

**Minutes  
Windsor Town Council Meeting  
Town Hall  
July 11, 2017**

The Windsor Town Council met in regular session on July 11, 2017 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 Treasurer to call the roll. Christy Jernigan, Town Treasurer, recorded the minutes. Michael Stallings, Town Manager, Chief Riddle, and Wallace W. Brittle, Jr., Town Attorney, were present.

Council members present:

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

Mayor Richardson asked Councilman Willis to lead the Pledge of Allegiance.

**Delegations, Public Comments and Citizens' Concerns**

Robert Howald, 23081 Courthouse Highway, said he had a water leak a couple of months ago resulting in a \$2,392 water bill. He said he called the after hour non-emergency phone number and was told that his water would be cut off the next day. He said he did not turn the water off himself because he had read that town water meters should not be tampered with by citizens. He explained that the maintenance department cut his water off the next day at 5:00 p.m. He reported that the leak has been repaired. He noted that his water bill is \$1,892 after a \$500 water leak adjustment has been issued by the Town. Mr. Howald asked Council if they would consider an additional adjustment to his water bill due to the time it took to have his water cut off.

Mayor Richardson asked Mr. Stallings to research this matter before a determination can be made regarding additional adjustments.

Brenda Stephenson, 13270 Windsor Boulevard, reported that she is the Chairman of the Windsor Town Center Advisory Board which met on Monday, July 10, 2017. She said that the Windsor Town Center is a great opportunity for the community but will require a great deal of funding in the early stages until programs begin. She said that the Woman's Club has donated \$6,700 to the town center, and they will continue to support the center.

Ms. Stephenson reported that the first meeting was very productive and encouraging. She said that the members discussed many great ideas and possibilities for the center. She asked Council to continue to commit to the building and give the board the opportunity to prove that this center will be a great asset to the community.

## **Consent Agenda**

Mayor Richardson said the Consent Agenda consists of the minutes of the June 13, 2017 Council meeting, minutes of the June 29, 2017 work session, and the Police Chief's report. She asked if there were any questions or comments regarding the Consent Agenda.

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

## **Treasurer's Report**

Mayor Richardson stated that the Treasurer's report for the month of June is before Council for review. She asked if there were any questions or comments regarding the report.

Councilman Edwards noted that the Business License line item is down approximately \$12,000. Mr. Stallings said there were fewer temporary contractors this past year. He explained that this should increase when Holland Meadows begins construction on Phase II.

Councilman Edwards also stated that the Refuse line item was over budget by approximately \$2,000. Mr. Stallings explained that the amount showing on the Treasurer's report includes payments for 13 months. He said the first payment will be adjusted to be included in FY2015-2016.

Councilman Edwards requested that the Town Center reconciliation be included each month with the Treasurer's report. Mrs. Jernigan said she will include this information with the Treasurer's report each month.

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

## **Council's Discussion of Citizens' Concerns**

Councilman Edwards stated that several driveways on Virginia Avenue are being affected by a reoccurring water leak that has been repaired several times. Mr. Stallings reported that it is in the capital projects to upgrade the water lines on Virginia Avenue and Duke Street next fiscal year. He said the leak has been repaired recently, but if it continues to reoccur, then Council may want to consider rescheduling the project for this fiscal year.

Councilman Edwards said that a citizen expressed his concerns with large holes on the railroad crossing on South Court Street. Mr. Stallings said he will contact Norfolk Southern regarding this issue.

Councilman Edwards reported that several drones and Chinese paper lanterns were seen at the Fourth of July event and questioned if there is an ordinance against these types of devices. Councilman Bernacki explained that the law requires that all drones be

registered with the FAA. Council continued to discuss safety issues and the enforcement of drones and Chinese paper lanterns at Town events.

Councilman Ambrose reported that two residents have asked if the Town is going to have special trash pickups this year. After discussion, Council agreed to post on the Town's website an announcement questioning the need for this service.

Councilwoman Flemming thanked Mr. Stallings for expressing his appreciation in the newspaper for all that the Youth Foundation does and contributes to the Fourth of July event. She discussed issues with tall grass in some locations at the event and low fireworks.

Councilman Willis thanked all the civic organizations for their help with the antique car show and with other activities during the Fourth of July event.

## **Town Manager's Report**

### ***Appropriation of Byrne JAG Block Grant Funds***

Mr. Stallings reported that the Town has been awarded a Byrne JAG Grant from the Department of Criminal Justice Services in the amount of \$2,037 with a required match of \$226.

Mr. Stallings said he enclosed a resolution that would accept the grant and appropriate the grant funds and the match into the Police Department's equipment line item for fiscal year 2017-2018.

Mayor Richardson read the title of the resolution as follows: "A resolution accepting a grant award from the Department of Criminal Justice Services of the Commonwealth of Virginia and appropriating the grant funds along with the required local match from the Unappropriated Fund Balance of the General Fund to the Town's Operating Budget for fiscal year 2017-2018."

