in the Smithfield Times. Thomas Wombwell was the very first Clerk of the Court. We are not 100% sure there is a direct line between him and Dr. Jordan Wombwell who built the house in the 1820's but it is certainly one of the more significant houses in the county and town. It was not originally in the town. We circulated a petition which included everyone that we talked to. We told them that it would be made public and I asked everyone if we could read their names. We recorded all the names. We typed up the petition and I will pass it out to each of you. The petition is pretty clear. We are asking you to please give us a year to do something and do not be eager to demolish it. We would offer as a little incentive that we are pretty sure there is a cemetery behind the house possibly between the house and the school. Right now, the Historical Society is considering paying for ground penetrating radar. We have another site we are interested in. We would offer that we would share with you the cost of that ground penetrating radar perhaps to also do Windsor Castle as well as the Wombwell House to see if we can find that cemetery. Notice that there are actually two Wombwells on the petition. I highlighted those for you. One is related to Thomas Wombwell. There are actually one hundred twenty-two names on there. All of them do not mind being made public. Again, I am speaking officially for the Isle of Wight County Society and we have teamed up with Preserve Smithfield. Thank you.

Town Manager – Our next signup is Ms. Leah Dempsey.

Ms. Dempsey – Good evening. I live off of Fenwood Court off of Nike Park Road. I am here also to speak in favor of the Park to Park Trail. I have been a part of the park to park trail efforts since 1999. It has been twenty years in the making along with town and county staff members and individuals who represented different districts in the county. The town and county worked together to create the countywide Bike and Pedestrian Plan a number of years ago. The route of the Park to Park Trail was identified as the highest priority for what it would accomplish for both town residents and the county. With over eight thousand households along the trail, it would connect with services, shopping, and restaurant facilities along the way with the 4.2 mile trail from Nike District Park into downtown Smithfield. Because of what that 4.2 mile trail accomplished for both pedestrians and bikers, there was unprecedented funding from Federal funds and the Commonwealth's Transportation Board during that period of time when we sought the grants with both the county and town's permission. You have to go to all municipalities and governments to move forward with the grant application to the state. In 2013 Mrs. Emrick noted that Mayor Williams signed a resolution on behalf of the Town Council at that time to allocate the unused balance of the Urban Funds to Segment 3. Segment 3 is the only segment now unfunded. It goes from Battery Park Road up into Windsor Castle Park that was developed after the grant applications were sent in and were funded. The resolution was to allocate all of the unused Urban Funds. My understanding of that at the time was that it was approximately \$1.2 million. It would cover the estimated cost of construction of that .7 mile trail. My understanding at this time is that much of those funds have been siphoned off for other projects. I suspect those projects had more of a champion in previous Town Council meetings or in community groups. There is less money than would be needed, at this point, in those funds for construction of the last segment of the trail. Segment 3 which is .7 miles now has more significance than when we applied for the grants since Segment 3 will now connect with the Smithfield sidewalk project. This would take residents from both the county and the town all the way out to the Joseph W. Luter, Jr. Sports Complex. It is the only piece that is not fully funded of that entire bike trail that would carry individuals from Nike District Park all the way out to the sports complex. I would encourage your support. I understand funding will be an issue at this point given the amount left in the Urban

Funds that would be available. I would encourage your support of the town staff to work with county staff who has overcome many, many obstacles related to funding this particular project. The bridge over Jones Creek, for example, came in at a much higher price than originally thought because of protected wildlife in the area. County staff has both the resources and individuals who are used to working with VDOT to secure additional funds and grants. Again, this particular segment has more significance now that it connects more recreation areas and households in Isle of Wight County and Smithfield. Thank you all very much.

Town Manager – The next speaker is Mr. Dennis Arinello.

Mr. Arinello – Good evening Mr. Mayor and members of Town Council. I am representing Preserve Smithfield and I, too, want to talk on behalf of the Wombwell House. I have a letter that I would like to read to you. It comes to us from the Department of Historic Resources. It was written by Mr. Marc Wagner who is the Senior Architectural Historian for the Eastern Region Preservation Office. This letter was addressed to Mr. Trey Gwaltney who is the Chairman for the Board of Historic and Architectural Review in reference to the Wombwell House. It states: “The Virginia Department of Historic Resources recently received information regarding the ongoing neglect and potential demolition of the Dr. Jordan Wombwell House. It is our understanding that the town-owned building is located in a public park where there are facility plans for the house site and possible intentions to demolish the building. On a recent visit to Smithfield, I assessed the condition of the building, informally, and it is my opinion that the house has potential for state/national historic registers. Smithfield’s identity is deeply rooted in eighteenth and nineteenth century history and architecture. When built, the Wombwell House would have been at the edge of the core area of the historic town. As a Greek Revival style vernacular farmhouse, it is a complement to the town’s more urban architectural. The house is part of the area’s antebellum history and survived the Civil War. While Virginia and the Tidewater region have a number of surviving Greek Revival style farmhouses, the Wombwell House adds to the cultural depth of Smithfield and the architectural diversity that attracts visitors; it also adds to a built landscape that makes the town a quality living environment. We should not take these pre-1860 buildings for granted. The stock of these houses continues to diminish statewide and as they disappear, we lose our touchstone with that era. While I did not

