

DRAFT

**Minutes
Windsor Town Council Meeting
Town Hall
March 13, 2018**

The Windsor Town Council met in regular session on March 13, 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, Town Treasurer, and Wallace W. Brittle, Jr., Town Attorney, were present.

Council members present:

- Durwood Scott
- N. Macon Edwards, III
- Greg Willis
- Tony Ambrose
- Walter Bernacki
- Patty Flemming - via telephone

Mayor Richardson led the Pledge of Allegiance.

Mayor Richardson made a request to amend the order of the agenda. She explained that Councilwoman Flemming is not able to physically attend the meeting due to an illness in her family but would like to participate by electronic participation. She noted that the Town's Electronic Participation Policy states that remote participation by any member of Town Council shall be approved by a majority of Council members physically present at the beginning of any meeting when remote participation is requested. She asked that the "Electronic Participation" be moved to the first item on the agenda. She also requested that the "Town Center Project" be moved to the first item under the Town Manager's report.

Councilman Edwards made a motion to amend the order of the agenda as stated by Mayor Richardson. Councilman Willis seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #1.

Electronic Participation

Mayor Richardson stated that Councilwoman Flemming would like to request to participate and vote at tonight's meeting by electronic participation due to an illness in her family. She said if approved, Councilwoman Flemming will be participating electronically from High Point, North Carolina.

Councilman Willis made a motion to allow Councilwoman Flemming to participate and vote at tonight's meeting by electronic participation. Councilman Ambrose seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #2.

Public Hearing

None

Delegations, Public Comments, and Citizens' Concerns

Fiscal Year 2016-2017 Audit Presentation

Mayor Richardson asked Roger Hamilton, CPA with A. Rohm, Smith & Company, to come forward at this time to answer questions regarding the 2016-2017 Town of Windsor audit that was presented at the February 13, 2018 Council meeting. She explained that Council had not received the audit in time to thoroughly review it before it was presented at the last meeting.

Councilman Edwards said under "Financial Analysis of the Government's Funds" on page vi, it states that expenditures were \$243,253 less than budgeted. He said he does not see in the budget how this number was calculated. Mr. Hamilton explained that this number is a combination of several numbers. He said he will research the calculation of this number and report the findings for Council's information.

Mayor Richardson clarified that the list of Council members in the budget on page i are the members that were serving at the beginning of the audit. She said this list will be updated in the next audit.

Mayor Richardson thanked Mr. Hamilton for attending the meeting and answering questions pertaining to the 2016-2017 audit.

Student Liaison

Jennifer Hott, Student Liaison to Council, briefed Council on several Windsor High School activities. She reported that Lou Ann Scott, who teaches English, was featured in an article by the Tidewater News and the Windsor Weekly. She also reported that Angelica Tell will be attending the International Science Fair in Philadelphia, PA. She explained that Ms. Tell and her mentor discovered a link between Parkinson's disease and a certain type of protein. Ms. Hott continued to report on several sporting events.

Mayor Richardson thanked Ms. Hott for attending the meeting and for updating Council on the recent events at the high school.

Citizens' Concerns

Katherine Queen, 61 East Windsor Boulevard, said she is representing and speaking on behalf of the Woman's Club of Windsor. She said the Woman's Club is an organization of 75 women who work very hard to improve their community. She said the Woman's Club has supported the Windsor Town Center financially and with sweat equity since its conception and will offer continued support for this project. She explained that the Town Center will be a safe and easily accessible facility for all ages and will offer all types of activities.

Mrs. Queen continued to discuss the many activities for adults and youths that can take place at the Town Center. She said the Woman's Club members believe that this building will provide another factor of pride for the citizens of Windsor. She urged Town Council to vote yes to completing the renovations to the Windsor Town Center. Mrs. Queen thanked the Council members for their time and efforts that are given daily and weekly to serve on Council.

Mayor Richardson thanked the Woman's Club for all that they do for the Town of Windsor.

