

**Minutes
Windsor Town Council Meeting
Town Hall
December 13, 2022**

The Windsor Town Council met in a regular session on December 13, 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. Terry Whitehead, Town Clerk, recorded the minutes. William G. Saunders, IV, Town Manager, James Randolph, Planning & Zoning Administrator, Chief Riddle, Cheryl McClanahan, Treasurer, and Fred Taylor, Town Attorney, were present.

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

Council member absent: Greg Willis

Councilman Stubbs led the Pledge of Allegiance.

Public Hearing
None

Delegations and Public Comments

Robert Lauterberg, Managing Director, VML/VACO Finance

Robert Lauterberg, Managing Director, VML/VACO Finance, stated that the Virginia Municipal League/Virginia Association of Counties (VML/VACO) Finance offers several financial services to local governments, which include investment pool funds, lease-purchase finance, as well as other financial and accounting services.

Mr. Lauterberg talked on the positive attributes of the VML/VACO Virginia Investment Pool (VIP) Stable Net Asset Value (NAV) Liquidity Pool. He explained that this is a governmental trust where local governments can jointly invest. He added that this is an option that a local government can use to put in cash with the confidence that it will maintain a stable net asset value.

Mr. Lauterburg continued to review the following benefits and six key points of the VIP Stable NAV Liquidity Pool:

- A \$1 in, a \$1 out.
- The highest rating. (AAAm by Standard and Poor's)
- Connect to your local bank account.
- Competitive yields.
- Short-term investment option. (Participants in the VIP Stable Value Liquidity Pool have automatic access to VIP's 1 - 3 Year High Quality Bond Fund)
- Recognized by the Commonwealth of Virginia.

Mr. Lauterberg explained that funds can be moved on a daily basis into this pool if you would like, and funds can be accessed the same day that you need them. He said any cash that the Town has at its disposal can be put to work by moving it into the liquidity pool.

Mr. Lauterberg reported that the current interest rate is 4.09%, which is a great rate for a liquid investment such as this. He noted that Treasurers and investment officers across Virginia are managing their everyday operating funds using the VIP Stable NAV Liquidity Pool. Mr. Lauterberg stated that this is a very strong, secure program that pays a good rate of return.

Mr. Lauterberg stated that no fees are charged for transactions. He explained that the costs of this program come out of the yield that is quoted for the liquidity pool. He noted that the 4.09% is the rate you would receive after any costs have been paid.

Mayor Willis asked when does interest get paid out.

Mr. Lauterberg explained that interest is applied to the principle on a daily basis.

Mr. Lauterberg briefly reviewed the short-term investment plan.

Councilman Bernacki asked what the average rate would be if the Town invested in the short-term investment plan for a year.

Mr. Lauterberg said this rate is set monthly, and as of today, the rate is 4.47%. He also noted that these funds can be accessed twice a month. He said a fund like this will generally add 100 basis points or a full percentage point above a liquidity fund.

Councilwoman Blankenship asked if there are any regulations against investing ARPA money into the liquidity pool. She also asked would any interest earned on unused ARPA money be accountable to return in the event ARPA money is not used within the specified date guidelines.

Mr. Lauterberg said there are no regulations against investing ARPA money into the liquidity pool. He encouraged putting ARPA funds in a separate account where they can be monitored closely for reporting purposes. He noted that interest earned on unused AARPA money would not be required to be returned.

After further discussion, Council agreed by consensus to review a draft ordinance, at the January 10, 2023 Council meeting, regarding the consideration of participating in the VIP Stable NAV Liquidity Pool offered by VML/VACo Finance.

Public Comments

David Adams, 10472 Sylvia Circle, said he would like to speak on three items. He noted that the 2023 Council meeting schedule shows the February meeting falling on February 14th, which is Valentine's Day. He asked that Council consider rescheduling that meeting to another day due to the possibility of having very little citizen participation that evening.

Mr. Adams said he reviewed the information provided by Mr. Saunders regarding the backhoe life of service expectation. He said he would like to know how long a new

backhoe would be in service, and what the depreciation schedule looks like. He asked if it is beneficial to purchase a new backhoe, or is it better to purchase a used one if the life of service isn't that different.

Mr. Adams commented that Councilwoman Blankenship had a great question regarding the appropriation of ARPA funds through the VIP Stable NAV Liquidity Pool offered by VML/VACo Finance. He noted that he deals with federal funds often. He stated that if the ARPA funds are not used by the specified date guideline, they must be returned. He suggested that Council research whether the interest will also need to be returned, because normally, you are not allowed to make money off of federal funds.

