

**Minutes
Windsor Town Council Meeting
Town Hall
July 10, 2018**

The Windsor Town Council met in regular session on July 10, 2018 at 7:00 p.m. in the Council Chamber of the Windsor Town Hall, Windsor, Virginia. Mayor Carita J. Richardson was present, and she called the meeting to order. She welcomed those who were present. She asked for anyone with cell phones to please turn them off. She asked the Clerk to call the roll. Terry Whitehead, Town Clerk, recorded the minutes. Michael Stallings, Town Manager, Chief Riddle, Christy Jernigan, Treasurer, and Wallace W. Brittle, Jr., Town Attorney, were present.

Council members present: Durwood Scott
N. Macon Edwards, III
Greg Willis
Patty Flemming
Tony Ambrose
Walter Bernacki

Councilman Willis led the Pledge of Allegiance.

Public Hearing

South Court Street Rezoning

Mayor Richardson said there is a public hearing tonight to receive comments concerning a request to rezone parcel 54B-01-234 located at the corner of East Griffin Street and South Court Street from its current zoning of B-1 Business to R-1 Residential. She asked Mr. Stallings to give an overview.

Mr. Stallings explained that the purpose of this rezoning is to allow for the construction of a single family home. He said the owner has demolished the existing home and will be combining the subject parcel with others recently rezoned to create one building lot. He said this parcel is the last of several parcels that were purchased and rezoned on this corner. Mr. Stallings said this piece was delayed by multiple factors and will be the final piece of this project.

Mayor Richardson opened the public hearing. With there being no one to speak either in favor or in opposition of the rezoning request, she closed the public hearing. She then opened the matter for discussion among Council.

Councilman Bernacki asked if there will be an impact on the sewer system by combining the vacant lots for the new construction. Mr. Stallings explained that there was a sewer tap for the previous home, and the new owner will use that connection.

Councilman Edwards made a motion to approve the rezoning of parcel 54B-01-234 from B-1 Business to R-1 Residential. Councilman Bernacki seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #1.

Delegations, Public Comments and Citizens' Concerns

Mayor Richardson explained that a citizen who is attending another meeting at this time would like to speak later on the agenda regarding a subject that he recently received information on. Council agreed by consensus to allow this citizen to speak later on the agenda. No one else chose to speak at this time.

Consent Agenda

Mayor Richardson said the Consent Agenda consists of the minutes of the June 12, 2018 Council meeting and the Police Chief's report. She asked if there were any questions or comments regarding the Consent Agenda.

Councilman Bernacki noted a correction on page 1 under "Electronic Participation." He said Levanon should be corrected to Lebanon.

Councilwoman Flemming made a motion to adopt the Consent Agenda with the aforementioned correction. Councilman Ambrose seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #2.

Treasurer's Report

Mrs. Jernigan said the Treasurer's report for the month of June is not available due to system errors affecting the budget numbers. She explained that she is working with Munis Support to correct these issues and may have just received a corrected report just before the Council meeting.

Mayor Richardson asked for a status on the 2018-19 audit. Mrs. Jernigan said the auditors came several weeks ago and did some preliminary work. She said they will be returning at the end of September, 2018. Mayor Richardson suggested that the auditors be made aware of the system errors affecting the budget numbers. Mrs. Jernigan said she will contact the auditors regarding the system errors.

Vice Mayor Scott asked how often cigarette and meals tax audits are conducted. Mrs. Jernigan said she conducts quarterly cigarette and meals tax audits. She explained that she mailed a letter to everyone affected by the cigarette and meals tax increases.

Council's Discussion of Citizens' Concerns

Mayor Richardson reported that a citizen approached her regarding the railroad crossing on Bank Street needing repair. Mr. Stallings said he spoke with a railroad representative regarding the South Court Street crossing and the Bank Street crossing, and she was aware that they both needed repairs. He said he would contact the representative and discuss her scheduling plans.

Councilman Bernacki reported that a citizen contacted him regarding a section cut out of the road on the west side of Lovers Lane. He noted that cones have been placed around this area, and it is creating a safety hazard. Mr. Stallings explained that Belcher's Paving has been contracted to make the repairs to this section of road, and the repairs should be made soon.

Councilwoman Flemming stated that a citizen who lives on Bank Street would like the "No Thru Trucks" sign to be enforced on Bank Street or taken down. Mr. Stallings said this is enforced when witnessed by a police officer.

Council discussed the holiday trash pickup schedule and better ways to communicate the schedule to the citizens who do not have access to social media. Mr. Stallings explained that Bay Disposal submitted a holiday pickup schedule that is posted on the Town's website, on the public access channel, and in the Town Hall.

