

The Smithfield Town Council held its regular meeting on Wednesday, October 7th, 2015. 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, Mrs. Denise Tynes, Dr. Milton Cook, Ms. Connie Chapman and Mr. Randy Pack. Staff members present were Mr. Peter M. Stephenson, Town Manager; Ms. Ellen Minga, Town Treasurer; Mr. Steven Bowman, Chief of Police; Mr. William H. Riddick, III, Town Attorney; and Mrs. Lesley King, Town Clerk. There were approximately twenty-four (24) citizens present. The media was represented by Ms. Alyse Stanley of The Smithfield Times.

Mayor Williams – Good evening ladies and gentlemen. Welcome to the Smithfield Town Council meeting of October 7th, 2015. Thank you all for coming tonight. We will open the meeting with the Pledge of Allegiance.

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

Mayor Williams – We will start the meeting tonight with the Informational Section with our Manager's Report from Mr. Peter Stephenson.

Town Manager – Thank you, Your Honor. Welcome everyone. In addition to answering any questions regarding the September Activity Report, I would like to thank all of our staff for preparing for the worst with not knowing what we would be hit with regarding the weather. I am sorry for our friends in South Carolina. I am thankful that we made out okay overall. Everyone did a great job in preparing. In terms of town and county cooperation, I would like to say kudos to the Department of Emergency Management. Ms. Andrea Clontz provided very timely updates and information for us. She did a great job communicating. We appreciate that. This evening we will need to have a brief closed session in terms of acquisition of real property. We do have a new business item also. Town Council needs to accept properties that were acquired for Pinewood Heights. It is 53 Carver Avenue as well as two vacant lots which are lots 48 and 49 Carver Avenue as housekeeping items regarding the Pinewood Heights project. This month the meeting schedule was posted with the agenda. The only thing to note, which is an annual item and has been for many years, is the administrative office closure on October 12th for Columbus Day. We will also be closed on October 22nd for our in-service annual training day at the Smithfield Center. The Town Council Committee meetings will be held October 26th and 27th at 4:00 p.m. There will not be a

Board of Zoning Appeals meeting this month. We will have Planning Commission next Tuesday, October 13th, 2015 at 6:30 p.m. The Board of Historic and Architectural Review will meet on October 20th at 6:30 p.m. The only other item that I would like to briefly mention that was discussed at committee, while I have the floor, is item C11. It involves the Hampton Roads Planning District Commission (HRPDC) assistance regarding the Town Comprehensive Plan update. Effective July 1st of last year, as you are all aware, we became an official member of HRPDC. As such, we can request assistance from HRPDC per the state code. The general duties of Planning District Commissions include providing services upon request to member localities and to provide technical assistance to state government and member localities. That is what we have done. They are charged with billing us quarterly for any services that go above and beyond general membership fees which is what they are proposing in this regard. I just wanted to get that noted on the public record. Thank you.

Mayor Williams – Does anyone have any questions for the Town Manager? Hearing none, we will now move to Public Comments. The public is invited to speak to Council on any matters except scheduled public hearings of which there is none tonight. For public comments, please use the appropriate signup sheet and include your preferred method of contact. Comments are limited to five minutes. Any required response from the town will be provided in writing following the meeting. Our first speaker is Mr. Herb Degroft.

Mr. Degroft – Mr. Mayor and members of Council, it is a pleasure to be here and be one of five people who had the temerity to issue a Writ of Mandamus and go to court to try to block the County from doing the so called Eagle Harbour to Gatling Pointe water line along Nike Park Road. It is interesting that in some of the documentation that we saw as a result of this hearing that the county referred to a Nike Park Service District. As we all know from our Comprehensive Plan, we have three developmental service districts. None of them are titled the Nike Park Service District. Our primary concern was that it would not just be a cost to Smithfield. I realize that Smithfield would be hit the worst by a duplicate water line being put in and them robbing customers from you and the effect of taxpayers in the Town of Smithfield. It really affects all of us as county taxpayers. Unnecessary expenses are something that the federal government is really famous for and we do not need Smithfield to bear the brunt of some stupid act on

the part of the county as far as the five of us were concerned. We are hoping the action that takes place between now and the first of January when a new Board of Supervisors is seated that nothing will happen that would cause the county to lose any more money than they have already spent in designing this project. It is truly unnecessary. Of course, all five of the potential new members of the Board of Supervisors have stated very emphatically that they see absolutely no necessity for this water project on the part of the county because of what the Town of Smithfield already has available to the folks served by your line that goes down Battery Park Road. I hope the Board of Supervisors in the meantime will not do anything rash. The second thing is the so called Bike/Walking Trail. I had the opportunity, when my sons took me up to Charles City for my birthday dinner, to drive from Williamsburg up the route that has their bike, walking, and horse path that goes just about all the way to Richmond. I have watched that grow over a period of years. I cannot imagine the tens of millions of dollars that it is costing. With Windsor Castle Park that you all have, it is such a nice amenity to folks in this greater Smithfield area including out where I live on Mill Swamp Road. There is absolutely no reason to put a ten foot wide bike and walking trail. It would probably get someone killed anyway because of the number of business driveways that it has to go across. We are hoping and asking a couple of members of the Board of Supervisors to table this until the first of the year so that those five challengers and/or potential members of the Board of Supervisors carry through with what they have already said which is it would be nice to have but it is far from a need. I really encourage you all as a Town Council to not put one red cent of Smithfield residents' taxes towards an absolutely unnecessary amenity. One of the guys asked last night or the night before why we are going to build this for tourists. I think we want tourists on Main Street, South Church Street, and North Church Street spending money there not walking up and down South Church Street towards Nike Park. If they want to walk they can go see the beauty of Windsor Castle Park. I really encourage you all to not spend one penny. Hopefully, the county who sat on this thing since 2006 will continue to sit on it. Thank you all very much. I appreciate what you all do for the citizens of Smithfield. I would love to be one too but I live out on Mill Swamp Road about a mile past where you would ever annex me. Thank you.

