

Minutes  
Windsor Town Council Meeting  
Town Hall  
October 12, 2021

The Windsor Town Council met in a regular session on October 12, 2021 at 7:00 p.m. at 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. Mayor Willis asked for anyone with cell phones to please turn them off. 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:           Greg Willis  
  Walter Bernacki  
  Kelly Blankenship  
  Jake Redd

Council members absent:           J. Randy Carr  
  George Stubbs

Councilwoman Blankenship led the Pledge of Allegiance.

**Public Hearings**

***Amendment to the Town's FY22 Budget – ARPA Funds***

Mayor Willis said there are two public hearings this evening. He said the first public hearing is to receive public comments regarding an amendment to the Town's FY22 budget for American Rescue Plan Act (ARPA) funds.

Mr. Saunders stated that Section §15.2-2507 of the Code of Virginia allows a local government to amend its annual budget during the course of the fiscal year. He explained that if the proposed amendment exceeds one percent of the total of the adopted budget, the local government is required to hold a public hearing.

Mr. Saunders said the current total for the Town's FY22 budget is \$3,296,188.00; therefore, one percent of this amount equals \$32,961.88. This proposal would amend the Town's budget by \$1,033,658.63.

Mr. Saunders said Council adopted its FY22 budget on June 13, 2021. Subsequently, a grant from the Commonwealth of Virginia associated with ARPA allocated \$1,033,658.63 to the Town. He said this proposed action would amend the revenue portion of the General Fund by the addition of an ARPA line item in the amount of \$1,033,658.63, as well as the expenditure portion of the General Fund by the addition of an ARPA line item in the amount of \$1,033,658.63.

Mr. Saunders added that allocations, appropriations and/or budget transfers that reflect the expenditures related to this revenue will be brought forward for Council's approval once they are determined.

Mr. Saunders said a resolution to this effect is enclosed.

Mayor Willis opened the public hearing. Hearing no comments, he closed the public hearing. There were no further comments from Council.

Mayor Willis read the title of the resolution as follows: A Resolution to Amend the Town of Windsor FY22 Budget by the Addition of \$1,033,658.63 of Funding from the Commonwealth of Virginia Related to the American Rescue Plan Act.

Councilwoman Blankenship made a motion to adopt the resolution entitled: A Resolution to Amend the Town of Windsor FY22 Budget by the Addition of \$1,033,658.63 of Funding from the Commonwealth of Virginia Related to the American Rescue Plan Act. Vice Mayor Greg Willis seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #1.

### ***Personal Property Tax Relief Percentage Ordinance for Calendar Year 2021***

Mayor Willis said the next public hearing is to receive public comments on the Personal Property Tax Relief Percentage Ordinance for calendar year 2021.

Ms. McClanahan stated that each year, the Town readopts an ordinance per the 2005 revisions to the Personal Property Tax Relief Act of 1998. She said this year, the property tax relief percentage is 18.03%.

Ms. McClanahan recommended that Council adopt the enclosed ordinance establishing this percentage for calendar year 2021.

Mayor Willis opened the public hearing. Hearing no comments, he closed the public hearing. There were no further comments from Council.

Mayor Willis read the title of the resolution as follows: An Ordinance Establishing a Personal Property Tax Relief Percentage of 18.03% for Calendar Year 2021 Personal Property Tax Bills.

Councilman Redd made a motion to adopt the ordinance entitled: An Ordinance Establishing a Personal Property Tax Relief Percentage of 18.03% for Calendar Year 2021 Personal Property Tax Bills. Councilman Bernacki seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #2.

### **Delegations and Public Comments**

#### ***Update on Shirley T. Holland Intermodal Park – IOW Economic Development***

Mr. Saunders stated that Chris Morello, Director of Isle of Wight County Economic Development and Nicole Talton, Isle of Wight County Economic Development Coordinator, are present to give an update on various economic development items.