inspect all sections of the building, it appears to be in stable condition, though I was made aware that the house was used for government training, resulting in holes in the formerly water tight roof. The building generally appears to be secure and does not pose a public hazard as seen during my informal inspection. I urge the Town of Smithfield to explore all options to retain the building. I am aware that Preserve Smithfield and the Isle of Wight County Historical Society have expressed interest in moving the building and/or exploring other use options. It is important to allow a full public consideration of the property. It may help to conduct an architectural documentation of the building as well, and confirm the history of the house. The house may have some role, for instance, in the Civil War activities that took place in Smithfield. AS a participant in the Certified Local Government (CLG) program, the Town of Smithfield, as you know, is committed to the promotion and preservation of its historic sites and districts. Under the CLG banner, the town established an ordinance protecting historic resources within its local historic district; one that requires property owners to meet certain standards when it comes to proposing exterior changes to their historic buildings. In the case of this project, DHR hopes along with others in the community, that the town will follow these same standards and act as an example to other property owners within the historic district. The Wombwell House presents a great opportunity for the town to promote creative and adaptive reuses of buildings and set a solid example for community historic preservation. We encourage the town to take this opportunity to maintain a high standard for Certified Local Government stewardship. The Virginia Department of Historic Resources strongly endorses the preservation of the Wombwell House. We hope the Town of Smithfield undertakes careful consideration of its stewardship of the historic property.” They are more than happy to help us in our endeavor. I thank you for your time and thank you for listening. Some of the names are off so I would like to give this to the Director of Planning, Engineering and Public Works so he has a copy. Thank you.

Ms. Betty Clark – Good evening. I am going to read something that I hope will be a letter to the editor in tomorrow’s paper. I would like to thank John Edwards for setting the record straight in the Short Rows section of the Smithfield Times the week of December 19th. It is past time for the Town Council to work for the people in open meetings. There have been too many closed door sessions. The latest attack on Denise

Tynes was inexcusable. Mayor Williams should have stopped Randy Pack's attack on Mrs. Tynes. If the Mayor did not know the law and allowed the attack then possibly the Town Attorney, Bill Riddick, should have stepped in to halt the attack. Since all three of these men did not seem to know the law, I suggest that all three resign their positions effective immediately. We need Town Council persons who will work together for the people of Smithfield and not stab a fellow Council member in the back. Except for the three new Council persons and Mrs. Tynes, this Town Council has not been willing to work to save our history. Mrs. Tynes has tried to follow the historic ordinance but has been bullied as witnessed at the December meeting. The Wombwell House is owned by the town and should be protected; yet the Town Council wants to allow the Fire Department to burn it for practice. Also, the Pierceville house is a Dutch Colonial 1730's house which sits in disrepair because the town will not insist that the owners fulfill their mandated responsibility. We need people on the Town Council who will follow the town ordinances. If the Council had worked as hard to preserve the historic houses as they have worked not to save them, we would have two more show places to add to our list of historic homes in Smithfield. It is a pity. We have a Mayor who has broken into a Bed & Breakfast just six months after my daughter died and now we have a Town Council member who goes after another Council member and other Council members sat here and did nothing. You ought to be ashamed of yourselves.

Town Manager – The next speaker is Mr. Mark Gay.

Mr. Gay – Good evening members of Council and Mr. Thrower. The central argument of my initial remarks tonight about the importance of preserving historical town structures has already been made by previous speakers in spades. I strongly endorse the comments of previous speakers and would like to think that the majority among you will reconsider the appropriate next steps. Certainly, it would be easy to rationalize continuing the path you have chosen thus far. I have seen the email traffic this weekend, Mr. Thrower, to raze the Wombwell House because you did not have the foresight to plan for its proper preservation and to allow the Pierce home and outbuildings to simply collapse despite the town's stringent ordinances and the expressed will of many of its people these past four years who have come forward and made very positive statements about its preservation. To quote the movie character, Forrest Gump, "stupid is as stupid does." There are two additional topics that I would

like to address briefly. One is the Council's near habitual use of closed sessions that violate both the intent and letter of the state code and public law. In the process, my belief is that you and your immediate Council predecessors have obligated our citizens to more than four million dollars of indebtedness to your pet projects siting dangling golden objects of grant monies and gift horses that you grabbed eagerly behind closed doors without a coherent business plan to support any of them. We all know from the recent instruction from the editor of the Smithfield Times that closed sessions are governed strictly by the state code and the Freedom of Information Act; a fact that has been ignored all too often and paid lip service to by a number of Councilman, staff, and veterans sitting at this head table. As we begin the new year, I urge each of you to aspire to a greater transparency of process. Lastly, I am personally and deeply troubled by the recent accusations made last month by a standing Council member against one of your own. She is a respected Councilwoman of strong character, high integrity, and unwavering sense of duty to the people of Smithfield; all the people of Smithfield. Not only was the attack misguided, inaccurate, and unwarranted; but it was apparently coordinated ahead of time with several of you. Not one of you summoned the personal courage to object. The fact that Mrs. Tynes was acting in full accordance with the laws of Virginia and an expectation of the laws of Virginia ought to cause each of you to look within yourselves. My belief is that she has earned an apology from each of you. Thank you.

