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**Minutes
Windsor Town Council Meeting
Town Hall
July 12, 2022**

The Windsor Town Council met in a regular session on July 12, 2022 at 7:00 p.m. in 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, James Randolph, Planning and Zoning Administrator, Cheryl McClanahan, Treasurer, and Fred Taylor, Town Attorney, were present.

Council members present: Greg Willis
 Walter Bernacki
 Kelly Blankenship
 J. Randy Carr
 Jake Redd
 George Stubbs

Councilman Redd led the Pledge of Allegiance.

Delegations and Public Comments

None

Consent Agenda

Mayor Willis said the Consent Agenda consists of the minutes of the June 14, 2022 Council Meeting, the Planning and Zoning report, 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 Bernacki seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #1.

Treasurer's Report

Ms. McClanahan reviewed the June 2022 Treasurer's report and gave an update on collections. She reported that the auditors started preliminary work on the FY21-22 audit in June and will return the first week in September.

Ms. McClanahan also reported that the second installment of \$35,866 for the Town Center Roof Project was paid to Isle of Wight County. She also noted that she made a prepaid payment for E911 in the amount of \$23,509 to cover the April 2022 to June 2022 period.

Councilman Bernacki asked if the E911 prepayment results in an underpayment on that account, which fiscal year would the underpayment affect.

Ms. McClanahan explained that the adjustment would be made in FY 2022-2023.

Councilman Bernacki also asked if the Bay Disposal contract has been reviewed to determine a renewal date and how the new fees would affect next year's budget. He also questioned the use of the road stone shown on the Treasurer's report.

Mr. Saunders said he would review the Bay Disposal contract and report back to Council. He also explained that the road stone was used to replace a fire hydrant. He said they order extra to keep in stock for other projects as needed.

Councilwoman Blankenship questioned a check issued to Suffolk Audio for sound system set-up at the Town Center.

Ms. McClanahan said this was an old invoice that was just submitted by Suffolk Audio for set-up services that took place when Council meetings were being held at the Town Center due to the pandemic.

Ms. McClanahan explained that two of the five installments, in the amount of \$35,866, have been paid for the Town Center Roof project, as questioned by Councilwoman Blankenship. Ms. McClanahan said the first payment was made last June of 2021, and the second payment was made this June of 2022.

Mr. Saunders added that a check was sent back to the County for the balance that was left from the Town Center Roof project.

Councilwoman Blankenship made a motion to approve the Treasurer's report. Vice Chairman Greg Willis seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #2.

Council Comments

Councilman Bernacki reported that a couple of citizens who occasionally walk at the high school advised him of a large sinkhole in the grassy area next to the school bus parking lot. He suggested that a letter be drafted to the School Board informing them of this issue.

Mr. Saunders said he would look into this matter.

Councilman Stubbs reported a sinkhole on Church Street and North Court Street. He said he would give the Town Manager more details regarding the locations after the meeting.

Town Manager's Report

Capital Projects Update

Duke Street & Virginia Avenue Water Main Replacement

Mr. Saunders reported that most deeds of easement have been acquired; as of this writing, only 1 is outstanding. He said we are working with the engineers on the necessary documents to put it out to bid.

Windsor Library Expansion

Mr. Saunders said following requests for the improvement and/or enlargement of the Library facility in Windsor, Isle of Wight County has programmed funding for an expansion of the library into their Capital Improvement Plan. He said the proposed expansion will be an addition to the north side of the existing building of approximately 1,800 sq. ft. on the ground floor, with a meeting and storage room above. He reported that the project is out to bid. Mr. Saunders reviewed the plan sheets with Council.

Mr. Saunders said he will update Council with information regarding this project as he receives it.

Calendar of Events

Mr. Saunders said the July 2022 and August 2022 calendars are enclosed to include Town of Windsor and Isle of Wight County public meetings, as well as other pertinent information.

Town Attorney's Report

None

Mayor's Report

Mayor Willis thanked those who helped with the Fourth of July activities.

Councilman Stubbs noted that Mr. Saunders and his family spent most of the day working at the Fourth of July event.

Mayor Willis thanked Mr. Saunders and his family for their hard work and dedication towards this event.

