

**DRAFT**

**Minutes  
Windsor Town Council Continued Meeting  
Town Hall  
June 9, 2020**

The Windsor Town Council met in regular session on June 9, 2020 at 7:00 p.m. in the Council Chamber of the Windsor Town Hall, Windsor, Virginia. Mayor Glyn Willis was present, and he called the meeting to order. He welcomed those who were present. He asked for anyone with cell phones to please turn them off. Terry Whitehead, Town Clerk, recorded the minutes. Sandy Wanner, Interim Town Manager, Christy Newsome, Treasurer, Chief Riddle, and Fred Taylor, Town Attorney, were present.

Council members present:           Durwood Scott  
  Greg Willis  
  Walter Bernacki  
  Kelly Blankenship  
  J. Randy Carr  
  George Stubbs

Councilman Stubbs led the Pledge of Allegiance.

**Public Hearing**

None

**Delegations, Public Comments and Citizens' Concerns**

Mayor Willis reported that he invited Mawgana "Morgie" Lovett to attend tonight's meeting to recognize and commend her for organizing the activity held Saturday, June 6, 2020 at the lot next to the Police Department. He said she could not attend the meeting tonight due to her work schedule. He said he spoke with her and told her that the event was a great opportunity for her and the other participants to learn how to "share their voice" in a peaceful, organized manner.

**Consent Agenda**

Mayor Willis said the Consent Agenda consists of the minutes of the May 12, 2020 Council meeting, the minutes of the May 26, 2020 Budget work session, the minutes of the May 26, 2020 Council meeting, and the Police Chief's report. He asked if there were any questions or comments regarding the Consent Agenda.

Mayor Willis stated that a correction to the May 26, 2020 Budget work session minutes was emailed to Council. Councilwoman Blankenship explained that language was revised to provide clarification regarding the decrease in Isle of Wight County's contribution to the Town Center.

Vice Mayor Scott made a motion to adopt the Consent Agenda as presented. Councilman Stubbs seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #1.

## **Treasurer's Report**

Ms. Newsome said the Treasurer's report for the month of May is before Council for review. She reported that delinquent taxes are being collected, and business owners are renewing their business licenses. She said an active business license is required to qualify for the COVID-19 Business Interruption Small Business Grant established by Isle of Wight County and the Towns of Smithfield and Windsor. Ms. Newsome said the Town office plans to open to the public Wednesday, June 10, 2020.

Vice Mayor Scott explained that some businesses have been closed for several months due to the Governor's Executive Order regarding COVID-19 and may not have available funds to pay their taxes or re-new their business license before applying for the grant. He said, on behalf of the Windsor Economic Development Authority (EDA), he would like to see Council take a position and suggest to Isle of Wight County that they consider revising their guidelines to work with businesses who don't meet the current specific criteria for the grant.

Vice Mayor Scott said he asked Ms. Dunlow, EDA Secretary, to mail flyers to all businesses that do not have an email address so that all businesses in the Town of Windsor will be aware of this grant opportunity.

After further discussion, Mayor Willis asked Mr. Wanner to research who sets the guidelines for the grant to determine how to move forward with requesting revisions.

Ms. Newsome reported that 101% of real estate taxes, 96% of personal property taxes and 89.8% of business licenses have been collected as requested by Vice Mayor Scott.

Councilwoman Blankenship made a motion to approve the Treasurer's report. Councilman Bernacki seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #2.

## **Council's Discussion of Citizens' Concerns**

Councilman Bernacki said a citizen was concerned that the water tank gauge at the water tower located at E. Griffin Street has been showing at the empty mark. He was also asked by a citizen to report that a tree limb is hanging over the sidewalk near 31 Church Street, and there is water bubbling out of the ground near the same location on the school side of the road. Councilman Bernacki said there are cones surrounding the wet area. Mr. Wanner said he will discuss these issues with the Maintenance Department and report back to Council.

Councilman Stubbs said he was contacted by a citizen regarding an extremely high water bill in excess of \$2,000 due to a water leak caused by a sub-contractor trimming trees for Dominion Energy. He said the water line was damaged going to the homeowner's house located at 11126 Old Suffolk Road. He said the water line is located on Dominion Energy's right-of-way. He explained that the homeowners were not aware of the leak until neighbors noticed the large amount of water standing at the edge of the property. Councilman Stubbs reported that a leak adjustment was processed in accordance with the Town's Water Leak Policy leaving a balance due of \$1,054.34, noting that their average bill is \$33.48 bi-monthly. He said they also incurred the costs of having the leak repaired.

