

The Smithfield Town Council held its regular meeting on Tuesday, May 1st, 2018. The meeting was called to order at 7:30 p.m. Members present were Mr. T. Carter Williams, Mayor; Ms. Florine Moore, Vice Mayor; Mr. Michael Smith, Mrs. Denise Tynes, Dr. Milton Cook, and Mr. Randy Pack. Staff members present were Mr. Peter Stephenson, 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. Alonzo Howell, Smithfield Police Chief, Ms. Judy Winslow, Director of Tourism; Mrs. Ashley Rogers, Human Resource Director; Mrs. Amy Novak, Director of Parks and Recreation; Mr. Bill Davidson, Planning Commission member, and Mr. William H. Riddick, III, Town Attorney. There were approximately seventeen (17) citizens present. The media was represented by Elizabeth Pattman of the Smithfield Times and Mr. Josh Reyes of the Daily Press.

Mayor Williams – Good evening ladies and gentlemen. Welcome to the Smithfield Town Council meeting of May 1st, 2018. It is now 7:30 p.m. Thank you all for coming out tonight. I would like to thank all of the new candidates running for Town Council for spending all day outside on Election Day. It was a beautiful day. Thank you to the Smithfield Center staff for keeping us with water to stay hydrated. We have Connor Cary with Boy Scout Troop 36 who will lead us in the Pledge this evening; please stand.

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. I will be brief as I know it has been a long day for many of you. We do not have any advertised public hearings tonight. We have added two additional invoices since our committees. One is for a sewer bypass pump which was approved by Council back in January. It has now been installed. We also have removal of an underground storage tank and demolition of some outbuildings at the Joseph W. Luter, Jr. Sports Complex. They are the two items that were added since the Finance Committee meeting. We do need a brief closed session this evening for personnel matters. Pinewood Heights has a number of things going on. Next Tuesday, there will be a Pinewood Heights Management Team meeting at 4:00 p.m. followed by a special Town Council budget work session at 4:30 p.m. We will also have a Planning Commission meeting at 6:30 p.m. There will be several

meetings back to back here at the Smithfield Center. We will have a Board of Historic and Architectural Review meeting on May 15th. The Board of Zoning Appeals meeting for this month has been cancelled. Committee meetings will be on May 21st and 22nd. Memorial Day is on May 28th, 2018. Thank you.

Mayor Williams – I would like to recognize Mr. Rudolph Jefferson here this evening. He is the Chairman of the Isle of Wight County Board of Supervisors. It is good to see you. We will now move to Public Comments. The public is invited to speak to Council on any matter except for scheduled public hearings. Comments are limited to five minutes per person. 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 forward. Do we have any signups?

Town Manager – There are no signups.

Mayor Williams – Is there anyone who would like to speak for public comments? Hearing none, we will move to a Briefing by Mr. Dick Grice, Isle of Wight County Board of Supervisors, Smithfield District.

Supervisor Grice – Good evening Council, candidates, staff and attending residents. As advertised, at my last appearance on April 3rd, the Board of Supervisors' work session held on April 4th was indeed exciting. The county's financial audit for FY 2016/2017 took some work to finalize. With a new County Administrator, Financial Budget Director, and a new audit firm several previous financial actions from past years needed adjustments. It was nothing too serious or illicit; but needed adjustments to comply with best practice financial reporting procedures. The county has received a clean audit report. Additionally, at that same session, we took the first pass at the operating and capital budgets for FY 2018/2019. First, let me start with an update with the first three quarters of FY 2017/2018. I am pleased to report that the county is successfully tracking to come in at or below budget at year end. It will be another successful year without a real estate tax increase which will be the third year in a row. We have also not had to borrow any money from reserves in the last three years. Should we go another year without a tax increase is really the question? The current sitting Board of Supervisors and county staff say yes. In addition to the April 4th budget session and the public hearing on April 19th, we held a third budget session on April 26th. As it stands today, the capital budget for FY 2018/2019 is planned at