Consent Agenda

Mayor Willis said the Consent Agenda consists of the minutes of the November 1, 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.

Councilman Stubbs 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 November 2022 Treasurer's report. She gave an update on collections for the month. She noted that approximately 72% of personal property taxes have been collected, which is similar to last year's collections.

Councilman Bernacki noted a couple of repair bills for the 2017 Police Dodge Chargers. He asked if these older vehicles typically start to incur a lot of maintenance costs, and are they the next police vehicles up for replacement in the CIP.

Chief Riddle agreed that these vehicles will continue to have more repair costs as they get older, and additional units will be purchased next fiscal year.

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

Council Comments

None

Town Manager's Report

Capital Projects Update

Duke Street & Virginia Avenue Water Main Replacement

Mr. Saunders reported that the Duke Street and Virginia Avenue Water Main Replacement project was put out to bid, and bids were received on November 29, 2022. He said four (4) bids were received; all but one exceeding the engineer's estimate. Mr. Saunders said currently the engineers are interviewing the bidders to make a recommendation on the lowest apparent bid, which is responsible and responsive.

Mr. Saunders added that he hoped to have the entire package back from the consultants for tonight's meeting, but it was not received. He said he plans to give an update at the January 10, 2023 meeting.

Town Center Sewer Issues

Mr. Saunders reported that the issues with the sewer backing up at the Town Center were not within the building as previously thought. He said the issue is on the infrastructure of the school yard. He said Isle of Wight County has given a "notice to proceed" to a plumbing contractor to repair the sewer issue, and the work should be completed by Saturday, December 17, 2022.

Calendar of Events

Mr. Saunders stated that the December 2022 and January 2023 calendars are enclosed to include Town of Windsor and Isle of Wight County public meetings, as well as other pertinent information.

2023 Town Council Meeting Schedule

Mr. Saunders said last year he brought a choice to Council regarding the Election Day holiday, because it conflicted with our November meeting. He said he almost came to Council with the conflict for Valentine's Day falling on the February meeting this year, but he researched back seven years ago when a meeting fell on February 14th, and the meeting was not rescheduled. Mr. Saunders stated that Council can adjust any of these dates.

Mr. Taylor explained that revising meeting dates will not cause an issue with advertisement as long as the Town continues its routine process of announcing meetings, as questioned by Councilman Bernacki.

Mr. Saunders stated that if the schedule is adjusted tonight, he will have it in next month's meeting packet.

After further discussion, Councilman Stubbs made a motion to move the February meeting from the second Tuesday (February 14, 2023) to the first Tuesday (February 7, 2023). Councilwoman Blankenship seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #3.

Town Attorney's Report

None

Mayor's Report

None

Economic Development Authority (EDA)

None

Other Reports

None

Old or Unfinished Business

None

New Business

Isle of Wight County Emergency Communications – CAD/RMS System Update – Invoice in Excess of \$5,000

Mr. Saunders said the current Computer Aided Dispatch (CAD) and Records Management Software (RMS) utilized by the Isle of Wight County (IOWC) Emergency Dispatch service has been in use since 2004 and consists of largely 90's-era software. Further, support for the software has been diminishing over time. Mr. Saunders said it has become clear that Emergency Communications should invest in a new system with better services and support. He said from Town and County staff, a subcommittee was created to explore other CAD/RMS options.

Mr. Saunders reported that a company called 365Labs was the winning bidder and IOWC Emergency Communications has moved to use their product. He said the Isle of Wight County Board of Supervisors voted at their November 17, 2022 meeting to approve funding the initial costs for the 365Labs product, contingent upon the Towns also being on-board with it.

Mr. Saunders stated that the Town of Windsor's portion (6.48% of the total) of the initial startup costs is \$6,091.

Mr. Saunders said the Town of Windsor's portion moving forward will be \$14,256 for the FY2024 budget year; however, all of that is not new cost, as a portion was paid by the Town for the old system.

Mr. Saunders added that Chief Riddle is present to brief Council on the benefits of the 365Labs Suite.

Chief Riddle gave a brief background on the creation of the E911 Board. He explained that the E911 Board was created so that the County and Town governments will have an equal say regarding management of the dispatch center and the way the processes are conducted.

