

**Minutes
Windsor Town Council Meeting
Town Hall
July 8, 2014**

The Windsor Town Council met in regular session on July 8, 2014 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 Town Clerk to call the roll. Terry Whitehead, Town Clerk, recorded the minutes. Michael Stallings, Town Manager, Interim Chief Riddle, Dennis Carney, Planning and Zoning Administrator, Christy Newsome, Interim Town Treasurer, and Wallace W. Brittle, Jr., Town Attorney were present.

Council members present: Wesley F. Garris
Greg Willis
N. Macon Edwards, III
Durwood V. Scott
Patty Flemming

Council member absent: J. Clinton Bryant

Mayor Richardson recognized Mr. Glyn Willis, who serves on the Planning Commission. She welcomed and thanked him for attending the meeting.

Mayor Richardson asked everyone to stand for the Pledge of Allegiance.

Public Hearing

None

Delegations, Public Comments, and Citizens' Concerns

Mayor Richardson said that Mr. Philip Rinehart and Ms. Susan Clizbe, representatives from VDOT, are present to give an update on the U. S. Route 460 Project.

Mr. Rinehart reported that work continues to analyze five alternatives for the U. S. Route 460 Project. He said that VDOT is preparing the Draft Supplemental Environmental Impact Study (SEIS) for public review, and the Draft SEIS will evaluate five build alternatives to make the improvements to the U. S. Route 460 corridor, as well as a no build option. He said that Town Hall meetings will be held along the corridor this summer to share the current status of the Project with the general public, and public hearings are expected to be held in the fall of 2014. He stated that it is anticipated that the Federal Highway Administration and the U.S. Army Corps of Engineers will issue their decisions on the preferred alternative by the end of 2014. Mr. Rinehart continued to review the five alternatives in detail with Council, and said he was available for questions.

Council had several questions regarding the five alternatives including toll issues, flooding and hurricane evacuation concerns, wide shoulders to allow emergency

vehicles to respond to motorists if needed, and how businesses and residents will be impacted.

Mayor Richardson thanked Mr. Rinehart and Ms. Clizbe for presenting Council with an update on the U. S. Route 460 Corridor Improvement Project.

Consent Agenda

Mayor Richardson said the Consent Agenda consists of the minutes of the June 10, 2014 Council meeting, the Police Chief's report, and the Zoning Administrator's report. Mayor Richardson noted a change in wording to the June 10, 2014 minutes and asked if there were any questions or comments regarding the Consent Agenda.

Councilwoman Flemming made a motion to adopt the Consent Agenda with the correction to the June 10, 2014 minutes. Councilman Edwards seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #1.

Treasurer's Report

Ms. Newsome said that the Treasurer's report for the month of June is before Council for review. She asked if there were any questions.

Mayor Richardson thanked Ms. Newsome for stating the non-routine items in the Treasurer's report. She also noted that it is the end of the 2013-2014 fiscal year, but the Town will continue to receive June invoices for a period of time which will be applied to this fiscal year.

Councilwoman Flemming made a motion to accept the Treasurer's report as presented. Vice Mayor Garris seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #2.

Council's Discussion of Citizens' Concerns

Council discussed sinkholes located on Church Street, Watson Street, Community Drive, and at the entrance to Hidden Acres. Mr. Stallings said he would contact VDOT regarding these sinkholes.

Councilman Edwards said that on behalf of the Civic Clubs, he would like to thank the Windsor Police Department and everyone involved with the July 4th celebration. He said it was one of the largest crowds to ever attend, and the event was a success and very well organized.

Town Manager's Report

Emergency Communication Center Bylaws

Mr. Stallings explained that the Town of Windsor participates with Isle of Wight County and the Town of Smithfield in the operation of a joint Emergency Communications Center. The center is operated under the guidance of the Emergency Communications Center Board. He said that the Board has recently recommended a change to its bylaws. He said that he has enclosed a copy of the proposed changes which reflects the

title change to Chief of Emergency Services from Director of Emergency Service. It also changes the Fire and Rescue Association's representative from the President to the duly appointed representative. He noted that the Town of Smithfield has already adopted these revised bylaws. Mr. Stallings said he recommends that Council adopt the revised Emergency Communications Center bylaws.

Councilman Edwards stated that the wording "duly appointed representative" could be misleading. He said it may be confusing as to whether Isle of Wight County or the Volunteer Fire and Rescue Association appoints this individual. Mr. Stallings said that the Volunteer Fire and Rescue Association appoints this individual. Councilman Edwards said he feels that the wording could be misinterpreted.

After further discussion, Vice Mayor Garris made a motion to adopt the revised Emergency Communications Center bylaws. Councilman Scott seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #3.