\$7,700,000.00. I have rounded all of these amounts up to simplify them. This includes \$2,100,000.00 for school facility repairs and \$1,700,000.00 for the Route 10 water line. We also have \$2,600,000.00 for transportation projects. We have \$700,000.00 for the replacement of fire and rescue apparatus and other less costly but needed projects. These will be funded without borrowing a dime. After discussions as late as yesterday afternoon, the balanced county operating budget stands at \$74,400,000.00 which is \$2,000,000.00 over last year's budget. Now, let it be known, there are just six of the forty-two line items in that budget that actually increased the budget by over \$4,800,000.00. These included debt service which was up \$2,600,000.00. Schools went up \$904,000.00. Local and regional organizations went up \$826,000.00. We had another \$525,000.00 for the assessment project, the regional jail, and library operations. In other words, the County Administrator and staff were able to reduce the \$4,800,000.00 increase to \$2,000,000.00 through effective cost reductions and improved revenues. All of this has been done without a real estate tax increase or exacting monies from our reserve fund balance. We have the fourth year; but applause for this feat will shortly be replaced with 'what are you going to do for us next year?' Can we manage a fifth year? Stay tuned is all I can promise. At the Board's regular meeting, on April 19th besides the proposed public hearing, another five public hearings were held. Two were of special significance. The first was Brewers Station request for an amendment to their conditional use permit. The importance here was the adjustment and mutual agreement by developer and county upon what constitutes reasonable proffers. The original proffers, set in 2014, were adjusted down. The contribution to the St. Luke's intersection project and almost \$1,500,000.00 in other proffers were mutually agreed to. Since the State Legislature revisions on proffers, this agreement establishes a baseline for the county's reasonable proffers going forward. The second public hearing addressed the proposed boundary line adjustment with the town for the Scott Farm. This was mutually agreed to between the town and county. Both of these hearings received approval from the Board of Supervisors. Linked to the boundary line adjustment is the water supply agreement between Smithfield and the county. I believe a draft document outlining the new agreement has been sent to the town for consideration. With so many seats due to change on the Town Council, I would request that any agreement issues be resolved in the coming week and that the town take

action to approve this at their June meeting. The water agreement expires in days. The new agreement impacts the progress of our boundary line agreement. Thank you, in advance, for your assistance in this matter. Does anyone have any questions, comments or concerns at this time? If not, the next exciting Board meeting session is this Thursday evening with three fantastic topics: revision of the county code Chapter 15 which is taxes, amending and re-enacting county code Chapter 11.1 which is musical and entertainment festivals, and an in depth discussion on fire hydrant maintenance. It should not be missed. Thank you.

Mayor Williams – Thank you, Mr. Grice. We always appreciate you coming forward with an update. We have just had two more Boy Scouts join us. Welcome and thank you for coming. Our next item is Council Comments. Would any Council member like to make a comment?

Councilwoman Tynes – Thank you. On April 25th, 2018, George Washington University's Center for Excellence and Public Leadership certifies that Chief Alonzo Howell and Councilwoman Denise Tynes has been awarded a certificate of completion for leveraging data as a strategic asset for government earning one college unit. This was through their Center for Excellence for Public Leadership. There were two other staff members that enrolled in the program; but the Town Manager called a meeting at that time so they were not able to attend the class. I am looking out for them. Hopefully, they will get credit any way. Thank you.

Councilman Dr. Cook – As everyone knows, I have two meetings left and I have a lot to say so I am going to divide it up. Tonight, I want to address something. This is really directed to the rest of my Council members and to the individuals that will win in tonight's election. Unfortunately, not everyone stuck around. It was a long day and I probably would not have stuck around either. One of my favorites quotes that really helps me with this position and with other things in my life is something I came across by Theodore Roosevelt. In 1910, after he came out of office, he did a world tour through Africa and into Europe. He stopped in France and gave a speech. That speech is titled "Man in the Arena." I am going to read it because it is something that we need to think about. He says "It is not the critic who counts; not the man who points out how the strong man stumbles, or where the doer of deeds could have done them better. The credit belongs to the man who is actually in the arena, whose face is marred by dust

and sweat and blood, who strives valiantly, who errs, who comes short again and again; because there is no effort without error or shortcoming; but who does actually strive to do the deeds; who knows great enthusiasms, the great devotions; who spends himself in a worthy cause; who at the best knows in the end the triumph of high achievement, and who at the worst, if he fails, at least fails while daring greatly, so that his place shall never be with those cold and timid souls who neither know victory nor defeat.” I think we really need to take that at heart. It is real easy in today’s social media world to have ‘keyboard cowboys’ out there that critique everything you do. They do not know all of the information. As we know; because we see the emails and we see the comments, there is a lot of misinformed public out there. I cannot tell you how many times I have been asked to fund the school system and we do not fund the schools. I have been asked why we do not renovate the post office. It is not our responsibility; obviously. I am preaching to the choir because you guys are all involved. What we need to remember, and I tend to forget it a lot, 90% of the public does not know what is really going on and they do not have all the information. We are a representative democracy; not a direct democracy. We are elected to look at all the information for you and to make the best decision for the town. It is what we do and sometimes we get called out; sometimes, rightfully so. I can honestly say that I have probably not made all the right decisions being here for eight years; but I will stand behind most of them. We just need to remember when we get the critiques and we get the calling out, the majority of the time it is people that are not informed and do not want to be informed. It is a lot easier to sit behind a computer and throw stabs at us. We just need to get past that. One of my shortcomings is that it is hard for me to get past that. So, just remember that quote because it is a great quote.