Mayor Williams – Our next speaker is Mr. Mark Gay.

Mr. Gay – Good evening. I am in receipt of the email this afternoon from the Town Attorney. I will respond with some thoroughness within the next twenty-four hours. I will summarize here very quickly though from some comments about Pierceville. We believe that we petitioners are speaking past each other with regard to our communication with the Town Council and the town administration. Our belief is solid. First off, I had very excellent basis for some comments that I made. I will take that aside. I am a retired Army colonel. I do not live on conjecture, hypothesis, or inference. I deal in facts. I have factual reasons for having said what I have in the last forty-eight hours. Part of my response to you was submitted to today's Smithfield Times that I feel very strongly about. If we are talking about rezoning then let us implement Articles 4 & 5 as you claim are the governing articles of the Rezoning Ordinance. We have not done that thus far. The developer has been given a very wide range of options, rehearsals, reapproaches to the Board of Historic and Architectural Review which has nothing to do with rezoning at this point and time. I understand the inference. I will point out that the Subdivision Ordinance was approved September 7th, 1999 which was one year later than the Rezoning Ordinance. Article 1 of the Subdivision Ordinance clearly states that if another ordinance or regulation appears to be in conflict, the more restrictive of the provisions, ordinances, or regulations shall govern. We, the petitioners, believe strongly that the subdivision ordinance is the more restrictive. In fact, it called for a subdivision review committee to be formed immediately after we started talking about a Cary and Main subdivision. It compels the subdivision review committee to deal with issues of zoning and rezoning and future land use within the Comprehensive Plan. Our belief is that had we followed and implanted the Subdivision Ordinance as the most restrictive and the most current that a lot of the problems we have had these last six months working through issues of infrastructure, traffic management, school availabilities, water management, overflow, and sewage would all have come out of the natural process of the subdivision review committee's actions and the interactive process of developer to subdivision review committee and to Planning Commission. I am hopeful that the days ahead as we head toward the public hearing which is on election night that we will come to some agreement that there is a process. It will be a disciplined process. It will be a fair process and that it will be well adjudicated by you. Thank you very much.

Mayor Williams – Next we have Mr. Dennis Arinello.

Mr. Arinello – Good evening Mayor and Town Council. Thank you for this opportunity. As you heard from Mr. Gay, the whole issue for me is that we are collectively and truly not in sync with regard to interpretation of the existing town ordinances, processes, and procedures when it comes to the Cary and Main subdivision proposal. We continue to be at an impasse. I wrote this in a letter to you, the Town Council, and the Town Attorney with regard to the ordinances and amendments in terms of precedents. We agree to respectfully agree to disagree and that is okay. It is the good thing about this country. I, too, was in receipt of Mr. Riddick's email today. I have not read it yet. I just got in from Washington D. C. I will read it but I did see where he pointed out the application by the developer is a change in the Future Land Use designation as a separate application for the rezoning designation. Both of these applications require a public hearing before the Planning Commission and the Town Council. I had the opportunity last week to go to my first Town Council meeting. What a great opportunity. I have never been to one and I enjoyed it. I found it very informative. One bit of discussion that kind of peaked my interest though had to do with the rewrite of the documents associated with the Comprehensive Plan and the Future Land Use map. I was thinking to myself why does this Comprehensive Plan need to be rewritten now? What really peak my interest is when Mr. Saunders talked about an up to \$20,000.00 ceiling for this work. He made the recommendation to sole source this effort to a company called HRPDC. Since I did not know anything about the company, I did a little bit of research. I learned that there is a Ms. Julia Hillegass that is associated with this organization. Not knowing who Ms. Hillegass is, I did some research on her. You can imagine my surprise when I found out that she sits as the Vice Chair of the Planning Commission, the Board of Historic and Architectural Review, and the president of Historic Smithfield. It is a perception issue for me. This is tax dollars that we are talking about whether it is twenty dollars or twenty thousand dollars or two hundred thousand dollars. It was clear to me last week when Mr. Saunders provided that information and presented it to the Board that he could not clearly articulate what we were going to get for our money. It is all a concern for me. Unless Ms. Hillegass is willing to resign her position as Vice Chair of the Planning Commission and the Board of Historic and Architectural Review immediately, I would strongly urge the Town Council not to sole source this requirement but rather go ahead and define the scope of work and put it out

for open bidding. It is about the lowest price we can possibly get. Competition is king here. I know you are all good stewards of our money. It is what I expect which is why we voted for you. We are talking about taxpayer dollars. I know you would not engage in a sole source contract. The federal government does not even do it anymore not even for the minimal dollar values. This is clearly a conflict of interest. Therefore, when this comes up for a vote later tonight, I respectfully request that you consider not sole sourcing it. Compete it openly and try to get the lowest price possible. Thank you very much for your time.

Mayor Williams – Our next speaker is Ms. Betty Clark.