Strategic Planning Retreat

Mr. Stallings reported that he has been working with Tyler St. Clair, who is with the Weldon Cooper Center at the University of Virginia, to conduct a Strategic Planning Retreat in late August or early September. He said that she has provided him with a draft agenda for the retreat that would begin on Friday afternoon and run through early afternoon on Sunday. Mr. Stallings said he feels that this retreat will be extremely valuable as we move forward with the growth and direction of the Town of Windsor.

After discussion, it was the consensus of Council to schedule a Strategic Planning Retreat at the end of 2014 when a decision regarding the U. S. Route 460 project has been made. Council also felt that the Team Building session could be eliminated due to having already taken similar sessions in the past. Mr. Stallings said he would relay this information to Ms. St. Clair and plan to schedule a Strategic Planning Retreat at the end of 2014.

Insurance

Mr. Stallings said that the digital display sign in front of Town Hall was destroyed in a car accident last fall, and a claim was submitted to the Town's insurance company. A quote was received for a replacement sign and submitted to the Town's insurance company. He said that a check for \$25,000 was received; the maximum payout for property not specifically listed on the Town's policy. Town Council then directed staff to have a traditional sign installed to replace the one that was destroyed. The cost for this sign was \$2,300. Mr. Stallings reported that he received an email from the insurance company asking for a copy of the invoice for the replacement sign. As such, a copy of the invoice was sent. He said that notification has been sent stating that the terms of the Town's policy indicate that they will only cover actual costs incurred to replace the sign. According to the policy, the total reimbursement to the Town should have only been \$1,800 (\$2,300 minus the \$500 deductible). He said that the insurance company is asking that the Town reimburse them the remaining \$23,200. Mr. Stallings requested Council's direction.

Mayor Richardson noted that the additional insurance money has been set aside in the budget to purchase a digital message board sign to be placed at the new Town Hall when it is built. She suggested replacing the sign now since the terms of the policy have been explained.

After further discussion, Council agreed to have Mr. Stallings and Mayor Richardson proceed with acquiring quotes on a digital message board sign to be placed at Town Hall as required by the Town's insurance company.

Action List

Mr. Stallings said the Action List is enclosed for Council's review. He said that a request for a streetlight at 9404 Willie Roberts Road has been submitted to Dominion Power. He also reported that he will be sending a letter to the homeowner on Lover's Lane regarding a \$650.00 quote to have the bushes removed on his property which will be split with the Town. Mayor Richardson said that the Town needs an answer from the homeowners fairly soon, because the bushes are impeding and are causing safety issues. Mr. Stallings said he would explain in the letter that this matter needs to be taken care of as soon as possible.

Calendar of Events

Mr. Stallings said he has enclosed the Calendar of Events for Council's information. He reported that the Concert at the Gazebo will take place August 1, 2014 featuring the band Crossword. He also said that food will be provided by the Windsor Ruritan Club and M.A.M.A.S. Creative Sweets.

Town Attorney's Report

Mr. Brittle stated that a Grievance hearing has been re-scheduled for September 29, 2014 for former Chief Reynolds, and the Grand Jury will be meeting July 14, 2014 regarding pending charges.

Mayor's Report

Mayor Richardson thanked the police department, staff, civic organizations, and individuals who worked so hard to make the July 4th celebration such an outstanding event for the Town. She said that the crowd exceeded 3,000, and she has received many positive comments from people all over the area.

Mayor Richardson said she would like to schedule a July 4th Committee meeting on Wednesday, July 16, 2014 at 4:30 p.m. at the Farm Bureau building. Committee members present were in agreement with meeting on July 16, 2014.

Mayor Richardson thanked Councilman Scott and the Economic Development Authority for their hard work and diligence regarding the long process of organizing and ordering the new entrance signs for the Town of Windsor. She said she has received many good comments regarding the new signs within the Town.

Economic Development Authority Report

Councilman Scott reported that there is a Farmers' Market at the Country Boy's BBQ, and a farm vendor set up at the Farmers' Feed and Seed store.

Mr. Stallings noted that M.A.M.A.S. Creative Sweets celebrated their first anniversary on Sunday, July 6, 2014. He encouraged everyone to support M.A.M.A.S Creative Sweets and all of the Town's local businesses whenever possible.

Other Reports

None

Planning Commission Items

Planning Commission Recommendations on Time Restraints on Manufactured Homes

Mr. Carney reported that the Planning Commission reviewed the issue of the ten year time restraints on manufactured homes, as directed by Town Council. He said in June they received direction from Mr. Wallace Brittle, the Town Attorney, via e-mail that stated, in his opinion, Town Council had the legal right to place such a 10 year prohibition on manufactured homes in mobile home parks. He explained that since manufactured homes (those built since 1976) are built according to the HUD building code, its construction cannot be used as a justification for such a rule due to federal and state laws; another justification would have to be given if litigation ever was brought forward against the regulation. Mr. Carney noted that pure aesthetic reasons are not normally tenable.