After further discussion, Mayor Richardson suggested that Mr. Stallings post the trash pickup schedule on the Town sign prior to holidays for those citizens who do not have access to social media.

Mr. Stallings reviewed the status of several citizens' concerns from the June 10, 2018 Council meeting as requested by Councilman Edwards.

Town Manager's Report

Emergency Communications Board (MOU)

Mr. Stallings reported that Smithfield, Windsor, and Isle of Wight County jointly operate the Emergency Communications Center or 911 Center. He said there is currently a Memorandum of Understanding (MOU) that controls the operations of the communication center. He explained that the County is in the process of building a new updated radio system, and with the system coming online later this year, the Town needed to revise the MOU to reflect this.

Mr. Stallings said the funding formula has been updated to better reflect the demands placed on the E-911 Dispatch Center. He explained that previously the Town's contribution rate was 8.5%, and based off the revised numbers, it will drop to 6.8%. He said once the one year of included maintenance on the radio system ends next year, the Town will have to start contributing its portion; therefore, a higher cost in the 2019-20 fiscal year is anticipated.

Mr. Stallings said he attached a copy of the existing MOU with the proposed changes highlighted in red. He said the updated MOU has been reviewed by all three Managers as well as Attorneys. He said the MOU is being presented to the Isle of Wight County Board of Supervisors and the Smithfield Town Council for approval. Mr. Stallings said if approved, this document will govern the radio system as well as the dispatch center.

Mr. Stallings recommended that Council approve the updated MOU as presented.

After discussion, Councilman Willis made a motion to approve the updated Emergency Communications Board Memorandum of Understanding (MOU) and authorize the Mayor to sign the MOU. Councilman Bernacki seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #3.

Drainage Study

Mr. Stallings said the Town's Drainage Committee created a priority list of drainage concerns in the Town of Windsor. He said he met with Bowman Consulting to discuss

how to move forward with identifying what the issues are in these areas and how to fix them.

Mr. Stallings said Bowman Consulting provided the attached proposal laying out how they recommend that Council move forward. He explained that the first phase of their proposal would be to do some base mapping to establish the current conditions in the Town. He said they will then use that data to proceed with the identified priority areas in Town.

Mr. Stallings reported that the total proposed price for the preliminary mapping and evaluation of each of the six identified problem areas is \$14,100. In the 2016-17, 2017-18, and the current 2018-19 budgets, the Town has set aside \$5,000 each year for piping and storm drainage. Therefore, there is \$15,000 that can be allocated to this project if Council would like to move forward. He explained that Council will need to appropriate the \$10,000 from the previous two fiscal years to go with the \$5,000 in this year's budget to complete the work.

Mr. Stallings noted that he attached a copy of the proposal, list of drainage priorities from the Drainage Committee, and a resolution that would appropriate the funds if Council would like to move forward.

Council reviewed the Bowman Consulting proposal and Terms and Conditions.

Councilman Edwards expressed his concerns with the "Reimbursable Expenses" regarding mileage and mail. Mr. Stallings explained that the engineers working on this project will be local and, he has not been charged for any mail thus far. Council also discussed the "Hourly Not to Exceed \$2,500.00" fee.

After further discussion, Council agreed to have Mr. Brittle revise the language regarding "Arbitration."

Mayor Richardson read the title of the resolution as follows: "A resolution appropriating the sum of \$10,000 from the Unappropriated Fund Balance of the General Fund to the General Fund Operating Budget for fiscal year 2018-2019."

Vice Mayor Scott made a motion to adopt the enclosed resolution entitled: A Resolution Appropriating The Sum Of \$10,000 From The Unappropriated Fund Balance Of The General Fund To The General Fund Operating Budget For Fiscal Year 2018-2019. Councilwoman Flemming seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #4.

Action List

Mr. Stallings reviewed the Action List for the month of June with Council. He reported that the Church Street/Shiloh Drive Sidewalk project was approved for \$304,000 in funding in the 2019 fiscal year. He said the engineers are working to have the design completed in accordance with the funding schedule set by VDOT.

Mr. Stallings also reported that the first draft of the Sewer Study is before Council for review. He said he will request to have a formal presentation on the study at the August or September Council meeting.

Calendar of Events

Mr. Stallings reviewed the Calendar of Events with Council. He noted that there is an Intergovernmental meeting with Isle of Wight County scheduled for July 11, 2018 at 6:00 p.m. at the Town Hall.