Economic Development Authority (EDA)

Councilman Redd reported that the first EDA sponsored frog will be ready to be placed within the Town in approximately a month. He said the EDA would like feedback from Council regarding the location for this frog. He said the top three locations previously discussed were the Town Center, corner of Shirley Drive and U.S. Route 460, and the Wesley Garris Event Park. He noted that this frog is being painted by the Boy Scouts, the second frog will have a farm theme, and the third frog will have a jeweled theme.

Mayor Willis asked Councilman Redd to send the proposed locations and themes to Council. He said this will give Council an opportunity to think about the best location for each frog so that a final decision can be made at the August 9, 2022 meeting.

Other Reports

Councilman Bernacki reported that the general membership of the Windsor Volunteer Fire Department approved the plans for a new tanker. He said Isle of Wight County approved funds to replace the 1996 tanker with a larger, safer, better operating unit with the most current technology. He said they are hoping to receive delivery March or April of next year. He thanked the citizens for their support of the fire department.

Old or Unfinished Business

Senior Services of Southeastern Virginia – MOU Review

Mr. Saunders said this item was before the Windsor Town Council at their April 12, 2022 meeting, where the Town Council requested that the Windsor Town Center Advisory Board (WTCAB) review the proposal and MOU regarding rental rates and expenses of the Senior Services of Southeastern Virginia (SSSEVA) programs in the Town Center and provide a recommendation. Further, the WTCAB also met regarding revisions to the rental policy as it would apply to special considerations of events and user groups at the Town Center.

Mr. Saunders said the WTCAB recommended moving forward with the section programs proposed at the Windsor Town Center, while being mindful that the increased costs of operations are an unknown until some period of time has elapsed with the programs underway. He said they reiterated their desire to evaluate the costs at a future time.

Mr. Saunders reviewed the enclosed draft MOU that includes revisions and references recommended by the WTCAB since April 12, 2022 as follows:

Section III.A.3.

The WTCAB recommends that this section regarding rental policies, to include fees, remain unchanged; that the SSSEVA would be subject to rental policies, to include fees, for events booked outside of the normal, weekly events noted in Section III.A.1.

Section III.B.3. Town of Windsor

The WTCAB recommends a revision to a reference to another section of the document. The recommended revision changes the reference from the 'Capital Expenditures' section to section 'III.A.2.'

Section IV. Use of Facility

The WTCAB recommends that the first paragraph remain unchanged; that the SSSEVA not be charged a rental fee for the normal, weekly events spelled out in Section III.A.1.

The WTCAB recommends the addition of the kitchen as a space of primary use for the senior programs in the third paragraph.

Section VI. Modification

The WTCAB recommends that all parties to the agreement meet between twelve (12) and eighteen (18) months following execution to determine if any amendments to the terms are necessary; particularly as relates to potential increased operations costs of the facility. Further, they recommend opening a dialogue with the Isle of Wight County Board of Supervisors regarding costs of the programs during this reevaluation if the additional costs are impactful.

Mr. Saunders stated that also enclosed is a draft, revised rental policy that envisions the recommended relationship with the SSSEVA as well as other discounted rates for particular policy events and user groups. Mr. Saunders reviewed the following draft, revised rental policy rates:

Discounted Events, User Groups:

TOWN SPONSORED EVENTS		
Event	Timeframe	Discount
Elections, Primaries	All	100%
Red Cross Blood Drives	Up to 4 per calendar year	100%
Isle of Wight County Government	Per Agreement	100%
Senior Services of Southeastern Virginia Luncheons, Monday – Thursday	Per Agreement	100%
Friends of the Windsor Library Breakfast with Santa	December	100%

- Civic groups from the Town of Windsor, VA are eligible for a 50% discount on events Monday - Thursday, and one event per calendar year Friday - Sunday.
- Senior Services of Southeastern Virginia is eligible for a 50% discount on events Monday - Thursday, and one event per calendar year Friday - Sunday (Per agreement).

Mr. Saunders noted that the WTCAB did not want to entertain changing the actual hourly rates at this time. He said they wanted research from more venues to determine what the competition is. Mr. Saunders said they did discuss potentially having staggered rates based on weekday rates or weekend rates.