Ms. Clark – Good evening. At previous meetings, I have talked about the possibility of the Pierceville farm becoming a farm museum. Since that time, I have talked with Jim Lewars who is head of the Landis Valley Farm Museum in Lancaster, Pennsylvania. Landis Valley is a one hundred acre farm which has educational, hands on workshops offering something for every age. These workshops include a one room schoolhouse in which a schoolmarm in period costume will give students lessons from the late 1800's. A Farm Sampler workshop allows students to experience the chores and activities that would have filled their lives in the early 1800's. The Wool to Weaving workshop gives students the opportunities to cart fresh wool, spin wool into yarn, and weave on a loom. Another workshop explores the work of archeologists in which students study archeological terms, find and classify objects, and then draw conclusions about their objects. Last, the Little Lambs workshop is geared mostly to preschool and kindergarten age students who go on a guided exploration of the farm and animals of Landis Valley. They gather wool and finish with a special lamb art project. Events that take place during the year at Landis Valley include: heirloom seed projects, folk art classes, fellowship classes, craft and trade classes, homeschool classes, Charter Day, Victorian Tea & Tour, Spring Benefit Auction, Urban Garden Fair, Summer Camp sessions, old fashioned picnics, Civil War Days, Tales, Legends & Lore, Henry Landis Birthday Party, Landis Valley Museum Store Art Show, ice cream sundaes, Harvest Days, Landis Valley Museum Store's Holiday Open House, lunch and dinner tours, county Christmas Village, Holiday at Landis Valley Bonfire, and Winter Day Camp. Landis Valley Museum raises about \$800,000.00 per year. Much of this money comes from visitation of schools, tour buses, special events like weddings and family reunions,

and fundraisers. The project also receives state and local grants. Plus, they have patrons who sponsor the project. About eighty thousand people visit Landis Valley each year. Nearly sixty thousand of these are special events and bus tours. The facility employs thirteen state staff, four full time foundation people, twenty five to thirty part time workers, and three hundred volunteers who are mostly college interns. I am not saying that this development is the type of program that would be easy but it is one of the options that should be considered for the Pierceville historic property. We would start by restoring the 1730's house. This town has carpenters, electricians, plumbers, and painters who need to step up to the plate and volunteer their time. I can even hold a paint brush. Yes, the money is an issue but we can get it if we work together. At the Planning Commission meeting on Tuesday, August 11th, I asked those to stand that were not in favor of the zoning for the high density development at Pierceville farm. Between fifty and seventy five people stood. I also asked those who were in favor of changing the zoning to stand. Absolutely no one stood. Does this mean that there really is no one who wants this property rezoned or are they ashamed to be counted in the minority? Mr. Davidson asked the room if we were and I quote "willing to pony up the money?" I understand the concern about the sale of the property but it is not the town's responsibility to get this property sold. Mr. Jones, at the time, said that it is not a popularity contest. The issue is whether the project promotes the health, safety, and general welfare of the citizens of Smithfield and the Town of Smithfield in general. He was right. Dividing this property which according to the town's historic preservation ordinance has a landmark structure would not only be foolish it would be downright criminal. The Planning Commission recommended there be no change to the Future Land Use map of the town's Comprehensive Plan and that the developer's conceptual plan for the property be rejected. I must ask, again, why do you have a Planning Commission if the Town Council is not willing to listen to them. Disband them. Save the residents of Smithfield some money. Everyone needs to think hard about his or her decision for this important piece of historic property. If developed in the wrong way, the damage cannot be undone. This Town Council will have thrown away a heritage like almost nothing else in this state. You are our elected representatives. Our town has shown what we think should be done. We asked that you respect our wishes. Thank you.

Mayor Williams – Next we have Ms. Robbie Younger.

Ms. Younger – Hello Mayor and Town Council. Thank you for letting me speak tonight. My husband and I own 324 Main Street. I have had a gallery there for fifteen years. I have been really strong about being community minded in the past. In the fifteen years that I have been there, I have had the privilege of being the vice president of the business association two times. I have been in the Leadership Program that the town had asked me to do with the Chamber of Commerce. It was quite an honor. I graduated from that and I also serve on the Board of Directors of the Chamber of Commerce. I am saying all of this just to say that I believe in the community and the best for the community. I always say I am the everyday person on different things just because I own a business. I am not an expert but these are the things I have experienced in my time there. My husband and I are against the rezoning and residential development of Pierceville. I had heard that some folks were saying that it would be good for business but this is what I have personally experienced in having a business for fifteen years. Local Smithfield people do not strongly support Smithfield businesses. I would have to say that a lot of people in this area live close to Smithfield and I have never seen them in my shop and that is okay. Everybody likes what they like and I understand that. I do not feel that is a strong comment to make as far as to draw people into a business. I would say most people, in other businesses that I talked to, get business from people out of Smithfield. My art patrons are not from Smithfield. I agree with Betty Clark. I think that the providence and the beauty of this 1600 landmark structure deserves much more than to be zoned residential and to place homes in there. A lady came in my shop a few years ago and gave me information about an artist colony called the McDonald Colony. It started in 1907 with only two artists. They bought a property and started building little structures there and it was used culturally all across the board. It was not just artists with a paint brush. There were writers and people in theatre. Even today it is still in existence. The paperwork I had was old but in 1990 they had already had four thousand artists that had been there. They boast fifty one Pulitzer Prize winners that have come from that kind of atmosphere. They are able to go and just be into the arts. Some of the Pulitzer Prize winners were Leonard Bernstein and Alice Walker who was the author of *The Color Purple*. They attended this art colony. I am not saying either to put the pressure on the town. I would say there are outside

communities that are really big in the arts. I would be willing to go and talk to different organizations outside of our community so that it would not be pressure on our community or our tax base. I really feel like we should treasure this property. As I said, I really agree with Betty Clark. Just to do that as agro-tourism would be such a wonderful idea. I think it is a jewel for our community. Having an organization or something like that would lift us up culturally. I think for our children and grandchildren it would be something. It would be a jewel they would be so proud of for generations to come. In closing, one day I was in front of my shop and a European bicyclist came by. I asked him what he thought the difference was between Europe and America. He quickly said that in Europe we treasure our old buildings. They restore them. They really want them to withstand the test of time. He said he had noticed in America that they just get knocked down. I just ask you tonight to think about that. It is such a treasure. Please really consider leaving it and taking it to the highest level of what it can be in our community. Thank you.