Windsor Town Center Project

Mr. Stallings reviewed the monthly status report on the renovation of the Windsor Town Center that was submitted by Brian Camden with Alpha Corporation. He reported that the Advisory Board approved a change order to include new lower energy efficient replacement windows and to reinstate the motorized basketball goals. He noted that the contractor continues to diligently prosecute the work satisfactorily, and the project is on schedule to be completed by September 14, 2018.

Councilman Bernacki asked if the HVAC system will act as a smoke evacuation system. He explained that this would help eliminate having to break out the new windows in case of a small fire. Mr. Stallings said he will check into this matter.

Town Attorney's Report

None

Mayor's Report

Mayor Richardson thanked everyone, including civic organizations and businesses, for their hard work towards preparing for the July 4th celebration. She thanked Councilman Willis for organizing the Antique Car Show and commented on how successful it was. She said she has received many positive comments from the community.

Councilwoman Flemming suggested that it may be beneficial to form a July 4th Committee or a point of contact person for the July 4th celebration since it has become such a large event. She said this may help with organizing and scheduling the event.

After discussion, Council agreed to have representatives from the organizations involved meet at the May, 2019 Council meeting to discuss organizing the July 4th celebration event.

Delegations, Public Comments and Citizen's Concerns Continued

Richard (Dick) Holland, Jr., 12 Randolph Drive, said he just attended an Isle of Wight County Economic Development meeting, and the main topic of conversation was a Juvenile Detention Center that they desperately want to locate directly outside of the Town. He explained that this facility will be more like a college campus than a conventional detention center. He said it will not have barbed wire but will have a wall surrounding the center. He said the inmates will range from ages 14 to 21, and when they age out at 21, they will be sent to a lockdown prison. He said they may be convicted of crimes such as rape, armed robbery, and murder. He said the Isle of Wight County Board of Supervisors have met with State representatives several times and may have already committed to this center. He said the County has already agreed to donate 20 acres of land and \$500,000 to run utilities to the detention center. Mr. Holland explained

that the County is saying this detention center will bring 240 jobs averaging \$60,000 a year.

Mr. Holland stated that one of the Board of Supervisors lives south of Smithfield and the others live north of Smithfield, and they want to stick this Juvenile Detention Center in Windsor's backyard.

Mr. Holland explained that if the land is conveyed directly from the EDA to the State, then there is no requirement of a public hearing. He said the County will have public forums but no public hearing. He said his position is if a Juvenile Detention Center is coming to this area, then it is not coming through the back door. He said the Board of Supervisors are elected to make these decisions, and the responsibility should rest with them.

Mr. Holland said there will be a public information meeting with State representatives on July 20, 2018 at 10:00 a.m. He said the location has not been determined.

Mr. Holland suggested that Council speak up now because this detention center is on the fast track of becoming a reality. He said this center will tie up the Town's fire, rescue, and police department, and on the revenue side, he doesn't see what benefits the Town will receive.

Council continued to discuss safety risks and the classification of the center.

Economic Development Authority (EDA) Report

None

Other Reports

None

Old or Unfinished Business

Mayor Richardson reported that a letter was sent to VDOT regarding the safety study of the Route 460 corridor from the Route 58 interchange to the Eastern boundary of the Town of Windsor. She said the letter stated that the Town supports the alternative proposed in January 2016 by the Southern Environmental Law Center which was a concept plan prepared by Walter Kulash. She said the County will be discussing a proposal at the Intergovernmental meeting on July 11, 2018 regarding Smart Scale applications for the six way intersection and the 258 intersection.

Closed Session

Councilman Bernacki made a motion to go into closed session pursuant to Virginia Code Section 2.2-3711 for A-3 discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body. Councilman Ambrose seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #5.

Councilman Willis made a motion to go back into regular session. Councilwoman Flemming seconded, and Council unanimously passed the motion with Vice Mayor Scott abstaining as recorded on the attached chart as motion #6.

Councilwoman Flemming 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 with Vice Mayor Scott abstaining as recorded on the attached chart as motion #7.

Councilman Ambrose made a motion to adjourn. Councilman Bernacki seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #8.

The meeting adjourned at 10:00 p.m.

Carita J. Richardson, Mayor

Terry Whitehead, Town Clerk

TOWN OF WINDSOR
 RECORD OF
 COUNCIL VOTES

Council Meeting Date July 10, 2018

Motion #	Willis	Scott	Flemming	Edwards	Ambrose	Bernacki	C. Richardson
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	Abstain	Y	Y	Y	Y	
7	Y	Abstain	Y	Y	Y	Y	
8	Y	Y	Y	Y	Y	Y	
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Jerry Whitehead, Clerk