Mr. Saunders said the WTCAB is trying to establish what events and user groups are qualified for a discount so everyone is aware, and everyone is treated fairly.

Mr. Taylor said this document eliminates the earlier concerns of picking and choosing who was receiving discounts and how you were classifying certain groups. He said the WTCAB has put a lot of time and effort into creating a final document for Council to review and consider.

Mayor Willis suggested that there may need to be a definition in the policy to characterize exactly what "Civic groups from the Town of Windsor" means.

Mr. Taylor said it should be organizations that meet Section 501 (c) (3) requirements. He also recommended that it be verified in the rental policy.

Councilman Bernacki said the policy states that smoking is restricted in the facility and on the premises. He asked if specific language needs to be added to restrict vaping and chewing tobacco also.

Mr. Saunders said he would look into this matter.

Mr. Saunders said he doesn't know for sure if Council has to adopt these changes, but the WTCAB wanted to bring these changes before Council. He said it states in the policy that "Hourly rates are subject to change and may be modified at the discretion of the WTCAB."

Councilman Stubbs questioned how many days a week the Town Center will be utilized by the SSSEVA. He said initially they requested the use of the facility for two days a week and now it shows Monday through Thursday. He also noted that the programs

start at 9:00 am and end at 1:45 pm. He asked if someone would have to be in the facility earlier for setup, and would SSSEVA be out of the facility in time for parents to line up to pick their children up from school to avoid traffic issues. Councilman Stubbs also questioned if there will be additional costs to the Town to add Senior Services as an additionally insured party on the Town's policy, will there be increased utility bills, and who will maintain the building and keep it supplied.

Councilman Stubbs explained that several citizens have called him with concerns regarding the above mentioned questions, and thus far, no one he has spoken to is in agreement with providing Senior Services at no cost. He said the citizens that have reached out to him feel that Seniors Services should pay a rental fee just as others do.

Mr. Saunders said SSSEVA requested two to three days a week and said they may work up to four days a week. He said the WTCAB chose to make it Monday through Thursday, so if they expand, it will already be established in the MOU.

Mr. Saunders said SSSEVA would have primary access to the facility by having their own key, similar to Isle of Wight County Parks and Recreation.

Councilwoman Blankenship stated that SSSEVA will have access to the facility between 9:00 am and 1:45; therefore, they will be required to fit their programs between this time-frame. She said she doesn't feel that the WTCAB should specify when the senior programs should start and end.

Councilwoman Blankenship said the Town has made the decision to offer Parks and Recreation services to the community at a 100% discount. She said she feels that the Town should also offer Seniors Services to the community at a 100% discount. She said it is Council's decision to decide if providing Senior Services is important to the members of this community. Councilwoman Blankenship said she feels that Senior Services is just as important to the community as Parks and Recreation; if not more.

Mr. Saunders explained that the WTCAB's desire is to have senior programs end by 1:45 pm in order to have time to get the seniors in their vehicles and out of the parking lot before parents start lining up to pick their children up from school. He said that didn't necessarily mean that a staff member or two couldn't stay behind and finish cleaning up.

Mayor Willis asked Mr. Saunders to research the insurance policy to see if Senior Services would be covered under our current policy, or would they need to be added at an additional cost. He also asked Mr. Saunders to research past utility bills to determine what the bills were before Parks and Recreation began their programs in order to do a cost comparison.

Mr. Saunders explained that the thermostat stays set on the same temperature whether the building is occupied or not for cost and energy efficiency. He said he would check into the insurance costs and report back to Council.

Councilman Carr noted that the Isle of Wight County employee who manages the facility from 12:00 pm to 8:00 pm can make sure it has been properly cleaned, maintained, and stocked.

Mayor Willis said several years ago there were discussions that part of the objective for the Town Center is to provide services. He said our choices are that the Town brings staff in to run programs, or we get an outside organization to staff the facility for programs such as Isle of Wight Parks and Recreation has done. He said he realizes that SSSEVA is not a County-Government agency, but they are the Hampton Roads area organization that provides Senior Services in many locations.

Mr. Saunders explained that it would be beneficial to have the County review the MOU to receive feedback regarding whether or not there was anything in this document that would conflict with the Town's agreement with Parks and Recreation, and also to make sure this is in line with the County's goals for Senior Service provisions in the County.

