

**Minutes
Windsor Town Council Meeting
Town Hall
May 9, 2023**

The Windsor Town Council met in a regular session on May 9, 2023 at 7:00 p.m. in the Council Chamber of the Windsor Town Hall, Windsor, Virginia. Mayor George Stubbs was present, and he called the meeting to order. He welcomed those who were present. Terry Whitehead, Town Clerk, recorded the minutes. William G. Saunders, IV, Town Manager, Chief Riddle, Cheryl McClanahan, Treasurer, and Fred Taylor, Town Attorney, were present.

Council members present: J. Randy Carr, Vice Mayor
 David T. Adams
 Walter Bernacki
 Edward (Gibbie) Dowdy
 Jake Redd
 Marlin Sharp

Councilman Sharp delivered the invocation, and Councilman Dowdy led the Pledge of Allegiance.

Public Hearings
None

Delegations and Public Comments

Carter Goerger, Scout Master Troop 41, 6 Randolph Drive, presented Town Council with a Boy Scout Neckerchief to commemorate the dedication ceremony of the Boy Scout Frog located at the Wesley F. Garris Event Park. He noted that he will be providing a shadowbox at a later date to display the neckerchief. He thanked Town Council for always supporting Boy Scout Troop 41.

Consent Agenda

Mayor Stubbs said the Consent Agenda consists of the minutes of the March 28, 2023 Council work session, the minutes of the April 5, 2023 Council meeting, the minutes of the April 25, 2023 Council work session, the Planning & Zoning report, and the Police Chief's report. He asked if there were any questions or comments regarding the Consent Agenda.

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

Treasurer's Report

Ms. McClanahan reviewed the April 2023 Treasurer's report. She gave an update on collections for the month.

Ms. McClanahan stated that the interest earned on the Virginia Investment Plan (VIP) did very well for the month of April, as noted in the Treasurer's Report.

Ms. McClanahan stated that all bank balances and accounts receivable are reconciled for the month.

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

Council Comments

Councilman Dowdy reported that a citizen approached him regarding tall grass on the undeveloped lots located next to the four fairly new homes on Buckhorn Road.

Mr. Saunders said he would look into this issue regarding the tall grass.

Town Manager's Report

Capital Projects Update

Duke Street & Virginia Avenue Water Main Replacement

Mr. Saunders reported that a pre-construction meeting between Town staff, consultants from Bowman Associates, the owner of the KCH Contracting, LLC, the winning bidder, and other subcontractors was held on April 25th and went well. The contractor is currently finishing up two projects in La Crosse, Virginia, after which he intends to start on the Windsor project around the end of May.

HVLS Fan in Public Works Building

Mr. Saunders said delivery of the fan was received on April 5th, 2023. He said the fan was delivered a month sooner than expected, but he anticipates that the installation will take place in May.

Calendar of Events

Mr. Saunders stated that the May 2023 and June 2023 calendars are enclosed to include Town of Windsor and Isle of Wight County public meetings, as well as other pertinent information.

Mr. Saunders added that a word document was placed before Council regarding the conversion of the Town's email environment from Google to Microsoft 365. He said instructions and a temporary password have been provided. He added that if Council would like to have Town emails on their phone; then download the Outlook App and log in with the same credentials. Mr. Saunders asked Council to contact him if they have any questions or concerns.

Town Attorney's Report

None

Mayor's Report

Mayor Stubbs reported that the Isle of Wight Economic Development Authority (EDA) and the Isle of Wight Chamber of Commerce have designated May as Business Appreciation Month. He said they have scheduled Pop-Up Party events at several businesses throughout the community. Mayor Stubbs said Redd's Climate Controlled Self-Storage will be hosting one of the events on May 24, 2023 from 10:00 am to 2:00 pm.

Mayor Stubbs stated that he will be on vacation during the Pop-Up Party event on May 24th, and Vice Mayor Carr has agreed to represent the Town.