Mayor Williams – Those are all we have signed up for public comments. Is there anyone else who would like to come forward to speak?

Mr. Bob Hines – I live at 216 Washington Street. Ms. Clark asked me to hand you the addendum with the signatures pertaining to the Wombwell House. She forgot to give them to you. I have a couple of things. Maybe it is an optical illusion but the football field at the new facility does not seem to be level. It seemed a little strange to me. As for the bike trail, the bridge needs to be cleaned more than it is. I ride across there every once in a while and there is a lot of debris at the edges of the road. It somehow needs to be cleaned because that is not very biker friendly. I have ridden the Capital Trail a couple of times from Charles City to Jamestown which is about twenty miles. What I can tell you is that you see people out there riding bicycles on the street and they are moving right along. Some of them are going to do that on the bike trail here in town. If it is not

wide enough, it can be dangerous. You had better watch what you are doing and stay to the right. If it is not wide enough, passing either way can be a problem. I grew up in Newport News and traffic circles were a fiasco. I remember the ones that were there; what a zoo. I came across a traffic circle traveling through New Jersey in a remote area and there was no problem. I guess they put it there to not have stop signs. VDOT did away with that but here we are talking about putting one here. As we expand and the roads need to get wider, you are talking about another fiasco that will, in the future, will have to be undone at another big expense. For anyone that has been here for a long time, you know what Mercury Boulevard used to be and what it was. It was a total fiasco. Do not do it. Thank you.

Mr. Bill Davidson – I live at 725 West Andrews Crossing in Smithfield. When I read John Edwards editorial, I was going to write a letter to the editor which I did not do. I am very sorry that I did not. The attack on Mr. Pack is absolutely ridiculous. I was at the meeting. I have been to virtually every meeting since I moved here in 2012. Mr. Pack never mentioned Denise Tynes by name. I had to find out later what was happening by reading John Edwards remarks. To have Betty Clark and Mark Gay get up and attack this Council is absolutely ridiculous and I beg to differ; I think they should be making the apologies not the Town Council.

Mayor Williams – Is there anyone else who would like to speak? Hearing none, we will move to our Briefing by Randy Keaton, County Administrator. Mr. Grice is not here to give his report. We are honored to have the County Administrator with us tonight.

County Administrator – Thank you. Mr. Grice asked me to fill in since he could not be here tonight. Mr. Grice and I share a lot in common. We both work for the county. We both live in Smithfield but I shaved my beard at the end of November. I wanted to give you a briefing. At the last meeting, the Board of Supervisors elected a new Chairman and Vice Chairman. Supervisor McCarty is the new Chairman and Supervisor Acre is the new Vice Chairman. They will be leading our Board going forward this year. We have a couple of interesting things I would like to make the public aware of as well as the Town Council. We have a public information session on Thursday about the new Juvenile Justice facility that is planned for Route 258 just outside of Windsor. We will have two sessions mostly with the same format that we did for the Comprehensive Plan.

We will have a 3:00 p.m. until 5:00 p.m. session and a 6:00 p.m. until 8:00 p.m. session.

These will be at the new Windsor Town Center at the old middle school gymnasium behind the Georgia Tyler Middle School. We will be going over the plans for the facility.

We will have Mr. Andy Block from Juvenile Justice to talk about the project, what it will bring to the community, and the concept design for the facility. There is not a design for

it yet. We are hoping to get a lot of questions answered. We will be there to answer questions as well. We will have a lot of information about similar facilities around the

state. I do want to give you a bit of good news about the International Paper court case update. It was in the paper last week. It has been an ongoing issue about the real estate

assessment. I think it goes back to 2011 or 2012. The county had actually placed aside a little over \$3,000,000.00 in an escrow account in case that ruling went against us.

Thankfully, it did not. We are paying about \$150,000.00 for a small double assessment on the property. Otherwise, the judge dismissed the case. They have not appealed it.

The case is over. It was a very good ruling for the county. We are very thankful for that.

It frees up some money that had been placed aside. Lastly, I wanted to update you on the E911 Communications System. I see that the Smithfield Police Department has their

new radios in place. They were actually the first ones to deploy the new 800 MHz radio system. It has been going extremely well. They were the guinea pigs so to speak. We

appreciate you taking on that duty. Since then, the Isle of Wight Rescue Squad and the Carrollton Fire Department were completing their installations today. Part of the Sheriff's

Department has been done. They are doing it in phases as shifts come onboard. The Smithfield Fire Department will be done later this week. We are anticipating that at the

end of next week we will have all of the northern part of the area done. We will then move into the school system. All of the buses will be getting these new radios. Everyone

will be deployed by the end of January. We are very excited about that. How has the system been working Chief Howell?

Chief Howell – I have heard nothing but compliments in reference to the new radio system.