Mayor Williams – That is everyone who signed up. Thank you all for coming up and speaking tonight. If you did not sign up and you have had a thought since this started you still have an opportunity to come forward and speak now if you want to. Seeing none, we will move to Council Comments. We have a Presentation by Western Tidewater Free Clinic by Stephanie Broadwater.

Mrs. Broadwater – Good evening Mayor and members of Town Council. I am Stephanie Broadwater. It is my pleasure tonight to speak on behalf of Western Tidewater Free Clinic. On behalf of our patients, many of which are citizens of Smithfield, we want to say thank you. What we do every day for these patients would not be possible without your support and the support of many other folks not only in this town but in the area at large. I am a little hesitant to almost say this number out loud but I would like to remind you and thank you. You have participated with us annually since we opened so your first gift was in April of 2008 which was in the first calendar year that the clinic started. You have, to date, given us almost \$152,000.00. It is a significant commitment and we really cannot express our gratitude for that. As I said the last time I was here, the money is a great help but it is also your support that lends credibility and integrity to what we are trying to do across the community. We thank you for that. Let me just share with you a couple of accomplishments from 2015 that your support has made possible.

We, after almost a year and a half's absence, finally hired a medical director and full time doctor in August. We have been patching that role together with some paid and volunteer help. It has affected our patient numbers some. Dr. April Foster started with us in August. We expect to be back on track at almost fourteen hundred patients by this year and fifteen hundred to sixteen hundred patients next year. We are very pleased that our trajectory in terms of the number of patients that we serve is going to go up. I think I mentioned to you the last time I was here that we were getting ready to implement an electronic medical record. Painful as it has been, we have implemented that electronic medical record. There have been a few bumps along the way. It slowed us down but our staff and our volunteers are working with it well. Ultimately that is going to really help our continuity of care inside the clinic as well as with the offsite medical professionals who work with us. We are in a new collaboration with the Western Tidewater Community Services Board. With them, we are expanding our mental health services to include onsite psychiatric care. We are very pleased with this new service. We have been providing regular counseling that really only took care of anxiety and depression which is pretty prevalent in the population that we serve. The psychiatric help in medicine is going to be a significant improvement to the care that some of our patients receive and that they need very badly. They really have not had any place to go to get that care. We also have expanded dental care which is a gap in our community. You might remember previously that you had to be one of our medical patients to access our dental care. Now, if you have medical insurance but do not have dental coverage as part of that which generally means you have Medicaid or Medicare but have no dental coverage and you meet the rest of our requirements you can receive dental care at the clinic now. We are pleased to have been able to expand the access to that service. We are getting ready to add a new service. We are excited about this because quite a few of our patients have eye problems. Everything from needing reading glasses to really significant glaucoma and other eye care that needs treatment. Our onsite eye care center should be opening by the end of October or the first of November pending the finalization of our funding. We have a volunteer ophthalmologist who will come and provide that service at our clinic. We are trying to round out the services that we are providing that we still consider outside of strict primary care but part of primary care to help a whole person to become healthier. We feel good about

that. I have a couple of quick things I can tell you in terms of some facts. We are currently running on about a 1.5 to 1.6 million dollar budget. We have been at that level for about the last two to three years. It is a lot of money for us to raise in this community but we do it and are thankful for everyone's support. Currently, it does not cost them but it costs us about ninety dollars per visit every time a patient comes. It is almost twelve hundred dollars to treat a single patient annually. In the last eighteen months through June, we treated almost twenty two hundred patients through twenty five thousand visits. The point of that is to say that our patients on average take eleven visits inside of a year with their medical, dental, and mental health counseling visits if they need that. I think if most of us think about how many times we have to go to the doctor we do not normally come close to eleven plus visits per year. It continues to speak to how sick the population is that we serve. We have given out 6.5 million dollars in medications in retail value in the last eighteen months which speaks to how sick our patients are. We are very appreciative of the medical programs that provide that medicine free of charge to our patients. We could not do what we do without our volunteers. In 2014, we had over thirteen thousand volunteer hours. That equates to six and a half full time staff equivalent that volunteers are providing. We just could not do what we do. We could not do it anywhere near 1.5 million dollars if we had to pay for all the staff it takes to provide the care that we provide. The last thing I will tell you because I know this is really what is near and dear to your heart; in 2014 we had seventy eight patients that were from Smithfield proper. We worked with the Town Manager last year to outline the streets to determine what you all consider Smithfield. Last year we treated seventy eight patients. Through June this year we have treated sixty four so we are on an upswing of patients from Smithfield. It is just a fact and is neither here nor there. It is what you are doing and what your patients are doing. The money that you have given to us in the past is helping citizens right here in your own community. That is all of the data I have for you. I am happy to answer any questions you may have if you have any.

Mayor Williams – Where are you located?

Mrs. Broadwater – We are located off of Meade Parkway in Suffolk. It is where the Virginia Employment Commission used to be.

