

AGRICULTURE



While the debate over chickens goes on, chicken owners buy, swap & sell them.
— See page 11

HISTORY



With a barnyard full of buildings to repair, the town called in Smithfield's resident restoration expert — Roger Ealy.
— See page 11

QUOTE OF THE WEEK

“We got tired of the bureaucratic machine.”
— Contractor Mike Smith
On appeal of county building official ruling, p. 1

IW loses bldg. appeal

What's a farmer? She is, state says

By Diana McFarland
Managing editor

The State Building Code Technical Review Board, as well as Isle of Wight's own Board of Building Code Appeals overturned a ruling by the county's building inspector over the construction of an equipment barn at Morgart's Beach.

The dispute centered on the definition of a farmer, a farm structure and whether a certain percentage of income from farming is necessary to be exempt from a building permit.

Mike Smith, who had contracted with the applicant, Pinky Hipp, to build the structure, said he appealed to the county's Board of Building Code Appeals because “we got tired of the bureaucratic machine.”

“There are people in positions in the county that, in my opinion, they're power hungry and cite things that didn't even relate to her (Hipp),” said Smith.

After being overturned by the

county's appeals board, Isle of Wight Director of Inspections Arthur Berkley took the issue to the state board, where his interpretation was also overturned.

Hipp wanted to make her experience public due to the “principle” of the matter, and was concerned that other residents may have had a similar experience.

Hipp applied last fall for a zoning permit to build a three-sided equipment storage building for her horses on 25 acres that she and her husband own off Morgart's Beach Road. The land is zoned rural agricultural conservation and Hipp said she also has an agriculture conservation easement applied to 15 acres of the property. Hipp grows hay and trains horses. Similar buildings built on the same property did not require a building permit in the past, according to an email from Smith to Smithfield Supervisor Dick Grice.

• See BUILDING, p. 7



Staff photo by Diana McFarland

Pinky Hipp holds the decision by the State Building Code Technical Review Board that recently ruled in her favor and against Isle of Wight County over its policy on farm buildings. Hipp is standing in front of the storage building that caused the building permit controversy.

Surry: Go it alone or let HRSD run it?

By Diana McFarland
Managing editor

SURRY—A Surry Town Council member says it makes more financial sense for the town to build its own wastewater plant, but the engineer who designed the proposed plant says going with the Hampton Roads Sanitation District is the better option.

Surry Town Council member Christopher Anderson said the town had to get firm numbers from HRSD to make the calculations, and those were provided last month.

The new information will be presented at a March 14 public hearing on HRSD's offer to take over the town's wastewater system. The meeting begins at 7:30 p.m. at town hall.

Those who attended the public hearing last month were overwhelmingly in favor of going with HRSD.

The town has not indicated whether it's for or against HRSD's offer, but instead needed numbers to go by, Anderson said.

• See SURRY, p. 8

Supers question urgency of \$10 million request

By Diana McFarland
Managing editor

After listening to reasons why Isle of Wight County should borrow \$10 million to fund an in-house career and technical education program, the Board of Supervisors questioned the urgency, the lack of collaboration with Paul D. Camp Community College and the need to fund the entire program at once.

If the Board borrows \$10 million, it will make Isle of Wight the most indebted county in the state and there are too many unknowns looming in the future, said Wind-

sor District Supervisor Joel Acree about the proposed 20-year loan.

Smithfield Supervisor Dick Grice said he didn't understand the reasoning behind an immediate and complete rollout of the program.

“There's trade-offs that can be worked out here,” said Grice, and questioned the notion that high school students would graduate prepared to snag a job with a “family sustainable wage.”

“Let's walk before we run,” he said.

The Isle of Wight County School Board and Board of Su-

perintendents held a joint work session Thursday to discuss School Superintendent Dr. Jim Thornton's plan to add a wide range of CTE programs at Smithfield and Windsor high schools.

The meeting also included a visit from Dr. Dan Lufkin, president of Paul D. Camp Community College, who suggested the schools and college look at ways to collaborate and save money — given that the college already has many of the programs being proposed by Thornton.

• See CTE, p. 7

Del. Rick Morris announces he won't seek re-election

By Diana McFarland
Managing editor

Del. Rick Morris, R-64th, who is facing child cruelty and domestic abuse charges, announced last week he will not seek a fourth term in the House of Delegates.