Bobby Claud, 26 Holland Drive, said he would like to speak in favor of completing the renovation of the Windsor Town Center. He said there have been financial contributions made by businesses, foundations, individuals, as well as Isle of Wight County. He said volunteers have spent many hours keeping this project moving forward. He said he does not believe that any of these contributors expect for this project not to be completed.

Mr. Claud explained that this is a service that Council can provide to the citizens like no other available at the present time. He said he believes this facility will have a positive effect on attracting residents and businesses to the Town in the future. He said operating costs will be reduced due to the Isle of Wight County Parks and Recreation Department supplying a staff person to assist with scheduling and other functions. Mr. Claud encouraged Council to take advantage of this opportunity to provide this service to the citizens and vote to complete this project.

Consent Agenda

Mayor Richardson said the Consent Agenda consists of the minutes of the February 13, 2018 Council Meeting and the Police Chief's report. She asked if there were any questions or comments regarding the Consent Agenda.

Councilman Ambrose made a motion to adopt the Consent Agenda. Vice Mayor Scott seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #3.

Treasurer's Report

Mrs. Jernigan said the Treasurer's report for the month of February is before Council for review. She said she will be glad to answer any questions.

Councilman Edwards noted that the audit invoice for A. Rohm, Smith & Company shows that they were paid \$3,750 more than the contract states. He asked for an explanation.

Mr. Stallings explained that the Town is in one of the additional years of the contract which has an increase of \$3,750.

Councilman Edwards said that additional year increases for audits need to be stated in audit contracts going forward.

Councilman Edwards made a motion to adopt the Treasurer's report. Councilman Willis seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #4.

Council's Discussion of Citizens' Concerns

Councilman Edwards reported that the large potholes have not been repaired at the railroad track on South Court Street. He said this issue has been discussed at prior meetings. Mr. Stallings said he will contact Norfolk Southern again regarding this matter.

Councilman Bernacki reported that citizens in Windsor Woods are concerned due to the patchwork repairs being made to the roads in that area. He said they would like to know if permanent repairs will be made at a later date. Mr. Stallings said he will contact VDOT to discuss this issue with them.

Town Manager's Report

Town Center Project

Mr. Stallings reported that the low bid of \$1,000,000 for the new Windsor Town Center renovation project from GTT Enterprises was unsuccessful because they could not supply the required documents; therefore, they were disqualified. He said this made A.R. Chesson Construction, Inc. the low bidder at \$1,398,000.

Mr. Stallings said that he and Brian Camden with Alpha Corporation have been working with A.R. Chesson to identify areas where the Town can realize cost savings through design changes and other minor revisions. He said A.R. Chesson supplied the Town with a list of their suggested cost savings. He said that he, Mayor Richardson, Mr. Camden, Jan Burgess with Moseley Architects, and the Windsor Town Center Advisory Board have reviewed the Value Engineering (VE) list with the suggested cost savings. Mr. Stallings reviewed the attached VE spreadsheet showing an anticipated cost savings of \$277,167.64 which reduces the construction contract amount to \$1,120,833. Mr. Stallings said he is anticipating a project budget of \$1,300,000 which will include a 10% contingency fee and a construction administration fee.

Mr. Camden stated that a contract is being presented tonight for the new Windsor Town Center. He said the contract is between the Town of Windsor and A.R. Chesson Construction Company, Inc. for \$1,120,833. He said the Town Attorney and the Town Manager have reviewed the contract. He said this contract has a time of completion date of 150 calendar days. He said this project will be complete by August 15, 2018 if Council approves the contract. He said Alpha Corporation has worked successfully with this contractor on numerous projects for several years.

Mr. Camden recommended that Town Council accept this contract and allow him to issue a Notice to Proceed to A.R. Chesson Construction, Inc. for the new Windsor Town Center project in the amount of \$1,120,833. He said he would be glad to answer any questions.

Councilman Edwards noted a typo in the contract amount and suggested that Isle of Wight School Board be listed as a Third Party Beneficiary to Article 11. LIABILITY AND INDEMNIFICATION for their protection as the owner of the building. Council agreed to have Mr. Camden add this language to the contract.