Mayor Williams – Why is it called the Western Tidewater Free Clinic?

Mrs. Broadwater – When the clinic was founded, we were in the Western Tidewater Health district. When you look at Southampton, Franklin, Isle of Wight, Smithfield, and Suffolk that is, from the state's perspective, the health district there. I kind of wish we could have a different name but it would be hard to do and no one wanted to change it that early. No one really uses that language anymore to talk about this area but that is where the name came from.

Mayor Williams – Do you have any sort of transportation set up for people that cannot get there or do you rely on churches? Our church has drivers that do stuff like that.

Mrs. Broadwater – We do have some churches and organizations that have called us. Senior Services from Southeastern Virginia has funding from Obici Healthcare through their I-Ride program. They have a couple of routes set up particularly in Franklin and Southampton since it is much further for a lot of people. We could do a lot more with transportation. Our patients need a lot of help. It is one of the reasons that drives the new strategic vision that we have at the clinic which is to try and double the number of patients that we serve by 2020. Part of being able to do that will push us out into the community. Our current building cannot handle that volume of people. It has always been our dream to be able to be in the communities closer to where the patients really are. It is something the Board is starting to investigate and talk about and work on.

Councilwoman Tynes – I was just going to follow up on the name thing.

Mrs. Broadwater – You were around for that so you could have explained it as well as I did.

Councilwoman Tynes – Actually, I am responsible for that so you can blame me. When you said that they no longer use Western Tidewater, I was just at the VML Conference this weekend and that was an important part because all of us are in that Hampton Roads thing and they are going Coastal Virginia and all sorts of things. The state still recognizes Western Tidewater and they know that there are two counties and two cities. That was the important part. We got our recognition. Now, we do not get the recognition that we should if we are dumped in with Hampton Roads or Coastal Virginia.

Mrs. Broadwater – Thank you all again.

Mayor Williams – Are there any other questions for Mrs. Broadwater?

Councilwoman Tynes – You are doing an excellent job, thank you Mrs. Broadwater.

Mrs. Broadwater – You are welcome. Thank you all. You all are always invited for those that have not been to the clinic yet and would like to tour it and see it. It really makes a difference to be in there when patients are there and feel what is going on. Thank you all for your support.

Mayor Williams – We will continue with Council comments.

Councilwoman Tynes – I would like to thank the citizens again as well as my colleagues for allowing me to represent them at the Virginia Municipal League Conference that was held this week. Mayor Williams, the Town Manager, and Vice Mayor Gregory attended with me. Councilman Pack had to stay back to take care of some flooding issues but we missed him. We had an eventful conference. We go there so we can learn about things going on in the state. In doing so, we get to network with our other colleagues, cities, and towns. The one thing I want to say to make this short is that I befriend a lot of people. Mayor Williams always says that everybody is always asking about me. This year a few of those Mayors were asking about him too. They called him Mayor Carter. I befriended them but I call them my family from Big Stone Gap, Virginia which includes James K. Stone and Kathy and Gary Johnson. Gary is a Councilman also. This year they wanted to make sure that we all tuned in to the movie Big Stone Gap. The movie features their town. I think Whoopi Goldberg is one of the actresses that will be in it. I asked who was playing the role of each of them but they would not tell me. They said just to guess. I just wanted to let you all know that there is a connection there. We all know the Big Stone Gap people because they are the loud ones. We are the Smithfield people. We are the hams and all of that. It is nice to know that they are having a movie coming out in theatres on Friday. Again, I would like to thank all of you for allowing me to participate in such a great organization.

Mayor Williams – Are there any other Council comments?

Vice Mayor Gregory – Thank you, Mayor. I just wanted to take a minute and recognize our police department. There was a situation last week with an organization that came to do a demonstration in front of Smithfield Foods. It kind of went viral with a video on social media. Of course there were a lot of comedic comments. One said “tell them to stop blocking my bacon.” The group was very emotionally charged and was

definitely doing some things that were dangerous. The video showed the calm demeanor of the police. I think that is a testament to the training from the top on down. It is a testament from the Chief all the way down to our officers. They kept their cool. They really diffused the situation in a way that I do not know that a lot of other departments might have. They may have taken the bait so to speak of getting caught up in the emotion and responding a little bit differently. I want to say kudos to the department and thank you, Chief Bowman, for everything that your guys and gals do on a day to day basis. It is not just about dealing with the day to day crime but also making sure that people can peacefully protest but not get caught up in the environment and the emotion. They just do the job. They did it perfectly. Thank you. We appreciate it.

Mayor Williams – I want to say something about that too. Other police department's figureheads have come to me and said something to me about the way it was handled. It is out there. Everybody is really commending you for what you did. I thank you also.

Chief Bowman – Thank you sir.

Councilman Dr. Cook – I have three things to discuss. First, I just wanted to say that the Western Tidewater Free Clinic is probably the best money we spend dollar for dollar with this Council as far as donations. The amount of people that it touches and the help it provides cannot be compared to. It goes to the people before us and to us for continuing it. It is money very well spent. I think they are doing a great job with the money that we give them. Secondly, I want to address the people here in opposition to Pierceville. We, as a Council, kind of pride ourselves on listening to people and being open and being receptive. No one has ever come to me and asked me about my opinion and what I think and how I feel. The process has not gotten to us yet. I challenge each and every one of you to seek us out and see what we are thinking and what we are feeling instead of giving accusatory remarks and accusations that are pretty insulting and hurtful. All you have to do is find us. We are business owners. We are residents. We have been in this community. I have been here for almost fifteen years so come ask instead of being accusatory. The last thing is directly addressed to Mrs. Younger. One thing that stood out to me that you said and this is actually a quote "Smithfield residents do not support Smithfield businesses." I kind of disagree with you on that. I think Smithfield residents do support Smithfield businesses. They might not

support certain aspects of Main Street that is more tourist related. I rarely ever leave town. It was a quote and I really disagree with you on that. I think Smithfield residents really show up and support the businesses of the Town of Smithfield even downtown businesses. I do disagree with you on that point. You might have some other points that I do agree with but with that I do not.