Councilwoman Blankenship said that Rita Richardson, former Mayor, commented at the Advisory Board meeting that if the Town lets this organization walk away and locate in another locality, we may regret that decision, because they may not be willing to relocate to the Town of Windsor in the future.

After further discussion, Council agreed by consensus to continue to discuss this issue and take action at the August 9, 2022 after receiving information in closed session regarding the MOU contract. They also agreed this would give time to receive feedback from the County and obtain information pertaining to the cost of insurance, if any, for Senior Services.

Herb DeGroft, Isle of Wight County Board of Supervisors appointed representative for SSSEVA, said SSSEVA is a professional organization with 100 people dedicated to helping seniors realize a better lifestyle and who help keep seniors together as viable members of our community. He said he understood the cost concerns, but asked that Council consider giving Senior Services a chance to provide those services to seniors that they do a very good job at.

New Business

Hampton Roads Hazard Mitigation Plan

Mr. Randolph said in 2000, the United States Congress passed the Disaster Mitigation Act. He stated that this act requires that all state and local governments develop a hazard mitigation plan. He said plans are required as a condition of future funding for mitigation projects under multiple Federal Emergency Management Agency (FEMA) pre- and post-disaster mitigation grant programs. He noted that the act also requires that the plan be updated every five years. Mr. Randolph reported that Council last adopted this plan in April 2017.

Mr. Randolph said in the spirit of cooperation and efficiency, the region has partnered together to develop a regional hazard mitigation plan to comply with the federal requirements. He said the plan determines what hazards threaten the region and then identifies mitigation measures to address these hazards. Mr. Randolph said there are two mitigation actions listed in the plan for the Town of Windsor. First, provide training for a member of Town staff to become a Certified Floodplain Manager (CFM), and second, to review information required on zoning permit applications to ensure continued compliance with the National Flood Insurance Program (NFIP).

Mr. Randolph said that a brief summary version is included for Council's review. He noted that a copy of the full Hampton Roads Hazard Mitigation Plan is available online at hrpdcva.gov.

Mr. Randolph recommended that Council adopt the enclosed resolution entitled: Adopting the Updated 2022 Hampton Roads Hazard Mitigation Plan.

Mr. Randolph explained the responsibilities of a Certified Floodplain Manager, as questioned by Vice Mayor Greg Willis. He noted that he would take on that responsibility.

Councilman Bernacki asked if there would be additional requirements forthcoming in addition to the two previously mentioned in regards to having a specific emergency plan if a disaster were to hit Windsor.

Mr. Randolph explained that specific requirements regarding zoning would fall under the Town's CFM; however, with the Town being in the County, we fall under the Emergency Management of the County. He said any additional requirements would be enforced by Isle of Wight County's Emergency Management.

After further discussion, Councilman Stubbs made a motion to adopt the resolution entitled: Adopting the Updated 2022 Hampton Roads Hazard Mitigation Plan. Councilman Bernacki seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #3.

Board of Zoning Appeals Appointment

Mr. Randolph reported that there is currently a vacancy on the Board of Zoning Appeals (BZA) due to the recent passing of Frances D. Butler. He said that her willingness to have served in this capacity provided examples of her commitments to community and public service.

Mr. Randolph said as you may be aware, members of the BZA are recommended by Town Council to the Circuit Court. He said the Circuit Court makes the actual appointments; therefore, Council should begin the outreach process to identify a potential candidate for this position.

Mr. Randolph added that at a future date, if it be the will of Council, a motion can be adopted to recommend the citizen to the Court to fulfill the remaining term of this vacancy. He said this remaining term runs until December 31, 2024.

Councilman Stubbs said he submitted a recommendation to Mr. Saunders.

Council requested a list of qualifications to be a candidate for the BZA.

Mr. Randolph said he would draft a list of qualifications and send them to Council.

Vice Mayor Greg Willis suggested that a resolution of appreciation be drafted in honor of Ms. Butler.

Budget Amendment for FY23 for Bonuses Paid in FY22

Ms. McClanahan said bonuses were paid out in FY22 but were adjusted in the FY23 budget from the ARPA expense; therefore, we need a budget amendment for FY23 in the amount of \$26,912.48. She recommended that Council adopt the enclosed resolution.