Mayor Stubbs also briefed Council on the 31st Annual 4th of July Celebration for the Town of Windsor. He said the event will take place from 2:00 pm until 9:30 pm at the Wesley F. Garris Event Park. He said flyers, vendor sign-up sheets, and sponsorship forms are on the Town's website and available at Town Hall. Mayor Stubbs added that the Events Committee is working diligently to plan for this celebration, and they are 96% sure there will be fireworks.

Economic Development Authority (EDA)

Councilman Redd reported that the "Farm" frog has been placed on Route 460 next to Towne Bank. He also noted that the remainder of the frogs that were ordered by the EDA have been delivered, and they will be painted in the near future.

Other Reports

Councilman Bernacki reported that the delivery date for the new tanker truck for the Windsor Volunteer Fire Department has been delayed due to a supply chain shortage for the poly tank. He said they are expecting delivery by no later than the end of July, 2023.

Old or Unfinished Business

FY24 Budget and Capital Improvement Plan Review

Mr. Saunders said following the review of the draft FY24 Budget and Capital Improvement Plans at the April 25, 2023 work session, further amendments have been made to the budget draft.

Mr. Saunders said the budget drafts enclosed are balanced in the General Fund and Water Fund.

Mr. Saunders reviewed the following outlined changes since the April 25, 2023 work session:

General Fund Budget

Revenue - The Real Estate revenue line was adjusted to equal a 1% increase in the (2019) assessments since last year. Also, an e-Summons line was added for that revenue, estimated at \$2,400.

Operations - An e-Summons expense line item was added to the Police Department for acquisitions with e-Summons revenue estimated at \$2,400.

Personnel - The Plan 2 option for police salaries was implemented with 7% cost of living adjustment and compression adjustments. Also, Public Works salaries and benefits shown in the April 28 draft were corrected.

Contingency - \$6,203.22 was added.

Water Fund Budget

Depreciation - Depreciation was adjusted to \$61,520.37 (76%).

Future Space Needs

Transfers from General Fund – General Fund transfer to Future Space Needs was decreased from \$200,000 to \$100,000.

2023 Reassessment Figures

Mr. Saunders said while we have not yet received the real estate book from the Commissioner of Revenue, we did receive overall values on May 2, 2023. He said these values have not yet been incorporated into the budget draft within Council's packet. He recommended that these values are incorporated into the budget draft prior to adoption. Mr. Saunders explained that this will require a public hearing where it is made known what the percentage of increase in value of real estate over last year is, the rate at which the same amount of revenue would be received as was received in FY23 (Lowered tax rate), the proposed rate for the FY24 budget, and the difference between the lowered tax rate and the proposed tax rate (Effective rate increase).

Mr. Saunders noted that a spreadsheet is enclosed from the Commissioner of the Revenue showing land and building values for 2022/2023 with the percentage change for Council's review.

Mr. Saunders noted the following:

The values show an overall increase of 24% for Windsor real estate from 2022 to 2023.
 The budgeted amount of revenue for FY23 is \$303,500.
 The budgeted amount of revenue for FY24 is \$306,535 (Current draft).
 The current tax rate is \$0.14.

Mr. Saunders reviewed the following table:

Rough estimates for rates:

Tax Rate	Total Value '22	Revenue '22	Total Value '23	Revenue '23	Difference
\$0.14	\$229,600,000	\$321,440.00	\$285,130,700	\$399,182.98	\$77,742.98
\$0.13			\$285,130,700	\$370,669.91	\$49,229.91
\$0.12			\$285,130,700	\$342,156.84	\$20,716.84
\$0.1127			\$285,130,700	\$321,440.00	\$0
\$0.11			\$285,130,700	\$313,643.77	(\$7,796.23)
\$0.10			\$285,130,700	\$285,130.70	(\$36,309.30)

Mr. Saunders said he needs direction from Council regarding the tax rate. He added that a 14 day notice period is required for a public hearing regarding the real estate tax rate.

Councilman Adams expressed his concerns with not lowering the tax rate while having \$80,000 in a rainy day fund. He said he was against raising the tax rate to \$0.14 when it was voted on in June, 2022. Councilman Adams said with the new assessments, leaving the tax rate at \$.0.14 would be a real cost to the citizen; especially in these tougher economic times.