Councilman Smith – I want to comment about the Western Tidewater Free Clinic. I remember when they started in a little small house across from the old Lowes building in Suffolk. When they did that I sort of wondered what it was all about. I watched it grow and then I watched it grow into the new building they are in now. You get a different feeling about how you help people when you really see what a difference it makes in their lives. I am real proud of Smithfield stepping up to the plate and doing their part to help them out. The other thing is about the Chief and his people. I watched the video. My cousin is a truck driver from Waynesboro, Virginia. He told me he was one of them. He just really commended the whole situation. He could not believe how great the police officers and the Chief handled the situation. He said it is really to be spoken for how well they handled the situation. I really do commend that and kudos all around with the Western Tidewater community and our police officers. Thank you so much.

Councilwoman Chapman – I agree with everything. The police are led by a very wonderful professional who handled a challenging situation. In addition to the police and the Western Tidewater Free Clinic doing the great work they do, I would like to recognize our public works department. I want to thank those guys that had a challenging situation to deal with handling all of the flooding and the streets. The police helped a lot with that also. People were going through barricades that said closed. They continued to drive through. We are really fortunate to live in a community where we have such great employees working for our town. I just wanted to recognize them.

Mayor Williams – I went to the chat room at the police department. We had the police there along with public works and the Town Manager. They were planning and seeing what they were going to do and how they were going to do it and where they were going to get assistance from. They were all taking notes and getting ready. We put the town on a state of emergency. Richmond started calling us almost immediately to see if we needed any help. Thankfully, the storm stayed out to sea or we would have had a mess. Public Works did an outstanding job of getting things that they needed to

close roads and watch the dam. Many of you may not know that this town does own a dam. They were out there about every thirty minutes checking on it to see if the water got too high. We would have had to close that road. They did an outstanding job. I would like for the Town Manager to let everyone know at their staff meeting how this Council feels about all that they did. I am sure the Police Chief will let everyone know at the police department too. Hearing no other Council comments, we will move to the Consent Agenda Items. Each Chair of these items will give us an overview of what was discussed in our committee meetings. Would any member like to pull any item from the consent agenda?

Councilman Pack – Could we pull C-11 for further discussion this evening?

Mayor Williams – Yes. We will begin with the Police Committee Chair, Mrs. Denise Tynes.

Councilwoman Tynes – Police Committee Summary. Thank you, Mayor Williams. Our first item is a resolution to approve street closure request for Smithfield High School for their Homecoming Parade. At this time, I would like to ask Vice Mayor Gregory if he would handle that one since I have a conflict of interest.

Vice Mayor Gregory – Do you want to pull it?

Councilwoman Tynes – No. I do not want to pull it. I just want you to discuss it.

Vice Mayor Gregory – The Smithfield High School Homecoming Parade is an annual event that we have had every year for quite some time. The route is not changing. It is the same as it always is. The police will plan accordingly for the ingress and egress of traffic. It was discussed at committee.

Councilwoman Tynes – Thank you. Our next item is a resolution to approve the street closure request for the Smithfield Evening Christmas Market on Friday, December 11th from 2:00 p.m. until 11:00 p.m. It is an annual event that started about two years ago on Main Street. The reason for closing at 2:00 p.m. this year is so the vendors can come in and set up. I do not think it will be the entire Main Street. It is probably the 100 block, the 200 block, and part of the 300 block. It was a huge success last year for everyone who participated. Our next item is a resolution to approve the street closure request for the annual Genuine Smithfield Christmas Parade on Saturday, December 12th from 8:00 a.m. until 1:00 p.m. It will include Grace Street and Main

Street. Prior to the beginning of the parade it will include Underwood Lane. The parade will start at 11:00 a.m.

Mayor Williams – We now move to the Water and Sewer Committee Chairman, Vice Mayor Gregory.

Vice Mayor Gregory – Water and Sewer Committee Summary. The only item on the agenda for water and sewer is item C-4 which is in relation to a renewal of mechanical, electrical, and utility services contract with REW Corporation. For those who are not familiar, REW Corporation does a lot of work with our sewer pump stations which were hard at work this past weekend. Staff is very pleased with the work that has been done. Part of the contract allows for one additional year and we are recommending that the contract be extended.

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

Councilman Pack – Finance Committee Summary. Thank you, Mayor. Item C-5 is for invoices over \$10,000.00 which requires Council's authorization. There are three. The first is to Taser International for \$22,073.38. This will provide the police department with new updated Tasers. They will replace the old outdated Tasers. The next invoice is to THG Construction. We have fifty percent completion for the storage building renovations which is located behind the police department. We have authorized it for \$20,750.00. The last item is for IOW Tourism true-up for fiscal year 2014/2015. Our final bill came in from the county. We owe them for our true-up of splitting tourism with them. The amount is \$98,098.46 which came in slightly over budget. We are recommending these invoices be approved this evening. Item C-6 is a resolution to renew a line of credit with TowneBank for the Pinewood Heights Relocation Project. This line of credit is to the tune of half a million dollars. We did not use it last year. We may or may not use it this year but we would like to have it at our disposal if need be. We are recommending it for approval. Item C-7 is a motion to adopt the Personal Property Tax Relief Act Percentage. We are recommending it for approval at fifty one percent.