Mr. Morello shared information with Council regarding marketing aspects related to the Enterprise Zone, which focus on state and local incentives. He said he would like to return next year for additional updates regarding the Enterprise Zone.

Mr. Morello reported that Riverside Health System has proposed to build a new hospital in the Bennis Church area of Isle of Wight County. He said the hospital would be built on

land owned by Riverside Health System near the intersection of Routes US-258, VA-32 and VA-10. He discussed the need for a hospital in this area, noting that thousands of local residents live more than 30 minutes from the nearest hospital and emergency department.

Mr. Morello said a public hearing will be held on October 13, 2021 virtually at 11:00 am. He encouraged everyone to participate in the public hearing to support Riverside as they seek approval for a Certificate of Public Need from the Commonwealth of Virginia to establish a new general acute care, 50 bed hospital in Isle of Wight County.

Mr. Morello continued to update Council on the Shirley T. Holland Intermodal Park Phase II 44 Acre "Permit-Ready" site. He reviewed the following milestones of the project:

- 36.4 acres of uplands for development (83% developable)
- Site supports a manufacturing or warehouse/distribution building up to 451,000 square feet
- Wetland delineation confirmed by USACOE in April 2021
- Additional environmental and survey work nearing completion in vicinity

Mr. Morello explained that the next critical steps toward "permit readiness" will include the following:

- Erosion and sediment control plan
- National wetlands permitting to impact wetlands on site
- Extend William A. Gwaltney Way for site access
- Ramp up marketing efforts with new video

Mr. Morello presented the video promoting Shirley T. Holland Intermodal Park Phase II to Council.

Councilman Bernacki questioned water capacity at the Shirley T. Holland Intermodal Park Phase II in regards to the fire department needing a sufficient amount of water in case of a fire.

Mr. Morello explained that the Isle of Wight County Public Utilities Department has been involved in this project from the beginning, and they have a good idea of the current capacity and what can be handled at the site. He said they have been interested in extending a water line from Suffolk to be able to provide larger amounts of water if necessary.

Mr. Morello stated that they have been marketing this property for a selling price of \$35,000 per acre as questioned by Councilman Redd.

Council continued to discuss the large need for warehousing; particularly cold storage, and port access, which makes the demand for this site very appealing.

### **Public Comments**

Phillip Barnes, 10442 Albert Court, expressed his concerns with bad behavior from teenagers gathering at the Town gazebo, which is located next to the library. He said teenagers from neighboring Towns also gather at the gazebo. He said they are loitering, committing vandalism, and distributing drugs. Mr. Barnes said the gazebo issue is well known within the community, and it is becoming an ugly mark on our wonderful town.

Mr. Barnes said he spoke with law enforcement, and they explained that they have done all they can do without having the proper signage at the park, such as “No Loitering” and “Park Closed after Dark.”

Mr. Barnes asked Town Council and the Mayor to consider having the proper signage installed at the park so that law enforcement can do what's necessary to get this ugly mark off our community before everyone associates Windsor with their activities.

### **Consent Agenda**

Mayor Willis said the Consent Agenda consists of the minutes of the September 14, 2021 Council meeting and the Police Chief's report. He asked if there were any questions or comments regarding the Consent Agenda.

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

### **Treasurer's Report**

Ms. McClanahan reviewed the September Treasurer's report. She reported that the audit has been completed. She said the auditor will present the FY20-21 Audit at the November 9, 2021 Council meeting.

Ms. McClanahan also reported that the 2021 Personal Property bills are generated and will be mailed out on October 15, 2021. She said she visited several stores within the Town to conduct a cigarette stamp audit, and found that those stores were in compliance.

Ms. McClanahan said she is continuing to work on collecting delinquent taxes and license fees. She added that all bank balances and accounts receivables are reconciled.

Councilman Bernacki questioned if reduced rates are associated with the HVAC contractor for the Windsor Town Center. He also questioned the details regarding the Town's generator service contracts. Mr. Saunders said he would look into these two issues and report back to Council.