Councilman Adams said he would much rather lower the rate to \$0.12 or \$0.13, and then discuss what we could do with that money. He said the last thing he would want to do is take money out of citizen's hands, and put it in an account for it to just sit there.

Councilman Sharp said he was also opposed to raising the tax rate to \$0.14 last June. He said he would have been in support of raising the tax rate to \$0.12, because he felt that was fair. He said he supports lowering the current rate of \$0.14 to \$0.12 with the new assessments.

Councilman Adams stated that he understands why the Town increased the rate last year. He said he remembers the discussions regarding the increased costs for the Enhanced Benefits for Law Enforcement Officers from the Virginia Retirement System (VRS), and he supports funding that. He explained that he doesn't feel that the Town needs a large surplus at this time. Councilman Adams said some surplus is OK, but he doesn't want to get too aggressive on that.

Councilman Carr stated that he does not want to have to come back to the citizens year after year with increases because we didn't maintain the \$0.14 tax rate this year. He said if we are considering projects such as a new Town Hall, then we would be coming back to the citizens again for an increase.

Mr. Saunders added that there's not a lot of American Rescue Plan Act (ARPA) money in the operations budget right now. He said most of those funds are in capital projects, which is a positive. He said there is about \$90,000 of operations being funded by ARPA now, and we will need to be prepared to cover those expenses in the FY25 budget.

Councilman Bernacki agreed with Councilman Carr. He explained that if we decrease the tax rate this year, and realize we're going to be short as we prepare for the FY25 budget because of ARPA funds going away, then we will need to increase the tax rate again.

Councilman Bernacki said if we keep the tax rate at \$0.14, that money would be in an account, not necessarily for a rainy day, because we just had to reduce the Future Space Needs by \$100,000 because we needed funding for operations. He said this would help us move forward hopefully for several years without having to raise taxes again.

Councilman Adams said he could compromise on a \$0.13 tax rate as opposed to a \$0.14 tax rate. He said he understands Vice Mayor Carr's point of how frustrating it would be for the citizens if we have to continuously increase the tax rate each year.

After further discussion, it was the consensus of Council to decrease the tax rate from \$0.14 per \$100 of the assessed value to \$0.13 per \$100 of the assessed value.

Budget Calendar

Mr. Saunders noted that the Special Town Council meeting for May 23, 2023 may need to be moved to May 30, 2023.

Council was in agreement with moving the May 23rd meeting date to May 30th.

Mr. Saunders said he will make those amendments and advertise for the May 30, 2023 Special Town Council meeting.

New Business

Budget Appropriation – e-summons Funds

Ms. McClanahan reported that the Town has received funds in the amount of \$1,810 for the Digiticket. As such, we must appropriate the sum of \$1,810 to the 2022-2023 General Fund Operating Budget for Revenue and WPD expense line item.

Ms. McClanahan recommended that Council adopt the resolution entitled: A Resolution Appropriating The Sum Of \$1,870 To The General Fund Operating Budget For Fiscal Year 2022-2023 For Revenue And Any Expense For The WPD Digiticket.

Councilman Bernacki made a motion to adopt the resolution entitled: A Resolution Appropriating The Sum Of \$1,870 To The General Fund Operating Budget For Fiscal Year 2022-2023 For Revenue And Any Expense For The WPD Digiticket. Councilman Sharp seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #3.

Isle of Wight County Energy Task Force Appointment

Mr. Saunders stated that the Town Council has the opportunity to make an appointment to the IOWC Energy Task Force.

Mr. Saunders explained that the task force was initiated to review the county's energy infrastructure, as well as future energy projects and technologies. He said the initial makeup of the task force was one member from each district of the county with two at-large members.

Mr. Saunders said at their April 6, 2023 meeting, the IOWC Board of Supervisors considered a request from a Town of Smithfield Councilmember who wants to sit on the task force. He said the Supervisors came to a consensus whereby the two at-large members of the task force would be appointed by the towns of Windsor and Smithfield.

Mr. Saunders said members of Town Council, the Planning Commission, or other citizens would be acceptable appointments. He said at the time of this writing, it was not yet known if Town Economic Development Authority (EDA) members or Town staff members would be appropriate appointees.