Chief Riddle noted the following concerns with the current software package:

- Outdated Systems and Programming
- Unresponsive Vendor
- Redundant Operations
- Disjointed Structure
- Limited Capabilities
- Increased Errors
- Limited Effectiveness
- Expensive hardware, purchases, maintenance

Chief Riddle said a subcommittee was established by the E911 Board to explore other CAD/RMS products. He said they looked at quite a large number of products from a

multitude of different vendors. He said the 365Labs company brought forth what the committee thought was the best product. He said having compared this product with other products, the E-911 Board voted to approve the system for purchase. He said it then went before the Isle of Wight County Board of Supervisors.

Chief Riddle continued to discuss the following benefits of the 365Labs Suite:

- NextGen 911/ESInet Compatibility
- Built in GPS/Unit Locations
- Enhanced Information Access
- Full Database in Field
- Instant Live Updates on Unit/Call Status to Users
- Eliminates Redundant Data Entry and Related Errors
- Reduce/Eliminate Paper Form
- Field Patrol Time Increase
- Intuitive Analysis Tools
- Eliminates costly server hardware/software/maintenance

Chief Riddle reported that the initial quote for the 365Labs startup fee is \$94,000, and the Town's portion is 6.48% totaling \$6,091, as Mr. Saunders mentioned. He said the annual cost will be \$220,000, which will be split per the user agreement currently in place.

Chief Riddle said this system is impressive, and the technology allows law enforcement to be more effective and creates accountability.

Councilman Bernacki asked what will this system do for Fire/EMS. He also asked if we will still need access to the old system for data history.

Chief Riddle explained that the Active 911 and all other different systems being utilized by Fire/EMS will be consolidated into one set of systems that will all work together. He said every vehicle logged in will be tracked by location, speeds, and routes. He also noted that data conversion is part of the startup cost.

After further discussion regarding training, cost, and the efficiency of the system, Councilman Bernacki made a motion to approve funding the initial costs for the 365Labs product for the CAD/RMS system in the amount of \$6,091. Councilman Stubbs seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #4.

Budget Appropriation – Windsor Police Department Equipment JAG Grant

Mr. Saunders reported that the Windsor Police Department has received Justice Assistance Grant (JAG) funding in reimbursement for equipment expenditures.

Mr. Saunders stated that from the JAG grant, the WPD received \$2,555.00 for expenditures on radar equipment, to replace two old, failing radar units with two new ones. He said these funds should be posted to the Police Department Equipment line item of the FY2023 Budget.

Mayor Willis read the title of the resolution as follows: A Resolution Appropriating The Sum Of \$2,555.00 In Funds From The JAG Grant To The Police Department Equipment Line Item Of The General Fund Of The Town Of Windsor's Operating Budget For Fiscal Year 2023.

Councilman Stubbs made a motion to adopt the resolution entitled: A Resolution Appropriating The Sum Of \$2,555.00 In Funds From The JAG Grant To The Police Department Equipment Line Item Of The General Fund Of The Town Of Windsor's Operating Budget For Fiscal Year 2023. Councilman Bernacki seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #5.

Budget Appropriation – Donations for Christmas Fund

Ms. McClanahan said as you are aware, each year our Police Department conducts a toy drive here in Windsor. She said the Police Department has received donations to assist in this effort. As such, we must appropriate those donations so that they can be used to purchase toys for the toy drive.

Ms. McClanahan reported that the Town received \$3,725 in donations.

Ms. McClanahan recommended that Council adopt the enclosed resolution appropriating these funds.

Ms. McClanahan read the title of the resolution as follows: A Resolution Appropriating The Sum Of \$3,725 In Funds Donated To The Town Of Windsor To The General Fund Of The Town Of Windsor's Operating Budget For Fiscal Year 2022-2023.

Councilman Stubbs made a motion to adopt the resolution entitled: A Resolution Appropriating The Sum Of \$3,725 In Funds Donated To The Town Of Windsor To The General Fund Of The Town Of Windsor's Operating Budget For Fiscal Year 2022-2023. Councilwoman Blankenship seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #6.

Invoice in Excess of \$5,000 – Backhoe Replacement

Mr. Saunders said the Town of Windsor has been planning to replace an older backhoe, for which parts are getting more difficult to obtain. The old backhoe will be deemed surplus and put up for sale once the new one is received. \$100,000 of the purchase price is budgeted to come from proffers from the Holland Meadows subdivision and the balance is to come from ARPA funds.

Mr. Saunders stated that the Town has received two (2) bids for backhoes. He noted that the bids are very similar in that they both represent equipment of brand name, ~100 hp. diesel backhoes with ~80 in. and 24 in. buckets with thumbs.