Mayor Willis read the title of the resolution as follows: A Resolution for a Budget Amendment for the Sum of \$26,912.48 from American Rescue Plan Act Funding from the Commonwealth of Virginia to the General Fund Operating Budget for Fiscal Year 2022-2023 ARPA Expense.

After discussion, Councilman Bernacki made a motion to adopt the resolution entitled: A Resolution for a Budget Amendment for the Sum of \$26,912.48 from American Rescue Plan Act Funding from the Commonwealth of Virginia to the General Fund Operating Budget for Fiscal Year 2022-2023 ARPA Expense. Councilman Redd seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #4.

Appropriation of 599 Funding from the Commonwealth of Virginia

Ms. McClanahan stated that the FY23 figures from the Commonwealth of Virginia were received in late June. She said the Town will be receiving \$70,050 for the 599 Funding during the FY23. She said the Town of Windsor had budgeted \$63,713 for the 599 Funding in FY23. As such, we must appropriate the additional \$6,337 money, which will be received during the FY23.

Ms. McClanahan recommended that Council adopt the resolution entitled: A Resolution Appropriating the Sum of \$6,337 from 599 Funding from the Commonwealth of Virginia to the General Fund Operating Budget for Fiscal Year 2022-2023 for Police Salary line item.

Councilman Carr made a motion to adopt the resolution entitled: A Resolution Appropriating the Sum of \$6,337 from 599 Funding from the Commonwealth of Virginia to the General Fund Operating Budget for Fiscal Year 2022-2023 for Police Salary line item. Councilman Stubbs seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #5.

Appropriation of Sponsoring the Concert Series and the Fourth of July Event

Ms. McClanahan reported that Duke Automotive donated \$750.00 to sponsor the concert series and \$250 to sponsor the 4th of July in the Town of Windsor. As such, we must appropriate this sponsorship funds from Duke Automotive in FY21-22.

Ms. McClanahan recommended that Council adopt the resolution entitled: A Resolution Appropriating the Sum Of \$1,000 in Funds from Duke Automotive for Sponsoring the Concert Events and the 4th of July Event in the Town of Windsor to the General Fund of the Town of Windsor's Operating Budget for Fiscal Year 2021-2022.

Vice Mayor Greg Willis commended Duke Automotive for their continued support of the Town's 4th of July events.

Councilman Bernacki made a motion to adopt the resolution entitled: A Resolution Appropriating the Sum Of \$1,000 in Funds from Duke Automotive for Sponsoring the Concert Events and the 4th of July Event in the Town of Windsor to the General Fund of the Town of Windsor's Operating Budget for Fiscal Year 2021-2022. Vice Mayor Greg Willis seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #6.

Closed Session

Councilman Stubbs made a motion to go into closed session pursuant to Virginia Code Section 2.2-3711. A.8 to discuss contract negotiations regarding SSSEVA and for the MOU review process, consultation with legal counsel employed by the public body regarding specific legal matters requiring the provision of legal advice by such counsel. Section 2.2-3711. A.7 for consultation with legal counsel regarding actual litigation specifically matters involving litigation with the Commonwealth of Virginia and the Attorney General of Virginia in regard to the Windsor Police Department, where such consultation or briefing in open meeting would adversely affect the litigating posture of the public body. Section 2.2-3711. A.1 personnel matters, for consideration of performance reviews of employees of the public body. Councilman Bernacki seconded, and Council passed the motion as recorded on the attached chart as motion #7.

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 Stubbs seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #8.

Councilman Stubbs made a motion to adjourn. Vice Mayor Greg Willis seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #9.

The meeting adjourned at 9:55 p.m.

Glyn Willis, Mayor

Terry Whitehead, Town Clerk

TOWN OF WINDSOR
 RECORD OF
 COUNCIL VOTES

Council Meeting Date July 12, 2022

Motion #	Redd	Greg Willis	Bernacki	Blankenship	Carr	Stubbs	Glyn Willis
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	Y	Y	Y	Y	Y	
7	Y	Y	Y	Y	Y	Y	
8	Y	Y	Y	Y	Y	Y	
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Jerry Whitehead, Clerk