County Administrator – I know the dispatchers have said that they can finally hear everyone now. We are pleased with that. If there are any questions, I will be glad to answer them. If not, thank you for listening.

Mayor Williams – Thank you Mr. Keaton. We appreciate you coming by. We will now move to Council Comments. I would like to say a few things. First of all, I want to recognize Ms. Annika Eng who is with us again tonight. We also have Mr. Jefferson with the Isle of Wight Board of Supervisors. It is good to see you. I would also like to recognize five women in this audience that play a big, big role in this town. They do a wonderful job. I would like to recognize them for the years they have been with us: Mrs. Amy Novak, Ms. Judy Winslow, Ms. Ellen Minga, Mrs. Ashley Rogers, and Mrs. Lesley King. Thank you all for what you do. Without them, I do not know what we would do. Are there any further Council comments? Hearing none, we will move to our Summary of the Consent Agenda Items. We have four items tonight. Would any Council member like to pull any of these items?

Councilman Pack – Could we please pull item C4 for further discussion.

Mayor Williams – We will pull item C4. For our first item, we have the Finance Committee Chairman, Mr. Randy Pack.

Councilman Pack – Finance Committee Summary. Thank you, Mr. Mayor. We have invoices in excess of \$10,000.00 that require Council authorization. The first is to Isle of Wight County for the E911 budget for \$68,821.50. This is the halfway mark where we pay our portion. The second invoice is similar for Tourism for \$127,749.50. The next item is to Xylem for a portable bypass pump that helps keep our sewers from overflowing when one of our pumps goes down. It is for \$17,819.34. Since our Finance Committee meeting, we have had four additional invoices. The first is for Kimley Horn Associates for \$10,031.87 for the intersection improvement analysis. The next item is to Robinson Farmer Cox Associates for \$26,000.00 for our annual audit. We did very well on it. We also have Draper Aden Associates for our sewer assessment. It is our find and fix for the sewer assessment here in town. The invoice is for \$34,728.50. The last invoice is to Docks of the Bay, LLC for \$137,750.00. It is a progress payment for the boat ramp. We recommend that the invoices be approved by Council this evening.

Mayor Williams – We will now move to our Parks and Recreation Committee Chairman, Mr. Wayne Hall.

Councilman Hall – Parks and Recreation Committee Summary. Thank you, Mr. Mayor. During the Committee meeting, Town Council determined that it is in the best interest of the town to accumulate funds for the preservation of the Windsor Castle Park

Historic Easement. Preservation includes but is not limited to repair and maintenance within all buildings and grounds within the historic easement as well as the purchase of materials, equipment and supplies for said use. Also, the Town Manager can also approve expenditures in situations where both the Windsor Castle Park Historic Easement and Windsor Castle Park as a whole jointly benefit from use of said funds.

Mayor Williams – We will move to the Public Works Committee Chair, Ms. Beth Haywood.

Councilwoman Haywood – Public Works Committee Summary. We have a motion to accept Bishops Reach into the town’s maintenance system so that we can receive any funding that VDOT will help us with. We like to get all the funding that we can.

Mayor Williams – We have heard all three items. We pulled item C4.

Councilman Hall – I would like to make the motion to approve the consent agenda items except for C4.

C1. Invoices Over \$10,000 Requiring Council Authorization:

a. IOW County – E911 Budget	\$ 68,821.50
b. IOW County – Tourism	\$127,749.50
c. Xylem (portable bypass pump)	\$ 17,819.34
<u>Additional Invoices Received</u>	
d. Kimley Horn Associates	\$ 10,031.87
e. Robinson Farmer Cox Associates, PLLC	\$ 26,000.00
f. Draper Aden Associates	\$ 34,728.50
g. Docks of the Bay, LLC	\$137,750.00

C2. Motion to Amend the Language in Regards to the Use of Funds from the Historic Windsor Castle Park Preservation Fund

C3. Motion to Accept Bishops Reach into the Town’s Maintenance System

C4. Pulled from Consent Agenda

Vice Mayor Smith – 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 Tynes voted aye, Councilman Hall voted aye, Councilman Pack voted aye, Councilwoman Butler voted aye, Councilwoman Haywood voted aye, Vice Mayor Smith voted aye, and Mayor Williams voted aye. There were no votes against the motion. The motion passed.

Mayor Williams – We will now move to item C4 which is a Request to Change the Start Time of the Town Council’s Monthly Meeting to 6:30 p.m.

Councilwoman Butler – This was a request that was presented at our last Committee meeting by town staff. The request is to move the meeting from 7:30 p.m. to 6:30 p.m. It was the consensus of Council at our committee meeting. It also brings us in line with other groups meeting times as well as the county Board of Supervisors meeting. It will give staff the opportunity to be able to get home a little earlier. We would like to make a motion to change the start time from 7:30 p.m. to 6:30 p.m.

Vice Mayor Smith – Second.