Councilman Ambrose noted a typo with the Town Council meeting date noted in Article 4, and he also received confirmation from Mr. Camden regarding the durability of the fabric ductwork.

Councilman Bernacki spoke on behalf of approximately 30 citizens who could not attend tonight's meeting. He said some citizens feel that the Town is "putting the cart before the horse" because more restaurants and possibly hotels were needed in Town before the Town Center could attract weddings and large business events. He said citizens were

concerned that there are no residential discounts for the facility, and their tax money will be used to fund the center. He said another citizen suggested that the Town Center should be downscaled to a recreational facility at this time, and if successful, then consider budgeting money for future renovations to accommodate such functions as weddings and business events. He also discussed citizens' concerns with parking issues and future funding for other projects such as a new Town Hall or library. Councilman Bernacki said another citizen felt that Isle of Wight County should help fund the renovations if they are planning to staff the facility and use it for Parks and Recreation programs.

Councilman Bernacki said the general consensus from the citizens was positive regarding the concept but felt that the renovation costs are too high, and the Town should aim a little lower on expectations for the Town Center at this time.

Mayor Richardson said this is an opportunity to have a large facility for the Town that can accommodate large groups or programs. She said this facility will provide a valuable service to our citizens. She explained that volunteers and civic organizations work hard to make this Town a great place to live, and this facility would be a positive asset for everyone. Mayor Richardson continued to discuss ways of funding the facility and noted that she has already been approached by businesses who are interested in renting the facility for events.

Councilman Edwards said he felt a more specific Memorandum of Understanding (MOU) with Isle of Wight County in regards to their plans to staff and use the facility was needed prior to the signing of any construction contract.

Vice Mayor Scott said he is in favor of funding the Town Center but agreed that a MOU should be in place between the Town and the County. He explained that due diligence from Council was necessary before a decision could be made regarding spending taxpayer money on such a large project. He said he feels comfortable that Council has done their homework and is ready to move forward with this project. He suggested having a fundraising thermometer sign put in the Town to encourage citizens to make donations to continue to help fund the facility.

Council continued to discuss the Town Center Project regarding funding, programs, citizen input, and a MOU between the Town and Isle of Wight County.

After further discussion, Vice Mayor Scott made a motion to authorize the Town Manager to sign the construction contract between the Town of Windsor and A.R. Chesson Construction, Inc. in the amount of \$1,120,833 for the renovations to the new Windsor Town Center. Councilman Ambrose seconded, and Council voted 4 to 2 to pass the motion as recorded on the attached chart as motion #5.

Councilman Willis made a motion to move \$500,000 from the Space Needs Fund and \$300,000 from the Unappropriated Fund Balance of the General Fund to the Windsor Recreational Center Fund to be used to fund the new Windsor Town Center renovations project. Councilman Ambrose seconded, and Council voted 4 to 2 to pass the motion as recorded on the attached chart as motion #6.

Audit RFP

Mr. Stallings reported that three request for proposals (RFP) for auditing services were received. He said that he, Mayor Richardson, and Mrs. Jernigan interviewed two of the proposers.

Mr. Stallings made a recommendation to select Robinson, Farmer, Cox Associates as the Town's next auditor. He said their extensive experience with local governments in the Commonwealth of Virginia make them uniquely qualified to perform the audit for the Town of Windsor. He stated that their fees for 2018, 2019, and 2020 are \$15,000, \$15,450 and \$15,900, and the contract will have an option to renew for two additional years if Council would like to do so at the end of the 2020 contract year.

Mayor Richardson suggested that the contract show the fees for optional years if Robinson, Farmer, Cox Associates are chosen to do the Town of Windsor audit. Mr. Stallings said he would request that this firm include fees for 2021 and 2022 if they are selected to do the audit for the Town.

After discussion, Councilman Ambrose made a motion to authorize and direct the Town Manager to enter into a contract with Robinson, Farmer, Cox Associates to provide auditing services for the Town of Windsor for a period of three years with an option to extend for two additional years. Councilman Willis seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #7.