Mayor Williams – Are there any other Council comments? Hearing none, we will now move to the consent agenda items. For the Boy Scouts, I wanted to let you know about our consent agenda. The items on that are from the Police Committee, Finance Committee, Parks and Recreation Committee, Public Works Committee, and Public Buildings and Welfare Committee. These committees meet on two days during the month. There are three members on each committee. That committee discusses everything that they need to talk about with budgeting or whatever it is. They will discuss it and that committee votes on it to pass it back to Council at our next meeting.

These are consent items that have already been discussed in a committee previous to tonight's meeting. Now, since they have already been discussed, most of the Council members on here have heard the discussion. They will either agree or disagree on it; but we do have to vote on them tonight. We have them recorded in the minutes to make them legal. Are there any questions? Hearing none, we will move to the consent agenda items. Would any Council member like to pull any item off for further discussion? Hearing none, we will start with our Police Committee Chair, Mrs. Denise Tynes.

Councilwoman Tynes – Police Committee Summary. Tonight, we have item C1 which is a resolution to approve the street closure for the annual Olden Days Festival on Saturday, June 30th, 2018. This is an annual event that has been going on in the town since Mrs. Moore was Mayor. This is the last year that they will have it as the annual Olden Days Festival. They are going to transition that day into something else. They will be having meetings about it this month. Thank you.

Mayor Williams – We will now move to the Finance Committee Chairman, Mr. Randy Pack.

Councilman Pack – Finance Committee Summary. We have two invoices this evening that are in excess of \$10,000.00 which require Council authorization. The first is for the Smithfield Volunteer Fire Department for \$13,000.00. This is an annual donation. It is considered their 'run' money. This is the money that the fire department passes out to their volunteers for every time they take a run; meaning they use their personal vehicles to either go to the fire or the fire station. It helps offset some of their maintenance cost. It is not that much money per run. The fire department is funded entirely by the county which we are part of; but this is something we have been doing for a number of years. We recommend approval of this this evening. The second item is a draw for Windsor Castle Restoration, LLC. They are working on improving the protected, historic district and the barns over at Windsor Castle. They are requesting a \$100,000.00 draw which is certainly within their budget. We are recommending approval of both these items this evening.

Mayor Williams – We will now move to item C3 with our Parks and Recreation Committee Chair, Mrs. Denise Tynes.

Councilwoman Tynes – Parks and Recreation Committee Summary. This is a motion to approve a film permitting policy. This is the first time we have had this policy.

We have found there is a need for it. A couple of weeks ago, we had construction going on along Main Street. There was filming taking place around the 200 block of Main Street. Quite a few filming companies have come into our wonderful county as well as the town. It is beautiful enough and they want to use this as their background for their films which is a wonderful thing. We found out that it was costing us a little bit. We will have a fee of \$25.00 for the application and \$50.00 for a Film Permit fee. They will pay that fee once the permit is issued or approved. Thank you.

Mayor Williams – We will now move to item C4 with our Public Works Committee Chairman, Mr. Michael Smith.

Councilman Smith – Public Works Committee Summary. Tonight, we have a motion to approve the street maintenance proposals for Blair Brothers, Inc. for all portions of the following streets: Edgewood Drive, Bellwood Drive, Beale Avenue, Wilderness Lane, and Buckingham Way. We have been very pleased with their work. Buckingham Way is taking the place of two other streets that were not in dire need; but it really needed some attention immediately. We recommend this for approval this evening.

Mayor Williams – The next item is C5 which is a motion to move the July Town Council meeting from July 3rd to July 10th. The reason for this is because we have our fireworks display here in town. The town is filled with eight thousand people. There will not be a lot of parking. The Smithfield Center will have a lot of people here out on the deck watching fireworks and so forth. We discussed, in our committee meeting, to move the July 3rd meeting to July 10th.

Councilman Pack – I would like to make a motion to approve our consent agenda items.

C1. Resolution to Approve Street Closure for Annual Olden Days Festival, Saturday, June 30th, 2018.

C2. Invoices Over \$10,000.00 Requiring Council Authorization:

- | | |
|------------------------------------|--------------|
| a. SVFD | \$ 13,000.00 |
| b. Windsor Castle Restoration, LLC | \$100,000.00 |

C3. Motion to Approve Film Permitting Policy.

C4. Motion to Approve Street Maintenance Proposals for Blair Brothers, Inc. for all Portions of the Following Streets: Edgewood Drive, Bellwood Drive, Beale Avenue, Wilderness Lane, and Buckingham Way.

C5. Motion to Move the July Town Council Meeting from July 3rd to July 10th.

Councilman Dr. Cook – 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. Councilman Smith voted aye, Councilman Dr. Cook voted aye, Councilman Pack voted aye, Vice Mayor Moore voted aye, Councilwoman Tynes voted aye, and Mayor Williams voted aye. There were no votes against the motion. The motion passed.