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

Councilman Pack – My concern with moving the meeting time to 6:30 p.m. is twofold. I think it is important to give the public all the opportunity in the world to get to the meetings. If anyone is coming from out of town, they may have a difficult time getting here by 6:30 p.m. Secondly, on the rare occasion we have to move our Town Council meeting as we did tonight 6:30 p.m. is our regular time for our Planning Commission meeting. There may be conflicts with other meetings. I do not know that we have worked out a plan but I am sure we could. We are intelligent folks. I just wanted to bring that to our attention since it would potentially conflict when we have to move our meeting. I like the continuity of 7:30 p.m. I like to give folks the opportunity to get home and be able to come to the meeting. It is why I am asking to keep the meetings at 7:30 p.m. I am probably the only one with that opinion but that is okay.

Mayor Williams – Are there any other comments?

Councilman Hall – I like the change to 6:30 p.m. myself.

Councilwoman Butler – I think Councilman Pack has a valid point about having to change our meeting date from the regular time per month as we did tonight. We have always been able to make some type of adjustment. Hopefully, when that occurs, we can give enough notice to the public so it will not be an imposition on them.

Councilwoman Haywood – We could always compromise with a 7:00 p.m. start time.

Councilwoman Butler – My other observation is that the Planning Commission only meets when needed.

Councilman Pack – Yes but that is usually ten times per year. We did not have a meeting tonight.

Mayor Williams – Is there any further discussion? Hearing none, roll call vote.

On call for the vote, seven members were present. Councilwoman Butler voted aye, Vice Mayor Smith voted aye, Councilman Pack voted nay, Councilman Hall voted aye, Councilwoman Tynes voted aye, Councilwoman Haywood voted aye, and Mayor Williams abstained. There was one vote against the motion and one abstention. The motion passed.

Mayor Williams – The motion passes. We will now move to the Action Section of the agenda. We have a Public Hearing: Special Use Permit. Could we have a staff report please?

Planning and Zoning Administrator – Thank you Mr. Mayor and Council. Tonight, we have a special use permit application submitted by Moody Properties, Inc. It is for Lots 64, 65, 66, and 67 on the south side of Carver Avenue and Pinewood Heights. The applicant is seeking to operate a business services and supplies establishment on the premises with an outdoor storage accessory use in the form of a laydown yard. Any use requiring outdoor storage, loading, or display within the Commercial/Industrial Zoning District requires a special use permit as per the Smithfield Zoning Ordinance. Specifically, the applicant intends to store trailers, Conex boxes, dumpsters, excavators, trucks, recreational vehicles and boats on the site. The applicant wanted to make it very clear that trailers would seldom be stored overnight while full of refuse. They would almost always be dumped at the dump site immediately south of the property in question. When examining this application within the context of the Comprehensive Plan and the Future Land Use Map, it indicates that this property is to be zoned for heavy industrial uses in the future which would encompass this specific use of a laydown yard. The staff report includes recommended conditions to accompany an approval. The first concerns a lot consolidation. Since this was circulated, the applicant did record a lot consolidation plat with the county. In essence, this condition has already been satisfied. The other condition concerns a landscaping bond equal to 120% of the total estimated cost of the landscaping. This does remain as a staff recommended condition for approval of this application. Staff has deemed the application to be complete. The proposal falls within the parameters of the Zoning Ordinance. Staff does remind Council of its ability to safeguard the application with additional conditions deemed necessary to protect the public interest and welfare. Finally, staff notes that on

December 11th, 2018 the Planning Commission did vote to report a favorable recommendation of this application to the Town Council and this included staff's two recommended conditions. Thank you.

Mayor Williams – Is the applicant with us tonight?

Mr. Nelson Moody – I live at 105 Chrisfield Circle in Smithfield. I appreciate the work done between Mr. William Saunders and Mr. John Settle. They have helped me a lot with my application. I have agreed to abide by all the terms of the agreements they have set forth for me to operate a laydown yard for my dumpsters and outdoor storage facility. If you have any questions, I will be glad to answer them.

Councilman Pack – On behalf of the Planning Commission, this was recommended for approval with the two conditions recommended by staff. The adjacent property owner, Mr. Livengood, is also in favor of the project. Mr. Moody had agreed to put up a fence. It is a slat fence for the majority of the property. It should improve the looks of the property. It is exactly what we are looking to do as we redevelop Pinewood Heights. This project seems to fit what we are doing in that area. Planning Commission does recommend approval with the two conditions requested by staff.

Mayor Williams – I now declare the public hearing open. Is there anyone who would like to speak for or against this project? Seeing none, I now declare the public hearing closed.

Vice Mayor Smith – I make a motion to approve this application as presented with the two conditions recommended by staff.

Councilwoman Butler – Second.

Mayor Williams – A motion has been made and properly seconded to approve the special use permit on Carver Avenue. Roll call vote.

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

Mayor Williams – Our next item is a Public Hearing: Zoning Ordinance Amendment – Article 3.R Entrance Corridor Overlay District. We will have a staff presentation by Mr. William Saunders.