Mr. Saunders said he recently received information from the IOWC Economic Development Director that members of the Town EDA would be acceptable; however, Town staff members would not be appropriate appointees.

Mr. Saunders said the task force has not yet had a kick-off meeting, so there is no information about the time or frequency of the meetings.

Councilman Adams asked if it would be a conflict if an employee of Community Electric was recommended to serve on the IOWC Energy Task Force.

Mr. Saunders said there has been discussions regarding representatives of Community Electric serving on the IOWC Energy Task Force. He said, from what he understands, Community Electric representatives would most likely attend meetings and be affiliated with the task force whether they serve or not.

Councilman Sharp said he hesitates to volunteer for that position since he doesn't know the time or frequency of the meetings with his other obligations. He said he would need to know that information before he could commit to serving on the IOWC Energy Task Force.

Vice Mayor Carr asked Mr. Saunders to find out more information regarding the frequency and time of the meetings.

Mr. Saunders said he would research this information and report back to Council at the May 30, 2023 Special Meeting.

Mayor and Town Council Stipend Review

Mr. Saunders reported that the Town Council was interested in knowing whether the current stipends they were receiving were appropriate and when they had last been adjusted.

Mr. Saunders said at their March 28, 2023 work session, the Town Council discussed their stipends. Town staff offered to conduct research on stipends that Mayors and Councils are receiving in similar municipalities in Virginia for their review.

Further discussion occurred at the April 25, 2023 work session, at which Town staff was directed to place the item on the May 9, 2023 Town Council agenda for consideration.

Mr. Saunders reported that the last time the Mayor's stipend was adjusted was Fiscal Year 2013. He said the last time that the Council's stipend was adjusted has not yet been determined at the time of this writing, but it was prior to Fiscal Year 2010.

Mr. Saunders reviewed the enclosed spreadsheet that includes ten Virginia towns with populations between 2,500± and 3,000; including Windsor, with a population of 2,746. He noted that the average stipend of the 10 towns represented, including Windsor, for Mayor is \$4,119, and the average stipend for Council is \$2,641. He said of the 9 towns represented, excluding Windsor, the average stipend for Mayor is \$4,310, and the average stipend for Council is \$2,801.

Mr. Saunders added that the current FY24 budget draft accommodates up to \$4,800 for Mayor and \$2,400 for Council; a total of \$19,200.

Vice Mayor Carr thanked staff for researching this information regarding the stipend.

Vice Mayor Carr made a motion to increase the Mayor stipend to \$4,800, and to increase the Council stipend to \$2,400, effective immediately. Councilman Bernacki seconded, and Council passed the motion 5-1 as recorded on the attached chart as motion #4.


Closed Session


Councilman Bernacki made a motion to go into closed session pursuant to Virginia Code Section 2.2-3711.A.3. Discussion or consideration of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the negotiating strategy of the public body, specifically in regard to real property located on North Court Street. 2.2-3711.A.7. Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, regarding the Windsor Police Department, where such consultation or briefing in an open meeting would adversely affect the litigating posture of the public body. 2.2-3711.A-8. Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, specifically in regard to a contract with Bay Disposal. Councilman Adams seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #5.

Councilman Bernacki 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 Dowdy seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #6.

Councilman Sharp made a motion to adjourn. Councilman Bernacki seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #7.

The meeting adjourned at 9:26 p.m.


George Stubbs, Mayor


Terry Whitehead, Town Clerk

TOWN OF WINDSOR
 RECORD OF
 COUNCIL VOTES

Council Meeting Date May 9, 2023

Motion #	Dowdy	Sharp	Redd	Bernacki	Carr	Adams	Stubbs
1	Y	Y	Y	Y	Y	Y	
2	Y	Y	Y	Y	Y	Y	
3	Y	Y	Y	Y	Y	Y	
4	X	Y	Y	Y	Y	Y	
5	Y	Y	Y	Y	Y	Y	
6	Y	Y	Y	Y	Y	N	
7	Y	Y	Y	Y	Y	Y	
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Jerry Whitehead, Clerk