Mr. Carney stated that the current ordinance section at issue reads as follows:

Section 160-45 " ... No mobile home shall be allowed to locate in the Town of Windsor if its date of manufacture is greater than 10 years from the date of the application for a zoning permit."

Mr. Carney reported that the Planning Commission voted five to one at their June 25, 2014 meeting to recommend to Town Council that the age of the structure not be used as a valid justification for the location of manufactured homes into the Town. He said they could not recommend any other criteria to judge such manufactured homes that were not subjective or based on aesthetic reasons.

Mr. Carney said that Planning Commission also recommended removing the term "manufactured home" and replacing it with the term "mobile home" in the various current sections of the Land Development Ordinance dealing with the R-1MHP District (Section 160-45ff). He said this would remove even the remote possibility of older mobile homes (pre-1976) being brought into the Town and bring the Town into complete accord with state and federal law.

Mr. Carney said that Planning Commission also recommended expediting the process of amending the ordinance by having a joint Planning Commission/Town Council public hearing at the August 12, 2014 Town Council meeting to correct the problem based on

the Planning Commission's recommendation. He said if Town Council is in agreement, Staff will proceed to make the corrections and prepare the advertisements.

Council asked several questions regarding the current ordinance, the current Isle of Wight County building inspection process, and condition of manufactured homes permitted in manufactured/mobile home parks by the managers and owners of the mobile home parks.

After a lengthy discussion, Town Council agreed to form a committee to discuss with the four manufactured/mobile home park's managers and owners what their criteria is for permitting homes into their parks, and to receive input regarding the ten year time restraints on manufactured homes.

Update on Temporary Signs and Banners

Mr. Carney said that the Planning Commission has discussed the concerns over temporary signs and banners at both their May and June meeting. Planning Commission agreed that they would like the input of the business community on this matter. He said that Staff will be inviting the businesses along Windsor Boulevard to attend the July 23, 2014 Planning Commission meeting to give their views on the present sign ordinance and how it could be more business friendly. He encouraged Council members to attend. Mr. Carney stated that from this meeting, hopefully, will come some positive input that can be placed into any reforms of the ordinance.

Mayor Richardson said she has noticed that several other localities seem to have a more lenient temporary sign and banner permit policy, and these localities still look very attractive. She said that the Town does want to support our businesses and allow them to advertise in a tasteful manner.

Old or Unfinished Business

Crime Line Sign

Interim Chief Riddle presented a picture of a 15" x 72" Crime Line sign to Council for their approval to be placed at the police department. He said that the cost of the sign will be \$190.00 and installation will be \$70.00 but noted that the cost may be paid for by the Crime Line Board of Supervisors. Council discussed the size and location of the sign and agreed to have Councilman Scott check with the Crime Line Board of Supervisors to see if they will pay for the cost of the sign.

New Business

Mayor Richardson said there is a vacancy on the Planning Commission and on the Board of Zoning Appeals (BZA) due to a resignation received from Mr. Devon Hewitt who served on both. She said she has spoken to Mr. Mike Jones who lives at 32 Duke Street regarding the position on the Planning Commission. She said he is very interested in government and would like to serve on the Planning Commission.

Councilman Scott made a motion to appoint Mr. Mike Jones to the Planning Commission. Councilman Willis seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #4.

Mayor Richardson explained that Council needs to recommend an individual to serve on the BZA and then the Isle of Wight County Circuit Court Judge will appoint them. Council discussed prospective members for the BZA. After further discussion, it was the consensus of Council to receive input from the Planning Commission before making a recommendation to the BZA and then bring this issue back to the August 12, 2014 meeting.

Closed Session

Councilman Willis made a motion to go into closed session pursuant to Virginia Code Section 2.2-3711, 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 Edwards seconded, and Council passed the motion as recorded on the attached chart as motion #5.

Councilwoman Flemming made a motion to go back into regular session. Vice Mayor Garris seconded, and Council passed the motion as recorded on the attached chart as motion #6.

Councilman Edwards 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 Willis seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #7.

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

The meeting adjourned at 9:30 p.m.

Carita J. Richardson, Mayor

Terry Whitehead, Town Clerk

TOWN OF WINDSOR
 RECORD OF
 COUNCIL VOTES

Council Meeting Date July 8, 2014

Motion #	Garris	Bryant	Willis	Scott	Flemming	Edwards	C. Richardson
1	Y	Absent	Y	Y	Y	Y	
2	Y		Y	Y	Y	Y	
3	Y		Y	Y	Y	Y	
4	Y		Y	Y	Y	Y	
5	Y		Y	Y	Y	Y	
6	Y		Y	Y	Y	Y	
7	Y		Y	Y	Y	Y	
8	Y		Y	Y	Y	Y	
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Jerry Whitehead, Clerk