Director of Planning, Engineering and Public Works – We have a zoning amendment proposal before you this evening. It is Article 3.R which is the Entrance Corridor Overlay District. For approximately ten years, town staff has been administratively approving applications for certain types of new signage within with the Entrance Corridor Overlay District. This policy was apparently developed by the previous Town Manager and the previous Director of the department. It took place as the norm throughout my entire tenure with the Town of Smithfield. However, it has been reexamined and determined that no language exists in the ordinance to support this unofficial process or procedure. This misinterpretation of the language does not waive the fact that we have established an administrative precedent in the handling of these applications for new signage; mostly, minor signage in the Entrance Corridor District. With this in mind, town staff prefers not to abruptly alter the handling of these applications and would like to enshrine their review and approval into the Zoning Ordinance. Consequently, we propose several slight alterations to the ordinance which, in our opinion, will assure consistency between the language of the ordinance and the staff's precedent of reviewing and approving certain sign applications administratively, avoid the possibility of overwhelming the Planning Commission with influx of applications which would have otherwise been reviewed and approved by town staff, and to maintain an administrative permitting avenue that has been appreciated and praised by many applicants over the course of the last decade. The strengths of this application are to assure consistency with the language in the ordinance, to avoid the possibility of overwhelming the Planning Commission, and to maintain administrative permitting. There are no identified weaknesses at this time. Staff recommends approval of the amendments enclosed herein. At the Tuesday, December 11th, 2018 Planning Commission meeting, they favorably recommended this application to the Town Council. If you would note in the redlined version of Article 3.R of the Zoning Ordinance, the meat of the change is on page 16, Section L.2.A. In addition to other Planning Commission approvals, the Planning and Zoning Administrator may approve any sign permitted in a residential district and/or any permitted sign not exceeding 150 square feet in area in a business or industrial district if, in the opinion of the Planning and Zoning Administrator, such sign will not impair the character of the district. If there is any question about the application, we will run it up the flag pole to the Planning

Commission as is represented here. Also, there are several places where the phrase “with the exception of signage pursuant to Section L.2.A of this Article” is listed. It is just a place holder to explain the changes that is being made here. If anyone has any questions, I will be glad to try and answer them. Thank you.

Mayor Williams – I will now open the public hearing. Is there anyone who would like to speak for or against this application? Seeing none, the public hearing is now closed.

Councilman Pack – I would like to make a motion that we amend the Zoning Ordinance according to Article 3.R Entrance Corridor Overlay District as proposed.

Councilwoman Haywood – 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. Councilman Pack voted aye, Vice Mayor Smith voted aye, Councilwoman Tynes voted aye, Councilman Hall voted aye, Councilwoman Butler voted aye, Councilwoman Haywood 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 Approve the Town Council Meeting Minutes of December 4th, 2018.

Town Attorney – Mr. Mayor and members of Council, I have made some minor corrections to the format and spelling and would recommend the minutes be approved with those changes.

Councilman Pack – So moved.

Councilman Hall – 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 Haywood voted aye, Councilwoman Butler voted aye, Councilman Hall voted aye, Councilman Pack voted aye, Vice Mayor Smith voted aye, Councilwoman Tynes voted aye, and Mayor Williams voted aye. There were no votes against the motion. The motion passed.

Mayor Williams – Item 4 is a Motion to Accept the Nominating Committee’s Recommendation to Fill the Expiring Terms of Julia Hillegass, Thomas Pope and

Michael Torrey on the Planning Commission. Councilman Hall and Councilman Pack were on this committee.

Councilman Pack – Mr. Hall and I got together and had some conversation about the expiring terms. We also spoke with Ms. Hillegass, Dr. Pope, and Mr. Torrey. All of them wish to remain on the Planning Commission for another term. We would like to make a motion to reappoint Ms. Hillegass, Dr. Pope, and Mr. Torrey to the Planning Commission.

Councilman Hall – 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. Councilman Hall voted aye, Councilman Pack voted aye, Councilwoman Butler voted aye, Vice Mayor Smith voted aye, Councilwoman Haywood voted aye, Councilwoman Tynes voted aye, and Mayor Williams voted aye. There were no votes against the motion. The motion passed.

Mayor Williams – Item 5 is a Motion to Accept the Nominating Committee's Recommendation to Fill the Expiring Terms of Gary Hess and Russell Hill on the Board of Historic and Architectural Review. Councilwoman Haywood and Councilwoman Butler were on this committee.

Councilwoman Haywood – Mrs. Butler and I would like to make a motion that Mr. Hess and Mr. Hill are reappointed for another term on the Board of Historic and Architectural Review.

Councilwoman Butler – 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. Councilman Hall voted aye, Councilman Pack voted aye, Councilwoman Butler voted aye, Vice Mayor Smith voted aye, Councilwoman Haywood voted aye, Councilwoman Tynes voted aye, and Mayor Williams voted aye. There were no votes against the motion. The motion passed.

Mayor Williams – We will now move to New Business. We have a Motion to Authorize the Town Manager to Execute a Contract with Blair Brothers for the Construction of the Right Turn Lane Project Subject to Review and Concurrences with

VDOT and to Use the Town's Unassigned Fund Balance to Cover the Aforementioned Projected Funding Deficit.