Mayor Williams – We will now move to Parks and Recreation Committee Chair, Ms. Connie Chapman.

Councilwoman Chapman – Parks and Recreation Committee Summary. Thank you, Mayor. Item C-8 is a motion to accept a deed for a public boat ramp at Clontz Park.

This is a gift from Smithfield Foods. They are giving the town the property at the park for the purpose of constructing a public boat ramp. The town would like to thank Smithfield Foods for this generous gift. The ramp is possible due to a Virginia Marine Resources Commission grant. We thank our Town Manager for pursuing that and getting it taken care of.

Mayor Williams – We now move to Public Works Committee Chairman, Mr. Michael Smith.

Councilman Smith – Public Works Committee Summary. Thank you, Mr. Mayor. We need to purchase a budgeted public works truck under a state contract for \$29,561.00. I would like to comment about how public works has handled this. They have shifted some vehicles around to work in some other areas that did not have to be bought new or replaced. It has saved us a lot of money. They also have worked with the town staff to shift some other vehicles from the police department to suit their needs so that we did not have to spend the money. It was already budgeted. It saved us a lot of money. I recommend this for approval. We also have a motion to accept the proposal for street overlay. It is for South Mason Street from Main Street to Cedar Street by Blair Brothers in the amount not to exceed \$19,286.00. This is where they had done the work for the underground sewer and water that they had to take care of. This will clean the street up and open it back up again. I am not sure if the residents want it opened back up. They kind of liked it being closed. This is to clean that street up. I would like to recommend it for approval tonight.

Mayor Williams – I would like to have a motion on C-2 through C-10. We will go back to C1.

Councilman Dr. Cook – Why do we have to go back to C-1?

Mayor Williams – Because Councilwoman Tynes wants to abstain on that one.

Councilwoman Tynes – No. It was C-11 that we pulled. I can abstain. You do not have to go back to it.

Mayor Williams – You do not want to abstain on all of these. You only want to abstain on the C1.

Town Attorney – There is no conflict, Councilwoman Tynes. It is just a parade. It is fine. You can vote on that. It is not a conflict of interest. I promise.

Mayor Williams – I need a motion for item C-1 through C-10.

Councilman Pack – Mr. Mayor, I recommend that we approve items C-1 through C-10 on the consent agenda as presented.

C1. Resolution to Approve Street Closure Request for Smithfield High School Homecoming Parade, Friday, October 23rd from 4:15 p.m. to 5:15 p.m.

C2. Resolution to Approve Street Closure Request for Smithfield Evening Christmas Market, Friday, December 11th, from 2:00 p.m. to 11:00 p.m.

C3. Resolution to Approve Street Closure Request for Annual Genuine Smithfield Christmas Parade, Saturday, December 12th from 8:00 a.m. to 1:00 p.m.

C4. Motion to Approve Mechanical, Electrical and Utility Services Contract Renewal with REW Corporation for One Additional Year.

C5. Invoices Over \$10,000 Requiring Council Authorization:

- | | |
|--|--------------|
| a. Taser International (approved September 1 st , 2015) | \$ 22,073.38 |
| b. THG Construction (Storage building renovation-50% complete) | \$ 20,750.00 |
| c. IOW Tourism True-Up FY 2014/2015 | \$ 98,098.46 |

C6. Resolution to Renew Line of Credit with TowneBank for the Pinewood Heights Relocation Project.

C7. Motion to Adopt Personal Property Tax Relief Act (PPTRA) Percentage.

C8. Motion to Accept Deed for Public Boat Ramp at Clontz Park from Smithfield Foods.

C9. Motion to Accept Proposal for Street Overlay of South Mason Street from Main Street to Cedar Street by Blair Brothers in an Amount Not to Exceed \$19,286.00.

C10. Motion to Authorize the Purchase of Budgeted Public Works truck Under State Contract Pricing for \$29,561.00

C11. Pulled from Consent Agenda.

Councilwoman Chapman – Second.

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

On call for the vote, seven members were present. Councilman Smith voted aye, Councilman Dr. Cook voted aye, Councilman Pack voted aye, Councilwoman Chapman

voted aye, Vice Mayor Gregory voted aye, Councilwoman Tynes voted aye, and Mayor Williams voted aye. There were no votes against the motion. The motion passed.

Mayor Williams – We now move to C11 which is a Motion to Accept the Proposed Scope of Work for Hampton Roads Planning District Commission (HRPDC) Assistance with Town Comprehensive Plan Update. This is Public Buildings and Welfare Committee Chairman, Dr. Milton Cook.

Councilman Dr. Cook - Item C-11 is a motion to accept the proposed scope of work for the Hampton Roads Planning District Commission assistance with the town's Comprehensive Plan Update. Essentially the town is hiring the HRPDC to help us finalize our Comprehensive Plan update that we have been working on for a year plus now. I would like to start with our Town Manager. He can tell us who the HRPDC is.