Instead, he will spend more time with his three youngest children, planting vegetables and obtaining a pony and goat, according to a press release Morris passed out Thursday at the Richard J. Holland Post-Legislative Breakfast.

“Over the last 4½ months I've been the primary care provider for my three small-



Rick Morris

est children ages 2, 4 and 5. While at the General Assembly in Richmond, it has been a challenge to give them the attention they deserve, and my commitment to them is greater than no other,” said Morris in the

press release.

Morris, charged with two counts of child cruelty and two counts of assault and battery of a family member, is facing trial in Suffolk Circuit Court. The child cruelty charges are Class 6 felonies, and the assault and battery charges are Class 1 misdemeanors.

At the breakfast, Morris said he is confident the “false allegations” will be dismissed in May.

Since Morris' difficulties became public, four individuals, two Democrats and two Republicans, have announced their intention to replace him as representative of the 64th District in the General Assembly.

Morris endorsed Republican candidate and Chair-

man of the Isle of Wight Board of Supervisors Rex Alphin at the breakfast. Alphin faces a primary challenge against Emily Brewer of Suffolk. Running in the Democratic primary are John Warrington of Carrollton and Rebecca Colaw of Suffolk.

Morris cited his dedication to individual rights, open and transparent government, the virtues of individual responsibility and the free market system as the hallmark of his time in the House of Delegates. “I am extremely grateful to the good people of the 64th District for allowing me to serve them, and this has truly been one of my greatest honors,” said Morris in his press release.

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Mavis W. Garrett,
Doctor of Audiology
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Surry

Continued from p. 1

By raising the sewer rate 2 percent a year for the next 20 years, the town will be able to run the system in the black, so to speak, as well as create a surplus, Anderson said.

"They're pretty confident our numbers are strong," said Anderson, citing an outside engineering consultant, the town's wastewater consultant and the Virginia Department of Environmental Quality as sources.

The new plant would cost about \$2 million, and based on grants the town is qualified for, would require the town to take out a loan of about \$1.4 million, Anderson said. The proposed plant would process 99,000 gallons of wastewater a day, as opposed to the current plant that processes 60,000 gallons a day, he said.

Darrell Rickmond, president of Rickmond Engineering Inc., designed the town's proposed new wastewater facility — and would benefit financially if the town decided to proceed in that direction. However, he disagrees with that option, given the challenge a locality — big or small — faces in operating a wastewater treatment plant.

HRSD has the manpower and the wherewithal to deal with whatever issues arise, Rickmond said, adding that rates would not change much for customers.

Rickmond said that at nearly every town council meeting he has attended, the main discussion has centered on issues facing the wastewater treatment plant.

"It's an ongoing battle," he said.

Rickmond said no other Tidewater locality continues to operate a wastewater treatment facility.

"How can you (the town) do it if no one else can," Rickmond said.

On top of day-to-day operations, there's also the need to apply for a permit every five years — a costly process — not to mention changing discharge regulations, Rickmond said.

Rickmond said he helped the town devise a budget for a new plant and it would run in the red for the first 10-12 years.

"I don't know where the money is coming from," he said.

Mayor Will Gwaltney said it's his job to determine what is best for the town and building a new plant to modern specifications would eliminate the violation issue with DEQ. The existing plant was built in 1985.

Gwaltney said that building a new wastewater treatment facility would take care of future growth too.

Anderson agreed that a new plant would "allow for a ton of growth," in the town, but added that Edwards Virginia Smokehouse is not located within town limits and would be on the county's system.

However, in order to treat the heavy amount of wastewater produced by a business such as Edwards, the company would require the additional sewer flow from the town's system to make it work, said HRSD General Manager Ted Henifin.

Edwards' facility burnt down last year. Prior to the fire, it was on a grandfathered wastewater system, but state officials have indicated that it would need to be on HRSD to rebuild.

Edwards said his company could remain in Surry without the town going with HRSD, but it would be so expensive to continue to pre-treat his wastewater that it wouldn't make good business sense. Moving to another locality, the town doesn't go with HRSD, is a better business decision, Edwards said.