Councilman Edwards noted that for the last several years, the grant paperwork has shown the former Police Chief, Arlis Reynolds, as the Project Director. Mr. Stallings explained that the form is a template from previous years, and that we would ask that it be corrected to show the Project Director as Chief Riddle.

After discussion, Councilman Bernacki made a motion to adopt the resolution entitled: *A Resolution Accepting A Grant Award From The Department Of Criminal Justice Services Of The Commonwealth Of Virginia And Appropriating The Grant Funds Along With The Required Local Match From The Unappropriated Fund Balance Of The General Fund To The Town's Operating Budget For Fiscal Year 2017-2018.* Councilman Ambrose seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #3.

### ***Appropriation of Insurance Funds***

Mr. Stallings reported that several months ago, one of the Town's police vehicles was involved in an incident at the gas station at the corner of Route 460 and Route 258. The Town received a check from VML Insurance in the amount of \$4,443 to cover these

repairs. He explained that the check was written in June, and the invoice was dated for June. He said these funds must be appropriated in the 2016-2017 fiscal year.

Mr. Stallings recommended that Council adopt the attached resolution appropriating these funds to pay these invoices.

Mayor Richardson read the title of the resolution as follows: "A resolution appropriating the sum of \$4,443 from VML Insurance into the General Fund Operating Budget and approving a budget amendment for fiscal year 2016-2017."

Vice Mayor Scott made a motion to adopt the resolution entitled: *A Resolution Appropriating The Sum Of \$4,443 From VML Insurance Into The General Fund Operating Budget And Approving A Budget Amendment For Fiscal Year 2016-2017*. Councilman Bernacki seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #4.

#### ***Appropriation of Fire Department Grant***

Mr. Stallings reported that for the 2016-2017 fiscal year, the Town anticipated receiving a grant for \$9,000 from the Virginia Department of Fire Programs for the Windsor Volunteer Fire Department. He said the Town received \$11,000.

Mr. Stallings recommended that Council adopt the attached resolution appropriating these funds so that they may be given to the Fire Department.

Mayor Richardson read the title of the resolution as follows: "A resolution appropriating the sum of \$2,000 from the Virginia Department of Fire Programs to the General Fund Operating Budget for fiscal year 2016-2017."

Councilman Willis made a motion to adopt the resolution entitled: *A Resolution Appropriating The Sum Of \$2,000 From The Virginia Department Of Fire Programs To The General Fund Operating Budget For Fiscal Year 2016-2017*. Vice Mayor Scott seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #5.

#### ***Police Car Purchase***

Mr. Stallings stated that the proposed budget called for the purchase of three police vehicles. He explained that the Town plans to do a lease purchase for these vehicles. He said this allows the Town to take delivery of the vehicles this fiscal year and break the payments up over this fiscal year and the next.

Mr. Stallings said the budgeted amount for the purchase of these vehicles is \$120,000 or \$60,000 for this fiscal year and \$60,000 for the next fiscal year. He said the anticipated cost of these vehicles will be \$115,000. He recommended that VML/VACo be utilized to finance the purchase of the police vehicles at a rate of 1.69%.

Mr. Stallings recommended that Council authorize and direct the manager to move forward with the purchase of the three police vehicles and execute any required documents.

After further discussion, Councilman Ambrose made a motion to authorize and direct the manager to move forward with the purchase of the three police vehicles and execute any required documents. Councilman Bernacki seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #6.

### ***Job Descriptions***

Council reviewed job descriptions from other similar localities for the positions of Clerk and Treasurer. After discussion, Council agreed to compile a list of duties from the current job descriptions submitted by staff and the job descriptions from similar localities. They agreed to submit the draft list of duties to Mr. Stallings by Tuesday, July 18, 2017 for additional review and discussion.

### ***Action List***

Mr. Stallings reviewed the Action List for the month of June with Council. He briefed Council on a meeting with Isle of Wight County's environmental and storm water representatives regarding the new public works building. He said they are reviewing the plans to see if there are suggestions in areas where the Town's engineers can re-evaluate which may result in cost reductions.

Mr. Stallings updated Council on the Route 460 sidewalks. He stated that a Memorandum of Understanding (MOU) has been drafted between the Town and the County as requested by VDOT. He said the MOU is being reviewed by VDOT and will be presented to Council and the Isle of Wight County Board of Supervisors for approval.

### ***Calendar of Events***

Mr. Stallings reviewed the Calendar of Events with Council. Councilman Edwards noted that the August 3, 2017 intergovernmental meeting has been omitted from the Calendar of Events. Mayor Richardson said the intergovernmental meeting will be held at the Smithfield Center at 6:00 p.m. on August 3, 2017.