Town Manager – Honorable Mayor and Council, I put this memo and attachments at your desk tonight. As I made you aware, we received bids for the sports complex turn lane project. The apparent low bidder is Blair Bros., Inc. who gave us a base bid of \$845,876.00. Staff recommends awarding the contract to them. Prior to awarding the contract, VDOT must concur with the town's intent to award the contract. Furthermore, the town must explain how it intends to cover any funding deficits and must acknowledge that any expenditure on the project over and beyond the Urban Allocation (VDOT funding) shall be paid by the town. Per the attached correspondence from VDOT, the project has a projected deficit of \$246,572.92. I recommend that you authorize me to execute a contract with Blair Bros., Inc. in order to proceed with the construction of the turn lane project subject to review and concurrence with VDOT and to use the town's unassigned fund balance to cover the aforementioned projected funding deficit. Just to remind you, per the last audit, the town has approximately \$6,900,000.00 in unassigned fund balance. I would like to ask Mr. William Saunders to come up and give you a synopsis of why we are in this funding deficit. We have been doing a lot of work, particularly today, to try to figure this out. I would appreciate William coming up and providing the information for you.

Director of Planning, Engineering and Public Works – Good evening. We had submitted our proposal to VDOT to award the bid to the apparent lowest bidder and then they returned with the estimate of costs that the town would have associated with this project. As you are aware, this is about a \$1,000,000.00 project. You might say that \$1,000,000.00 is too much for a turn lane and I would too; but the lion's share of the project includes the extension of utilities from the elementary school to the sports complex, the extension of the sidewalk in the same area, and a turn lane. It is much more of a project than just a turn lane. Back in 2017, the town was advised that there was Urban Fund monies that had to be reallocated and attached to projects or else they would be lost. This is one of the Universal Project Codes (UPC) that was created to hold Urban Fund money toward the right turn lane project. In 2017, those monies had to be identified and tagged to a project UPC that would handle these projects. One of which was the analysis that was done for the intersection. Another was the analysis for

Segment III; one of which was the turn lane. At that time, our engineer's estimate on turn lane was only at 90% plan level. As the Town Manager mentioned, the base bid of \$845,000.00 from Blair Bros., Inc. was just on the contractor's version of it. In August of 2017, our engineer's estimate for everything including the contractor, inspections, contingency, and the amount we pay for VDOT's oversight was \$817,000.00. They will only allow you to put so much contingency on top of what your estimate is. We were then notified in November 2018 that it was not retroactive but we learned retroactively that as of January 1st, 2018 that you could not move these funds around. We had met with VDOT several times and they had communicated several times that the expectation was that these monies could still be moved around from UPC to UPC. So we were not concerned if there was an overage on one project because we might be able to move monies from another project. As it turns out, it is not the case anymore because the Urban Fund project is history now. Now it is all Smart Scale and they want all the Urban Fund monies either used up or pull them back from the municipalities to put them into the Smart Scale pot of money. That is how this has happened. There were several things that increased the costs between August of 2017 and when we had the final full estimate in February 2018 that we actually advertised the bid on. If you would like to know that list, I will be glad to give it to you; but, otherwise, that is how we ended up with this overage. We expected to have a \$25,000.00 local match anyway. We have to pay \$33,000.00 for VDOT oversight anyway. There is about \$150,000.00 to \$180,000.00 that we are committed to because we had to lock the funds due to the estimate we had at the time. It was not the full and complete estimate for the project.

Thank you.

Mayor Williams – Thank you. We have all heard the explanation.

Councilman Pack – I would like to make a motion to authorize the Town Manager to execute a contract with Blair Bros., Inc. in order to proceed with the construction of the turn lane project subject to review and concurrence with VDOT and to use the town's unassigned fund balance to cover the projected funding deficit.

Councilman Hall – Based on what I have heard, I second that.

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. Vice Mayor Smith voted aye, Councilwoman Tynes voted aye, Councilman Hall voted aye, Councilman Pack voted aye, Councilwoman Haywood voted aye, Councilwoman Butler voted aye, and Mayor Williams voted aye. There were no votes against the motion. The motion passed.

Mayor Williams – Is there any other new business? Hearing none, we will move to Old Business. Is there any old business?

Councilman Pack – Town Council has instructed staff to proceed with the demolition of the Wombwell House by working with the fire department. In the last couple of weeks we have gotten some information that we did not have previously. Mr. Burckard with the Isle of Wight Historical Society has come onboard. We have also heard from the Board of Historic and Architectural Review. With the new information that we have and since we have no immediate plans for the area where the house is I believe we could go back and visit our instructions to staff at our next committee meeting. We can possibly give ourselves a chance to work with Mr. Burckard and his group and look and see what is out there. They have looked at some possible cost sharing. One of the concerns that we have with the Wombwell House is that we have certainly tried our best to give it away and preserve it. We have not been successful and that is why we went down the road that we went. We also have some safety concerns that remain real. We need to protect that house from children playing ball. There are no children playing ball in January. If we could just hold off since we have someone coming in at the last minute that is willing to save the house and work with us and do something then I think it is worth exploring to say the very least. I am the first to tell you that I am not the biggest proponent of history up here and not the biggest preservationist up here. It is not because I have anything against. It is just not what I am into; but if we have someone that is then I think it is worth our time. If it only delays it a month, we will know we have done our due diligence in talking with these folks and seeing what we can possibly do. There are some folks that are really passionate about preserving this house and you have to respect people's passion. I do not know if we need a motion.