Mayor Williams – Now, we will move to the Action Section of the agenda. We have a Motion to Approve the Town Council Meeting Minutes of April 3rd, 2018.

Town Attorney – Mr. Mayor and members of Council, I enjoyed reading the minutes as I was not here at that meeting. There are two minor corrections that I made. I would recommend that the minutes be approved as revised and corrected.

Councilman Smith – So moved.

Councilwoman Tynes – Second.

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

On call for the vote, six members were present. Councilman Pack voted aye, Vice Mayor Moore abstained, Councilman Dr. Cook voted aye, Councilman Smith voted aye, Councilwoman Tynes voted aye, and Mayor Williams voted aye. There was one abstention. The motion passed.

Mayor Williams – We will now move to New Business. We have Additional Invoices Received since Finance Committee Requiring Council Authorization: Xylem for \$84,571.40 and WACO, Inc. for \$12,641.00.

Councilman Pack – We received these since our committee meeting. The first is to Xylem for a bypass pump at the Crescent Pump Station. This was approved by request on January 3rd by Town Council. It is for \$84,571.40. While that seems super high, the cost of not doing those is considerably higher. The second invoice is for an underground storage tank and outbuildings at 888 Main Street which is the new ballpark. It is getting rid of some of the old home and whatnot that was there. WACO,

Inc. is on contract with the town to do any type of demolition. Are there questions on this item before I make a motion? Hearing none, I make the motion that we approve these two additional invoices as presented.

Councilman 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, six members were present. Councilman Dr. Cook voted aye, Councilwoman Tynes voted aye, Councilman Smith voted aye, Councilman Pack voted aye, Vice Mayor Moore voted aye, and Mayor Williams voted aye. There were no votes against the motion. The motion passed.

Mayor Williams – Our next item is Old Business. We have an Update on the Windsor Castle Restoration Project by Dr. Milton Cook.

Councilman Dr. Cook – If anyone has driven out to Windsor Castle Park, you will have seen that a lot of the work has been completed on the maintenance and storage buildings. They are 95% complete. Basically, what we have left is putting on the overhead doors and painting on the exterior and then it is done. The only downside is that we are waiting on Dominion to run the power. It is going to take a while. Our current forecast for that is the middle of June. The Certificate of Occupancy cannot be received for the tenant to move in until we get power. The Manager's office is underway. It is really neat to look indoors and see how that building was built to stick around. I was in there last week and took some pictures. It is quite impressive how the roof was put in there. It is underway and that is the last of the outbuildings. The pole barn is undergoing rehabilitation to help with some water runoff issues to divert the water from around the barn. The water line has been extended up Jericho Road from Jericho Estates. It is going all the way up to the Manor house under the road. It is currently being done. During the next ninety days, we are hoping that the power will be installed to the maintenance and storage buildings and we can turn the keys over to the tenant. We hope to complete the rehab of the Manager's office and the remaining painting of all the exterior outbuildings. We hope to complete the repairs and upgrades to the pole barn. As far as the Manor house, we hope to evaluate the engineering design for HVAC and begin the rehabilitation of the exterior roof replacement and dormer repairs. Are there any questions?

Mayor Williams – Thank you, Dr. Cook; very informative. Ladies and gentlemen, that is all we have for our meeting tonight. I want to thank you all for coming out. We have a very brief Closed Session. We need a motion to go into closed session for the purpose of discussing personnel matters.

Councilman Smith – 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 Dr. Cook voted aye, Councilwoman Tynes voted aye, Councilman Smith voted aye, Councilman Pack voted aye, Vice Mayor Moore voted aye, and Mayor Williams voted aye. There were no votes against the motion. The motion passed.

Town Council went into closed session at 7:58 p.m.

Town Council went back into open session at 8:22 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 2.2-3711.A1 of the Code of Virginia; in particular, the Town Manager's position.

Councilman Smith – 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 Dr. Cook voted aye, Councilwoman Tynes voted aye, Councilman Smith voted aye, Councilman Pack voted aye, Vice Mayor Moore voted aye, and Mayor Williams voted aye. There were no votes against the motion. The motion passed.

Mayor Williams – Ladies and gentlemen, we are going to continue this meeting until May 22nd at a place and time to be determined for the purpose of continuing the closed session discussion on personnel matters regarding the Town Manager position.

Smithfield Town Council

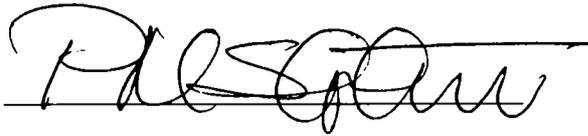
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The meeting was adjourned for the evening at 8:23 p.m.



Mr. T. Carter Williams
Mayor



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