Appropriation of Funds to Purchase Replacement Police Vehicle

Mr. Stallings reported that one of the Town's police vehicles was involved in an accident, and the vehicle is being totaled by the Town's insurance company. He noted that the officer sustained minor injuries and was not at fault.

Mr. Stallings explained that the cost for a new vehicle and equipment will be \$33,728. He said the Town will be receiving \$13,250 (13,500 minus the \$250 deductible) from VML insurance for the damaged vehicle. He said the Town recently received \$12,320 from the sale of the two surplus police vehicles. This gives the Town \$25,570 leaving \$8,158 to fully fund the purchase and outfitting of a new vehicle.

Mr. Stallings made a recommendation that Council adopt the attached resolution which appropriates the sum of \$13,250 from VML insurance, the sum of \$12,320 from the sales of surplus property, and \$8,500 from the Unappropriated Fund Balance of the General Fund into the Police Equipment line item for the purchase and outfitting of a new police vehicle to replace the totaled vehicle.

Mayor Richardson read the title of the resolution as follows: "A resolution appropriating the sum of \$13,250 from VML insurance, \$12,320 from the sale of surplus property, and \$8,500 from the Unappropriated Fund Balance of the General Fund into the General Fund Operating Budget and approving a budget amendment for Fiscal Year 2017-18."

After discussion, Councilman Bernacki made a motion to adopt the resolution entitled: A Resolution Appropriating The Sum OF \$13,250 From VML Insurance, \$12,320 From The Sale Of Surplus Property, And \$8,500 From The Unappropriated Fund Balance Of The General Fund Into The General Fund Operating Budget And Approving A Budget

Amendment For Fiscal Year 2017-18. Councilman Willis seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #8.

Budget Transfer – Police Department

Mr. Stallings said Chief Riddle has attached an email requesting a budget transfer of \$3,500.00 from the Fuel & Tire line item 100-31100-46008 to the Vehicle Maintenance line item 100-31100-46005 needed to complete repairs on several police vehicles.

After discussion, Councilman Bernacki made a motion to approve a transfer of \$3,500 from the Fuel & Tire line item 100-31100-46008 to the Vehicle Maintenance line item 100-31100-46005. Councilman Edwards seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #9.

Water System Mapping

Mr. Stallings said the Town has entered into a contract with Bowman Consulting to provide engineering services. He said one of their first projects is to provide the Town with an up-to-date map of the water system. He said they will help the Town plan for the future of the water system and help to better manage it. During this project, valves, meter boxes, water lines, and other features will be mapped and included in a GIS file for the Town's water system. He said Bowman's not to exceed cost for this part of the project is \$11,600.

Mr. Stallings said this work is included in this year's CIP, and the total budget for the master planning and mapping work is \$50,000. He said Bowman is currently working on the scope and cost for the master planning portion of this project. He recommended that Council authorize this work to proceed.

Councilman Edwards questioned the water line asset fee of \$15.62 per asset with a minimum of 84 per day. Mr. Stallings explained that there is documentation that can be used by Bowman Consulting showing where lines are located that are not in the Town's current system which will alleviate most of the asset fees.

After discussion, Councilman Ambrose made a motion to move that Council authorize and direct the Town Manager to do all things necessary to complete the water system mapping project not to exceed \$11,600 with Bowman Consulting. Councilman Willis seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #10.

Action List

Mr. Stallings reviewed the Action List for the month of February with Council.

He updated Council on the Church Street/Shiloh Drive sidewalk project stating that funding in the amount of \$304,000 for this project will be voted on by the Commonwealth Transportation Board in April. He said if funding is approved, VDOT can officially create the sidewalk project in July.

Vice Mayor Scott asked for an update on the sewer capacity study being conducted in the Town. Mr. Stallings said he would contact Don Jennings from Isle of Wight County for an update and report back to Council.

Calendar of Events

Mr. Stallings reviewed the Calendar of Events with Council. He noted that the Intergovernmental Social with the Smithfield Town Council will take place March 29, 2018 at the Smithfield Station at 6:00 p.m.