Mayor Williams – No. We will just add it to the committee agenda.

Councilman Pack – I would like to withhold demolition of the house at least until our next committee meeting. We can see if we can work with Mr. Burckard and his group to see what kind of resolutions we have. He has asked for a year. We put a

proposal out at one time with Preserve Smithfield. Perhaps, we can do something again with the Isle of Wight Historical Society. There might be a resolution to move this house or something along those lines.

Councilman Hall – I would like to add one thing to that if I could. Although there are no markers of any burial grounds, there may have been markers that were removed. I think we need to look at it and be sure.

Mayor Williams – I did. I probed it, looked at it, and have been all over it in the winter and summer. Usually, in a graveyard, you will see flowers blooming in the spring or summer. People plant flowers at a graveyard and there is nothing like that there anyway. It is very thick to get through that area. I spent probably three whole days, pieces at a time, in there trying to find a grave. I am not saying that it is not there. In those days, you buried your family on the property. There is good chance a grave is there. A grave does not have a thing in the world to do with the Wombwell House. It is another separate issue. We have tried to give it away for fifty cents. We have written a letter to Preserve Smithfield to sign to give them an extension on it. They refused to sign it. Welcome aboard Mr. Burckard. We would love to talk to you and have you help us with it. We will add it to the committee agenda. There will be public notice and you can come to the meeting and weigh in on it. We would love to have you there.

Mayor Williams – We will now move to our Closed Session.

Councilwoman Tynes left the meeting prior to closed session.

Town Attorney – Mr. Mayor, we need a closed session for the purpose of a consultation with legal counsel as to actual litigation with two matters that are pending pursuant to 2.2-3711A.7 of the Code of Virginia and consultation with legal counsel regarding specific legal matters requiring legal advice pursuant to 2.2-3711A.8.

Councilman Pack – So moved.

Councilman Hall – Second.

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

On call for the vote, six members were present. Vice Mayor Smith voted aye, Councilman Pack voted aye, Councilman Hall voted aye, Councilwoman Haywood voted aye, Councilwoman Butler voted aye, and Mayor Williams voted aye. There were no votes against the motion. The motion passed.

Mayor Williams – Ladies and gentlemen, thank you for coming out tonight. We certainly do appreciate it.

Town Council went into closed session at 8:47 p.m.

Town Council went back into open session at 9:23 p.m.

Mayor Williams – We need a motion to go back into open session.

Councilman Hall – So moved.

Councilman Pack – Second.

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

On call for the vote, six members were present. Councilman Hall voted aye, Councilman Pack voted aye, Councilwoman Butler voted aye, Councilwoman Haywood voted aye, Vice Mayor Smith voted aye, and Mayor Williams voted aye. There were no votes against the motion. The motion passed.

Town Attorney – Mr. Mayor and members of Council, all of those who participated in the closed session for this meeting are reminded that all matters discussed in closed session are to remain confidential as provided under the Virginia Freedom of Information Act and that such matters, as were discussed in closed session, should not be acted upon or discussed by any participant unless and until a public formal action of the Town Council is taken on that particular subject matter. Pursuant to 2.2-3712 of the Code of Virginia, a motion certifying that to the best of each members knowledge only public business matters lawfully exempted from open meeting requirements and only such public business matters as identified in the motion to move to closed session were heard, discussed, or considered during the closed session. That motion is in order.

Councilman Pack – So moved.

Vice Mayor Smith – Second.

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

On call for the vote, six members were present. Vice Mayor Smith voted aye, Councilman Pack voted aye, Councilman Hall voted aye, Councilwoman Haywood voted aye, Councilwoman Butler voted aye, and Mayor Williams voted aye. There were no votes against the motion. The motion passed.

Mayor Williams – We have one motion to put on the action section.

Councilman Hall – I would like to make the motion authorizing the Town Manager to approve change orders pertaining to the Clontz Park Boat Ramp project related to parking lot construction issues and the installation of electrical conduit.

Town Attorney – It is an authorization to execute change orders. Is that correct?

Councilman Hall – Yes.

Councilman Pack – Second.

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

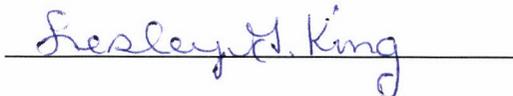
On call for the vote, six members were present. Vice Mayor Smith voted aye, Councilman Pack voted aye, Councilman Hall voted aye, Councilwoman Haywood voted aye, Councilwoman Butler voted aye, and Mayor Williams voted aye. There were no votes against the motion. The motion passed.

Mayor Williams – Is there any further business to come before Council tonight? Hearing none, we stand adjourned.

The meeting was adjourned at 9:25 p.m.



Mr. T. Carter Williams
Mayor



Mrs. Lesley King
Town Clerk