Councilman Stubbs explained that the wife has been making monthly payments and keeping this information from the husband due to his health condition. He said the husband is a Vietnam Veteran. He explained that the husband recently became aware of the situation and reached out for help. Councilman Stubbs said maintenance has installed posts in concrete to hopefully prevent this from happening again.

Councilman Stubbs said after his research, he would like to ask Council to consider waiving the remaining leak adjustment balance in the amount of \$398.69. He said this family has incurred damage and costs for something that was not their fault. Councilman Stubbs said this would be a good gesture on Council's behalf due to the circumstances.

After further discussion regarding the Town's Water Leak Policy, utility easements, liability, and insurance coverage, it was the consensus of Council to have Mr. Wanner and Mr. Taylor contact Dominion Energy to see what their policy is regarding damages caused by their sub-contractors to homeowner's property, and to research who would be responsible for damages to water lines located in utility easements. Council also agreed to have Councilman Stubbs contact the homeowners to question if they have reached out to their insurance company for possible coverage of the repairs and the high water bill resulting from the water line damage. Council also agreed for the homeowners not to pay towards the water bill resulting from the leak until all the information has been gathered and a decision has been made at the July 14, 2020 Council meeting.

Vice Mayor Scott reported a large hole in the pavement next to the railroad crossing on Old Suffolk Road. Mr. Wanner said he would contact VDOT.

Mayor Willis said a citizen contacted him regarding the VDOT paving schedule. Mr. Wanner confirmed that he emailed the schedule to all Council members.

Vice Mayor Scott updated Council on the Church Street/Shiloh Drive Sidewalk Project.

Vice Mayor Scott asked if Holland Meadows has contributed the agreed upon \$100,000 proffer to the Town of Windsor for the sidewalk project. Ms. Newsome said she would check into this matter and update Council.

## **Town Manager's Report**

### ***Budget - CIP***

Mr. Wanner said Council will consider the adoption of the Capital Improvements Plan (CIP) as well as the FY 2020-2021 Operating Budgets for the Water Fund, General Fund, Space Needs Fund and the Town Center Fund. He said the Ordinances and Resolutions are attached for Council's consideration. Mr. Wanner reported that there are no tax or water rate increases. Mr. Wanner said the only change that has been made, as a result from the Budget work session, was changes to the Town Center Budget that was recommended by Councilwoman Blankenship.

Mr. Wanner recommended that Town Council adopt the attached Ordinances and Resolutions.

Mayor Willis said the first item is Council's consideration of adopting an Ordinance entitled: "An Ordinance imposing and levying taxes within the Town of Windsor, Virginia

upon real property, upon public service corporation, upon personal property, upon machinery and tools, and upon mobile homes for the calendar year beginning January 1, 2020, and ending December 31, 2020.”

Councilman Greg Willis made a motion to adopt the Ordinance entitled: An Ordinance Imposing And Levying Taxes Within The Town Of Windsor, Virginia Upon Real Property, Upon Public Service Corporation, Upon Personal Property, Upon Machinery and Tools, And Upon Mobile Homes For The Calendar Year Beginning January 1, 2020, And Ending December 31, 2020. Councilman Stubbs seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #3.

Mayor Willis said the next item is Council's consideration of adopting an Ordinance entitled: “An Ordinance establishing the water rate schedule for the water system owned and operated by the Town of Windsor, Virginia.”

Vice Mayor Scott made a motion to adopt the Ordinance entitled: An Ordinance Establishing The Water Rate Schedule For The Water System Owned And Operated By The Town Of Windsor, Virginia. Councilman Greg Willis seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #4

Mayor Willis said the next item is Council's consideration of the Resolution entitled: “A Resolution approving and adopting the fiscal year 2020-2021 operating budget for the Town of Windsor, Virginia and appropriating the requisite funds for said budget.”

Councilman Bernacki made a motion to adopt the Resolution entitled: A Resolution Approving and Adopting The Fiscal Year 2020-2021 Operating Budget For The Town Of Windsor, Virginia And Appropriating The Requisite Funds For Said Budget. Councilman Stubbs seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #5.

Mayor Willis said the final item is Council's consideration of adopting a Resolution entitled: “A Resolution approving and adopting the Five-Year Capital Improvements Plan (CIP) for the period covered by fiscal years 2020-2021 through 2024-2025.”