Late Item - Appropriation of Funds to Repair Backhoe

Mr. Stallings reported that the Town backhoe was damaged when doing work in the cemetery. He said a limb damaged the door and broke the glass. He said VML insurance issued a check in the amount of \$2,654.18 to make the repairs.

Mr. Stallings recommended that Council adopt the attached resolution that will appropriate \$2,654.18 into the Equipment Repair line item of the Water Fund budget so that the repairs can be made to the backhoe.

Mayor Richardson read the title of the resolution as follows: "A resolution appropriating the sum of \$2,654.18 into the Water Fund Operating Budget and approving a budget amendment for Fiscal Year 2017-18."

Councilman Willis made a motion to adopt the resolution entitled: A Resolution Appropriating The Sum Of \$2,654.18 Into The Water Fund Operating Budget And Approving A Budget Amendment For Fiscal Year 2017-18. Councilman Ambrose seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #11.

Councilman Bernacki asked for an update on pursuing options for some type of shelter for storing maintenance equipment that was discussed at a previous meeting. Mr. Stallings said he would research some options and report back to Council.

Late Item - Resolution to Apply for Virginia Department of Health (VDH) Funds

Mr. Stallings said he attached a resolution that would give him authorization to apply for funding from the Virginia Department of Health (VDH). He said this application would be for \$150,000 towards the construction of water line improvements on Duke Street and Virginia Avenue. He said both of these projects are identified in the Town's CIP as the next water system upgrades and will be funded in the coming years.

Mayor Richardson noted that Bowman Consultants recommended applying for this grant.

Vice Mayor Scott made a motion to adopt the resolution authorizing the Town Manager to apply for funding from the VDH for a \$150,000 grant towards the construction of the water line improvements on Duke Street and Virginia Avenue. Councilman Bernacki seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #12.

Holiday Schedule

Councilman Edwards noted several issues with the holiday trash collection schedule. Mr. Stallings said he will contact Bay Disposal and make any necessary changes to the schedule.

Town Attorney's Report

None

Mayor's Report

Mayor Richardson reported that she received a letter from Trip Pollard, Senior Attorney for Southern Environmental Law Center (SELC), regarding comments on the Draft Route 460 Safety Study in Isle of Wight and Suffolk. She said Mr. Pollard is very concerned with the fact that VDOT is planning to only do a safety study from Suffolk up to Windsor. She said Mr. Pollard will be meeting with the new Commissioner with VDOT to express his concerns regarding this issue. She said Mr. Pollard is suggesting to VDOT that they need to proceed with the safety study and look at a plan for what they would like to do in Windsor to make it safer or perhaps as a separate Windsor specific study so that it will score well under SMART SCALE.

Mayor Richardson said that a copy of Mr. Pollard's letter is before Council for their information. She asked Council to read the letter and consider drafting a letter of support to VDOT along with Mr. Pollard's suggestions. She asked Mr. Stallings to include this issue on next month's agenda for discussion and consideration.

Economic Development Authority (EDA) Report

None

Other Reports

None

Old or Unfinished Business

Mayor Richardson asked Council to turn the evaluations for the Town Manager and the Treasurer in to her by the following week. She said she would like to complete their evaluations at the April 10, 2018 meeting.

New Business

None

Closed Session

None

Councilman Willis made a motion to adjourn. Councilman Ambrose seconded, and Council passed the motion unanimously as recorded on the attached chart as motion #13.

The meeting adjourned at 8:35 p.m.

Carita J. Richardson, Mayor

Terry Whitehead, Town Clerk

TOWN OF WINDSOR
 RECORD OF
 COUNCIL VOTES

Council Meeting Date March 13, 2018

Motion #	Flemming	Edwards	Ambrose	Bernacki	Willis	Scott	C. Richardson
1		Y	Y	Y	Y	Y	
2		Y	Y	Y	Y	Y	
3	Y	Y	Y	Y	Y	Y	
4	Y	Y	Y	Y	Y	Y	
5	Y	N	Y	N	Y	Y	
6	Y	N	Y	N	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	
13	Y	Y	Y	Y	Y	Y	
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Jerry Whitehead, Clerk