Mr. Saunders explained that while the units are similar, there is one notable difference between the two that should be mentioned; the thumb on the Case backhoe is hydraulic, while the thumb on the John Deere is manual. He added that the hydraulic thumb on the John Deere was changed to manual as part of cutting costs in the bids; either type of thumb is acceptable and an improvement over the absence of one, but the hydraulic thumb is more functional.

Mr. Saunders added that both of these bids for backhoes were received through Sourcewell, which is an independent purchasing organization that provides cooperative purchasing contracts, allowing for already-procured pricing without the locality having to host its own solicitations.

Mr. Saunders reported that the John Deere quote was \$122,500.00, and the Lawrence Equipment quote was 116,164.65. He noted that the quotes are attached for Council's review.

Mr. Saunders recommended purchase of the 2022 Case 580SN backhoe from Lawrence Equipment. He noted that the street sweeper attachment is listed in the Lawrence Equipment quote for \$8,900.00. Mr. Saunders said the street sweeper would be an optional purchase that we would prefer, but felt it was cost prohibitive.

Councilman Bernacki said he agreed with Mr. Saunders recommendation to purchase the Case backhoe from Lawrence Equipment. He stated that with the price and warranty of the Case backhoe, it is the best option. He also noted that service and warranty work can be provided just a few miles away.

Councilman Bernacki suggested that Council consider the purchase of the street sweeper attachment now before the price increases to an unaffordable amount in the future due to the economy. Councilman Bernacki said the street sweeper attachment and the backhoe will be in the same warranty group if purchased together.

Councilman Bernacki made a motion to purchase the 2022 Case 580SN backhoe for \$116,164.65 and the Digga Bucket Broom with Water Kit for \$8,900.00. Councilman Stubbs seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #7.

Councilman Stubbs confirmed that the purchase of the Case backhoe and street sweeper attachment for \$125,064.65 is more cost efficient than the purchase of the John Deere backhoe without the attachment for \$122,500.00.

Council continued to discuss the disposal of the old backhoe. Councilman Carr said he could reach out to an individual who may be interested. Mr. Saunders stated that it would need to be a public sale to some degree. He suggested posting it on the GovDeals website.

Mr. Taylor said he would research to see if the sale of the old backhoe needs to go through a public process or whether it can be sold to an individual. He noted that getting information from an individual regarding fair market price is acceptable, but the sale may need to be made public.

Mayor Willis announced that this will be his last known meeting. He expressed his appreciation to the citizens of the Town of Windsor for allowing him to serve the community. Mayor Willis said he was thankful for the opportunity to work and serve with Town Council.

Closed Session

Councilman Stubbs made a motion to go into closed session pursuant to Virginia Code Section 2.2-3711. A.7. Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation in regard to litigation involving the Town and Police Department with the Commonwealth of Virginia, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body. Section 2.2-3711. A.1. Discussion, consideration, interviews, or appointment of prospective officers for Town Council and the Board of Zoning Appeals (BZA). Section 2.2-3711. A.29. Discussion of the award of a public contract, in regards to the Duke Street and Virginia Avenue Water Main Replacement project, involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms of scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body. Councilman Bernacki seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #8.

Councilman Stubbs 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 Bernacki seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #9.

Councilman Stubbs made a motion to reject all bids for the Duke Street and Virginia Avenue Water Main Replacement project due to the scope of solicitation not being in concert with the Town's expectation. Councilman Redd seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #10.

Councilman Redd made a motion to authorize the Town Manager to rebid the Duke Street and Virginia Avenue Water Main Replacement project with the expected scope, making the pre-bid meeting voluntary, and other appropriate revisions. Councilman Stubbs seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #11.

Councilman Bernacki made a motion to publish a statement on Greg Willis' resignation, and call for resumes and cover letters for appointment to Town Council. Councilman Carr seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #12.

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

The meeting adjourned at 9:46 p.m.

Glyn Willis, Mayor

Terry Whitehead, Town Clerk

TOWN OF WINDSOR
 RECORD OF
 COUNCIL VOTES

Council Meeting Date December 13, 2022

Motion #	Stubbs	Redd	Greg Willis	Bernacki	Blankenship	Carr	Glyn Willis
1	Y	Y	absent	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	
9	Y	Y		Y	Y	Y	
10	Y	Y		Y	Y	Y	
11	Y	Y		Y	Y	Y	
12	Y	Y		Y	Y	Y	
13	Y	Y		Y	Y	Y	
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Jerry Whitehead, Clerk