Councilwoman Blankenship made a motion to adopt the Resolution entitled: A Resolution Approving And Adopting The Five-Year Capital Improvements Plan (CIP) For The Period Covered By Fiscal Years 2020-2021 Through 2024-2025. Councilman Carr seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #6.

Mayor Willis said Council will continue to monitor revenue impacted by COVID-19. He said by the August 2020 meeting, Council should be able to make a determination on how it will impact the budget moving forward.

***Certification for Receipt of Coronavirus Relief Fund Payments by the Town of Windsor***

Mr. Wanner reported that the CARES Act requires Certification for Receipt of Coronavirus Relief Fund Payments By The Town of Windsor. The Certification requires authorization for the Mayor, Interim Town Manager, and the Treasurer to request direct payments and to follow all other requirements for such payments.

Mr. Wanner recommended that Town Council approve the Certification for Receipt of Coronavirus Relief Act Fund Payments By The Town of Windsor. He said the form was developed by Isle of Wight County, the Town of Windsor and the Town of Smithfield. He said it was approved by a voice vote by the Isle of Wight County Board of Supervisors, and a Resolution was not included.

Mr. Wanner said the Town will be reimbursed for any expenses related to COVID-19 such as personal protective equipment (PPE), plexiglas, and cleaning supplies.

After further discussion, Vice Mayor Scott made a motion to approve the Certification for Receipt of Coronavirus Relief Fund Payments By The Town of Windsor and authorize the Mayor, Interim Town Manager, and the Treasurer to sign this Certification. Councilman Stubbs seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #7.

### ***COVID-19 Business Interruption Small Business Grant Program***

Mr. Wanner reported that the COVID-19 Business Interruption Small Business Grant Program has been established by Isle of Wight County and the Towns of Smithfield and Windsor to help small businesses impacted by the COVID-19. He said the program is funded with the CARES Act funding Isle of Wight County receives for the three jurisdictions. Mr. Wanner said the Isle of Wight County Economic development office will administer the program.

Mr. Wanner recommended that Town Council approve the COVID-19 Business Interruption Small Business Grant Program.

Councilwoman Blankenship asked if the Town receives the funds to be distributed to those businesses who qualify for the grants. Mr. Wanner explained that Isle of Wight County Economic Development staff and its designees will determine eligibility for the grants, and Isle of Wight County will manage the funds.

Councilman Greg Willis made a motion to approve the COVID-19 Business Interruption Small Business Grant Program. Councilman Bernacki seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #8.

### ***Duke Street and Virginia Avenue Waterline Replacement Project***

Mr. Wanner said this project approved in the FY19-20 CIP has been designed by Bowman Consulting, and the plans are approved by the Virginia Department of Health. He said the project is the replacement of undersized water mains along Duke Street from 4" to 8" and along Virginia Avenue from 4" to 6".

Mr. Wanner stated that the project cost of \$300,000 is budgeted in the Water Fund, and funds were approved June 25, 2019.

Mr. Wanner recommended that Council authorize the Town Manager to put this project out to bid. He said the bid will come back to Council for further action. Councilman Bernacki made a motion to authorize the Town Manager to put the Duke Street and Virginia Avenue waterline replacement project out to bid. Councilman Stubbs

seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #9.

***Appropriation of Funds for Annual HVAC Maintenance Services - Town Center***

Mr. Wanner reported that the Invitation for Bid (IFB) #2020-01 for the Annual HVAC Maintenance Services for the Town Center was publicly advertised on February 1, 2020, and bids were received on February 25, 2020.

Mr. Wanner said seven bids were received and reviewed by Brian Camden with Alpha Corporation and staff. He reported that Best Repair Company, Inc. was the lowest responsive and responsible bidder for the contract of one (1) year with options for up to four (4) additional one (1) year renewals.

Mr. Wanner said funds are available in the Town Center Budget to support the first one (1) year bid of \$6,080.

Mr. Wanner explained that the Town Center Advisory Board has not had an opportunity to review the bids. He said the Advisory Board will be meeting Monday, June 15, 2020 at 5:00 at the Town Center to review the bids.

Mr. Wanner recommended that Town Council award the bid to Best Repair Company, Inc. for the amount of \$6,080 subject to concurrence by the Town Center Advisory Board.

Mr. Wanner reviewed the scope of work as requested by Councilman Bernacki.