Edwards is one of the larger employers in Surry and has been in business in the county for 90 years.

Some Surry business owners either don't have an opinion or do not know enough about the issue to comment.

Larry Klebes, who owns Chen's Asian Grill in town said he doesn't know the details of the issue, but water and sewer rates are important to his business, as well as whatever is best for the future of the town. Klebes said he would support the town's decision.

Mary Savage of Surry Equipment said that while her business isn't located within town limits, she strongly favors the town going with HRSD because she doesn't want to see Edwards leave. Savage is also being concerned about the dwindling number of businesses in town and lack of opportunities in the county.

"There's no businesses left in town," she said. Former Surry Town Council member Bill Roach also disagrees with Anderson's conclusion as to the relative costs.

Roach has spent some time investigating the pros and cons of going with HRSD versus building a new wastewater treatment plant.

In his opinion, going with HRSD makes sense in terms of cost to the town and its residents, as well as eliminating the aggravation and cost of maintenance and day-to-day operations.

If the town decides against going with HRSD, residents will have to pay back the \$1.4 million loan to build the new wastewater treatment plant, as well as pay the current debt service of \$28,284 for the abandoned plant that would no longer be in use, Roach said.

Roach said DEQ, as well as HRSD, have offered to reimburse the town for any expenses incurred so far with regards to building a new plant.

The Surry Board of Supervisors has also informally agreed to pay off the town's existing debt on its current facility, said Surry District Supervisor John Seward, adding that a formal vote on the offer has not yet occurred.

Meanwhile, the town's wastewater system is again under investigation by DEQ.

Roach also pointed out that going with HRSD would free the town from day-to-day maintenance and repairs, as well as future liability if DEQ's wastewater treatment standards are not met.

When it comes to water and sewer rates, another sticking point mentioned at the February meeting, Roach said Surry residents using less than 4,000 gallons a month in wastewater are currently being overcharged.

The town charges all households for up to 4,000 gallons a month a rate of \$47, but most households in the town are made up of one or two people who use less, said Roach. If the town goes with HRSD, those individuals could see their wastewater costs decrease due to HRSD's rate structure that breaks it out at 3,000 gallons a month for \$34.11, while larger households will likely not see a change, Roach said.

HRSD has stated that sewer bills could go up by as much as 9 percent a year for the next five years, but rural localities served by HRSD have appeared to experience actual increases of 1.75 to 3.75 percent, on average, over the past four years, according to Roach. During the February public hearing, Town Council members warned residents that their water rates could go up "considerably" if the town switches to HRSD.

However, the Town Council did not specify how much the water bill, which is currently \$3 for town residents and \$13 for commercial and out-of-town residents, would increase. Town water and sewer is jointly billed.

Surry County's monthly water fee is \$30 a month, which includes the town of Dendron.

When it comes to water rates and switching to HRSD, Roach said that even if the town were to raise the water rate from \$3 to \$5 a month, it appears that it could realize an additional \$19,000 a year to the town's coffers. By raising it to \$10, the town would see an additional \$38,000 a year, said Roach.

And based on the town's general fund, it appears it would be possible to maintain the town's current water rates for the near-to-mid future with no increase, Roach said, according to his calculations on the fiscal 2013-2015 budgets.

Right now, the water and sewer system is running nearly \$25,000 in the red, according to the town's fiscal 2017 budget.

Anderson said it was a concern that the current system operates in the red and that's why the town has to build a new plant.

Gwaltney and Anderson said that losing control of its wastewater facility to HRSD was not a concern.

The water and sewer system is the town's largest enterprise with yearly revenues of \$250,000 and a yearly cost of \$274,284. Of that expense, \$28,284 is the

debt service on the existing plant.

The town's other expenses total \$73,716 and pay for administrative costs, postage, contracted fees such as legal advice, insurance and utilities.

The Surry County Board of Supervisors unanimously voted in February to deed ownership of its wastewater system to HRSD.

HRSD has offered to allow the county and the town to reclaim ownership of its facilities in the future if the agreement does not meet expectations.

HRSD General Manager Ted Henifin said there is no time limit for the town to make a decision, however the transfer of assets would be more complicated if the town assumes debt and begins to upgrade its facilities before going with HRSD.

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