After further discussion, Councilman Bernacki made a motion to approve the Treasurer's report. Councilwoman Blankenship seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #4.

## **Council Comments**

Vice Mayor Greg Willis said tonight was the first he has heard of the bad behavior of the teenagers at the gazebo. He asked Chief Riddle to brief Council on this issue.

Chief Riddle explained that juveniles do hang out at the gazebo, and some are there to use the free WIFI. He said they are mostly committing status offenses, misdemeanor criminal offenses, and the juvenile justice system just puts them into the referral system for lack of parenting.

Chief Riddle said you can put signage up, but this does not give law enforcement the right to search an individual and violate their constitutional rights. He said installing cameras has been discussed.

After further discussion, Council agreed by consensus to have Mr. Saunders, Mr. Taylor and Chief Riddle work together to see what can be done to address this issue, and report back to Council at the November 9, 2021 meeting.

Mayor Willis thanked Mr. Barnes for attending the meeting and bringing this issue before Council. He said if Mr. Barnes does not attend the November meeting, he will make sure someone contacts him with any action that may be taken.

Councilman Bernacki said he has been approached by citizens concerned about the tall grass located at 11244 S. Johnson Street and 69 Church Street.

Mr. Saunders said he would look into these issues and take the appropriate action.

Mayor Willis gave an update on the dilapidated structure located on 102 Maple Lane. He said the next step may be to get the County to inspect the structure, and have them act accordingly based on their inspection.

## **Town Manager's Report**

### **Duke Street & Virginia Avenue Water Main Replacement**

Mr. Saunders reported that the deeds of easement have been created and are complete. Bowman Engineering is correcting some discrepancies found in easement exhibits.

### **Shiloh Drive Sidewalk**

Mr. Saunders said he has spoken with Jamie Oliver, Isle of Wight County Transportation Manager, and they are waiting for VDOT to pull the ditch again before they re-inforce the area.

### **Windsor Town Center Roof Replacement and Moisture Repair**

Mr. Saunders reported that a Notice to Proceed was issued to Adelpia Contracting for the project to commence on Oct. 4<sup>th</sup> and conclude by Dec. 4<sup>th</sup>. He said it seems that the HVAC system will not have to be disconnected during the project, so the gym, bathrooms and foyer area should be able to be used as they are now during the project. He said a large forklift was delivered yesterday, (October 11<sup>th</sup>) and they are beginning demolition today if weather permits.

Councilwoman Blankenship expressed her concern with roofing materials being stored in the parking lot. She asked if there is an alternative plan for parking for upcoming events at the Town Center.

Mr. Saunders said overflow parking can go into the school parking lot on weekends and evenings. He said he hopes that most of the materials will be out of the parking lot by the November 6<sup>th</sup> Woman's Club Craft Fair. He said he can also speak with the school to see if the grassy area directly behind the school can be used for parking during this event to allow for entrance through the back door of the center.

Mr. Saunders stated that all rental applicants have been informed and updated on the Town Center Roof Repair Project schedule, as questioned by Mayor Willis.

**Town Attorney's Report**

None

**Mayor's Report**

None

**Economic Development Authority (EDA)**

Councilman Redd reported that the EDA is moving forward with the Frog Project. He added that the Windsor Christian Church has received their frog ahead of schedule. Councilman Redd said a meeting is scheduled for November 1, 2021 to receive input from the community regarding potential locations for the frogs and paint suggestions.

**Other Reports**

Councilman Bernacki announced that the Fire Department is having their annual BBQ fundraiser on November 6, 2021. He said tickets can be purchased from all volunteer firefighters.

Councilman Bernacki reported that there has been an increase in distracted driving accidents. He reminded everyone to not use phones, eat or be distracted in any way while driving.

**Old or Unfinished Business**

***Beautification Committee/Award***

Mr. Saunders said Town Council discussed the creation of a Beautification Committee to judge and award residential beautification awards in early 2020. He said with the pandemic and staff turnover, it seems that it fell off the radar.