Town Manager – For the record, the Hampton Roads Planning District Commission is made up of seventeen localities here within the Hampton Roads Metropolitan statistical area. The Town of Smithfield is a member of HRPDC. It is not a private organization. It is a political subdivision of the Commonwealth of Virginia as is the Town of Smithfield and all of the other member localities. Again, we are not really hiring them. We are receiving technical assistance as a member as outlined in Section 15.2-4208 of the Code of Virginia regarding duties of Planning District Commissions to provide that assistance to member localities and implement services upon request of member localities. The last few years their expenses have gone up. They are trying to cover things that are beyond membership dues. We do pay for other services that we receive from HRPDC beyond the annual membership fee. It is a not to exceed amount. We are just going to be covering the expenses as far as staff time for technical assistance items that literally we just do not have time to do on our own.

Councilman Dr. Cook – It is essentially intergovernmental.

Town Manager – It is essentially intergovernmental cooperation. It is part of the Regional Cooperation Act in the Commonwealth of Virginia.

Town Attorney – Ms. Hillegass has no conflict of interest in this regard. It is not her bailiwick. What we are asking them to do is not something that is a conflict with her position on the Planning Commission or the Board of Historic and Architectural Review.

Town Manager – Right. She will not be involved in this update as a staff member.

Councilman Pack – Hypothetically, Mr. Stephenson, is there someone else who could do this work? I assume it would be a private company.

Town Manager – In the past the town has employed private sector consultants to assist us with Comprehensive Plan updates. Most recently, five years ago, we hired Cox Company from Charlottesville Virginia. As to the question as to why we are doing it, it is required under state code to be updated every five years. We started last year to meet that five year requirement. We need to finish. The only other option would be a private consulting firm which, based on our experience, is much more expensive to the Town of Smithfield.

Town Attorney – The town has done as much as it can in house with staff. The Planning Commission knows how much time staff has devoted to this. With Mr. Hopkins' death, we are shorthanded. We need some help with outside assistance.

Councilman Pack – I understand. So would it be your recommendation and the most economical route to continue with HRPDC?

Town Manager – Yes. They have assisted the Town of Windsor and Isle of Wight County before. Previously, we have done more significant updates and chosen to go with a private consultant. We are looking for technical assistance to update tables, data, and sets that have to be parsed down to the town level. We are not looking for them to come and do a public facilitation process. They are literally going to be crunching numbers and providing us with factual data to plug into the Comprehensive Plan. The Planning Commission and staff will be forging ahead with their technical assistance.

Councilman Pack – The Comprehensive Plan is not really getting any major updates. It is updating our numbers, facts and figures, and our data as I understand. This is not a rewrite of our Comprehensive Plan.

Town Manager – No.

Mayor Williams – All the members that belong to the HRPDC use this. That way they can do it a lot cheaper than a private consulting firm. Are there any other questions?

Councilman Dr. Cook – Hearing no other questions or concerns, I make a motion to accept the proposed scope of work for Hampton Roads Planning District Commission assistance with the town Comprehensive Plan update.

Vice Mayor Gregory – 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. Councilman Smith voted aye, Councilman Pack voted aye, Councilwoman Tynes voted aye, Councilwoman Chapman voted aye, Councilman Dr. Cook 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 now move to the Action Section. We have a Motion to Approve the Town Council Meeting Minutes of September 1st, 2015.

Town Attorney – Mr. Mayor and members of Council, I have reviewed the minutes and recommend they be approved 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. Councilman Pack voted aye, Councilwoman Tynes voted aye, Councilman Smith voted aye, Vice Mayor Gregory voted aye, Councilwoman Chapman voted aye, Councilman Dr. Cook voted aye, and Mayor Williams voted aye. There were no votes against the motion. The motion passed.

Mayor Williams – We now move to New Business. We need to Accept Deeds for Pinewood Heights Relocation Project for 53 Carver Avenue and Vacant Lots 48 and 49.

Town Manager – We had an audit by the Virginia Department of Housing and Community Development in the last two days. I would like to thank our Town Treasurer and Town Clerk. Part of that housekeeping is on two vacant lots, lots 48 and 49, on Carver Avenue and also 53 Carver Avenue. The town has closed on those three. For the record, you all need to accept the deeds to those properties.

Councilman Dr. Cook – So moved.

Councilman Pack – 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. 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 – Is there any other new business? Hearing none, we will now move to Old Business. Is there any old business to discuss? Hearing none, we will move now to our Closed Session.

Town Attorney – Mr. Mayor, you need a motion to go into closed session for the purpose of discussing the acquisition of real property for public purposes pursuant to Section 2.2-3711.A.4 Code of Virginia.

Vice Mayor Gregory – So moved.

Councilwoman Tynes – Second.

Town Council went into closed session at 8:34 p.m.

Town Council came out of closed session at 8:59 p.m.

Town Attorney – Mr. Mayor, we need a motion that during the closed session there was only a discussion of the acquisition of real property for public purposes.

Vice Mayor Gregory – So moved

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

Mayor Williams – Is there anything else to come before Council tonight?

Town Treasurer – As you know, we had real estate reassessment and the Town Attorney and I have determined that it has to be advertised for two weeks before we can adopt the rate. We will need to advertise so we can mail them out after the advertisement has run.

Town Attorney – We will just adjourn the meeting until October 27th, 2015.

Town Treasurer – We could do it that Tuesday after committee meetings. We will have them ready unless you think there is any possibility that you might change the rate. I do not see it based on our discussion. They cannot be mailed until after the motion is adopted. Technically, we only have to have them out two weeks before the

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due date but we always like to do at least a month. It is also easier on my office to have more time to process it. Thank you.

The meeting was continued until October 27th, 2015 at 6:00 p.m.

Mr. T. Carter Williams
Mayor

Peter Stephenson, AICP, ICMA-CM
Town Manager