Councilwoman Blankenship requested clarification on what is actually included for the \$6,080.

Vice Mayor Scott questioned whether the \$6,080 is paid up-front in one lump sum as stated in the Contract Bid Document. He suggested that it be negotiated for payments to be made quarterly.

Councilman Greg Willis requested that Brian Camden be at the Advisory Board meeting to answer questions regarding the scope of work on the Contract Bid Documents if he is available. Mr. Wanner said he would contact Mr. Camden regarding attending the meeting.

After further discussion, Council agreed by consensus to table this issue until the July 14, 2020 Council meeting in order to give the Town Center Advisory Board an opportunity to review the Contract Bid Document and offer input.

**Town Attorney's Report**

None

**Mayor's Report**

None

## **Economic Development Authority (EDA)**

Vice Mayor Scott said EDA has not been able to meet due to COVID-19. He reported that a Farmers' Market will be opening Friday, June 12, 2020 at the Old Point National Bank parking lot. He said the market will be open every Friday from 3:30 p.m. to 6:30 p.m. until September 25, 2020. He said there will be a \$25.00 application fee. Vice Mayor Scott commended Mischelle Goodman with Anytime Fitness for organizing the Farmers' Market.

## **Other Reports**

Councilman Stubbs thanked and commended Chief Riddle for assisting and helping Ms. Lovett with a well-organized, peaceful event this past Saturday, June 6, 2020.

## **Old or Unfinished Business**

Mr. Wanner said he will keep Council informed of when the new Public Works building ground breaking will take place.

## **New Business**

Councilwoman Blankenship expressed her concerns with the format being used to post the Council meeting packet information on the Town's website. She said in the past, it was posted by each specific topic, and was user friendly for the public. She explained that it is now posted as one topic and requires scrolling through several pages to find a specific report.

Chief Riddle said he discussed this issue with Mr. Stallings, and was informed that there is a program on one of the computers in the Town office that will allow this information to be posted by specific topics. He said he will have to locate the computer with this program.

After further discussion, Mayor Willis asked Councilwoman Blankenship to research how Board meeting packet information is posted on Isle of Wight County's website and provide feedback for discussion.

## **Closed Session**

Councilman Bernacki made a motion to go into closed session pursuant to Virginia Code Section 2.2-3711, A-1 Personnel, to include the discussion, consideration, or interviews of prospective candidates for employment, specifically for the hiring of a Town Manager. Section 2.2-3711, A1 Personnel, the performance and evaluation of Town employees, Section 2.2-3711, A-7 Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation regarding a request for litigation hold and records submitted by Attorney Ray Hogge where such consultation or briefing in an open meeting would adversely affect the negotiating or litigating posture of the public body. Vice Mayor Scott seconded, and Council passed the motion as recorded on the attached chart as motion #10.

Council went back into regular session at 10:14 p.m.

Councilwoman Blankenship made a motion pursuant to Virginia Code Section 2.2-3712, Subsection D, that Council discussed only public business matters lawfully exempted from open meeting requirements, and that Council heard, discussed, or considered only such business matters as were identified in the motion that Council passed to go into closed session. Councilman Bernacki seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #11.

Councilman Stubbs made a motion to recess until 8:30 June 27, 2020 for purposes of a closed meeting for personnel matters. Councilwoman Blankenship seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #12.

The meeting recessed at 10:20 p.m.

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Glyn Willis, Mayor

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Terry Whitehead, Town Clerk



TOWN OF WINDSOR  
 RECORD OF  
 COUNCIL VOTES

Council Meeting Date June 9, 2020 Continued Meeting

Motion #	Stubbs	Scott	Greg Willis	Bernacki	Blankenship	Carr	Glyn Willis
1	Y	Y	Y	Y	Y	Y	
2	Y	Y	Y	Y	Y	Y	
3	Y	Y	Y	Y	Y	Y	
4	Y	Y	Y	Y	Y	Y	
5	Y	Y	Y	Y	Y	Y	
6	Y	Y	Y	Y	Y	Y	
7	Y	Y	Y	Y	Y	Y	
8	Y	Y	Y	Y	Y	Y	
9	Y	Y	Y	Y	Y	Y	
10	Y	Y	Y	Y	Y	Y	
11	Y	Y	Y	Y	Y	Y	
12	Y	Y	Y	Y	Y	Y	
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Jerry Whitehead, Clerk