Mr. Saunders explained that at the request of Councilmember Bernacki, we have gathered the documents from those earlier actions. He said the following documents are enclosed for Council's review and discussion:

- Potential committee information from January 14, 2020 Town Council meeting

- Excerpt from March 10, 2020 minutes
- Proposed Beautification Committee bylaws

Councilman Bernacki said he called and received input from approximately five other localities who are now participating in a Beautification Award Project. He reviewed the name and structure of groups, award options, and judging criteria information that he received from each locality.

Councilman Bernacki explained that showing recognition to a deserving homeowner with a Beautification Award will motivate and encourage others in the community to improve the appearance of their homes and lawns.

Mayor Willis said as he read the bylaw section, he realized that we need to have a sensitivity to making every effort to have this committee be self-sustaining; not requiring staff time, due to the work load and small staff we have.

After discussion, Council agreed by consensus to have Mr. Saunders research the impact this award process would have on staff, and to have Councilman Bernacki work out the details of the committee process, to be presented at the November 9, 2021 meeting.

Mayor Willis said Council can discuss the specifics once we receive this information. He explained that we can then proceed with getting a committee established once we know what the process will be and that it can be self-sustained.

Councilwoman Blankenship suggested that Council schedule a work session to discuss the Town's Strategic Plan. She explained that the plan needs to be re-prioritized to see if the Beautification Award is the right project to be doing right now. She said she would like to review the Strategic Plan and look at a broader project that may include awarding businesses for improvements, as well.

Councilwoman Blankenship suggested that the advertisement for potential committee members be placed on Facebook for a broader selection.

Mr. Saunders suggested that potential projects for ARPA funds could also be discussed at a future work session if Council agreed.

Council agreed by consensus to have Mr. Saunders schedule a work session, before the end of November, to discuss the Strategic Plan and ARPA funds.

#### ***Holland Meadow Proffer***

Mr. Saunders explained that the proffer with Holland Meadows was to assist with the cost share on the Shiloh sidewalk. He said the funds were received from the developer today. He said they have paid in full their cost share obligation proffer for Holland Meadows.

## New Business

### *Declaration of Surplus – Resolution to Dispose of Unneeded Police Vehicles*

Mr. Saunders reported that with the purchase of two new police vehicles, several older vehicles can now be disposed of.

Mr. Saunders noted that the following items have been examined and deemed to no longer be needed by the Town:

1. 2012 Dodge Charger Police Interceptor VIN #2855
2. 2014 Dodge Charger Police Interceptor VIN #7952
3. 2008 Ford Explorer VIN #4174

Mr. Saunders said in this regard, I am enclosing a resolution for your consideration that declares the said items to be surplus and authorizes the Town Manager to see to their disposal per the Town's Surplus Property Policy. He said these items will be offered for sale at public auction.

Mr. Saunders recommended adoption of the attached resolution declaring the mentioned items surplus.

Mayor Willis read the title of the resolution as follows: A Resolution Declaring Certain Non-fixed Assets Surplus and Approving the Disposal of Said Assets.

Mr. Saunders explained that funds from the sale of these police cars will go to pay VML fees and interest fees that exceeded the CIP costs. He said any funds left after paying these fees will go into Miscellaneous Revenue.

Vice Mayor Greg Willis made a motion to adopt the resolution entitled: A Resolution Declaring Certain Non-fixed Assets Surplus and Approving the Disposal of Said Assets. Councilman Redd seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #5.

Vice Mayor Greg Willis made a motion to adjourn. Councilman Redd seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #6.

The meeting adjourned at 8:55 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 October 12, 2021

Motion #	Blankenship	Carr	Stubbs	Redd	Greg Willis	Bernacki	Glyn Willis
		absent absent					
1	✓			✓	✓	✓	
2	✓			✓	✓	✓	
3	✓			✓	✓	✓	
4	✓			✓	✓	✓	
5	✓			✓	✓	✓	
6	✓			✓	✓	✓	
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Jerry Whitehead, Clerk