### ***Appropriation of Funds for Well Repair***

Mr. Stallings reported that the pump motor has failed on well #6 located on Route 258. He said he received a proposal from Sydnor Hydro, Inc. He explained that the cost to replace the pump motor and pump is \$15,395.00. The cost of pulling the pump and motor and doing the diagnosis is \$2,536.58 for a total cost of \$17,931.58. He said that part of this may be covered by insurance due to possible faulty wiring as stated by Sydnor Hydro, Inc. and an electrician. Mr. Stallings said he will submit documentation to VML Insurance for their consideration.

Mr. Stallings recommended that Council adopt the attached resolution that will appropriate the funds from the Unappropriated Fund Balance from the Water Fund and authorize the Town Manager to move forward with the repairs at a cost not to exceed \$18,000.

After further discussion, Mayor Richardson read the title of the resolution as follows: "A resolution appropriating the sum of \$18,000 from the Unappropriated Fund Balance of the Water Fund to the 2017-2018 Water Fund Operating Budget."

Councilwoman Flemming made a motion to adopt the resolution entitled: *A Resolution Appropriating The Sum Of \$18,000 From The Unappropriated Fund Balance Of The Water Fund To The 2017-2018 Water Fund Operating Budget*. Councilman Ambrose seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #7.

After discussion, Council agreed by consensus to have Mr. Stallings start the process of receiving engineering proposals for the water line upgrades needed on Virginia Avenue and Duke Street.

### **Town Attorney's Report**

None

### **Mayor's Report**

Mayor Richardson thanked everyone, including the civic organizations, for their hard work towards preparing for the Fourth of July celebration. She said it was another successful event, and she has received many great comments. She said that thank you letters will be going out soon.

Mayor Richardson reported on the first Windsor Town Center Advisory Board meeting. She said that all ten members were present. She said they are very eager to plan programs for all ages and make the center a success. She said the board elected Brenda Stephenson as Chairman, Melvin Evans as Vice Chairman, and Sharon Clayton as Secretary. She noted that they will be meeting monthly until the opening has been planned, and then they will meet quarterly as stated by the bylaws. She said the next meeting is planned for August 9, 2017 at the Town Hall at 7:00 p.m., and one of the topics will be rental rates for the facility.

Mayor Richardson encouraged Council to attend the August 3, 2017 intergovernmental meeting which will be held at the Smithfield Center at 6:00 p.m.

Mayor Richardson reported that Isle of Wight County is putting together a Stormwater Advisory Committee for the entire County. She said they are requesting that a representative from the Town of Windsor be on the committee. She suggested Bobby Claud, who is now serving on the Drainage Committee for the Town of Windsor. Council was in agreement with appointing Bobby Claud as the Town of Windsor's representative on the Isle of Wight County Stormwater Advisory Committee. .

### **Economic Development Authority Report**

None

### **Other Reports**

Councilman Willis reported that Ken Johnson, who served on Town Council and the Planning Commission, fell and suffered a head injury. He said he is in Consulate Health Care of Windsor and is not doing that well. Councilman Willis stated that he has been a great asset to our Town Council, the annexation process, and to the entire community. Council expressed their well wishes for Mr. Johnson.

## **Old or Unfinished Business**

Mr. Stallings reported that the contract for the architectural work for the Windsor Town Center was sent to Moseley Architects today. He said he will keep Council updated on this matter.

Councilman Bernacki asked if there was any information regarding adding an adapter to the recently installed water fountain for dogs. Mr. Stallings said he has not found any type of adapter that can be added, but he will reach out to the maintenance department for suggestions regarding this issue.

Councilman Bernacki said that it was discussed at the June 29, 2017 work session that there may be a potential opening for a new Planning Commission member due to Commissioner Hick's lack of attendance. He said he has reached out to Larissa Williams, and she is interested in filling the position if Council is in agreement. He said he explained the requirements, and she is willing to fulfill any requirements expected of the position.

Mr. Brittle read from the Code of Virginia, Section 15.2-2212 stating that "Members may be removed for malfeasance in office. Notwithstanding the foregoing provision, a member of a local planning commission may be removed from the office by the local governing body without limitation in the event that the commission member is absent from any three consecutive meetings of the commission, or is absent from any four meetings of the commission within any 12-month period. In either such event, a successor shall be appointed by the governing body for the unexpired portion of the term of the member who has been removed."

Council agreed to have Mr. Stallings amend the Planning Commission bylaws to coincide with the Code of Virginia regarding absences. They asked him to present the amended bylaws to Planning Commission at their next meeting for their approval.

After further discussion, Councilman Willis made a motion that Commissioner Debra Hicks be removed from her responsibilities on the Planning Commission and be replaced with a new appointee. Councilman Bernacki seconded, and Council passed the motion 5 to 1 as recorded on the attached chart as motion #8.

Councilman Bernacki made a motion to appoint Larissa Williams, 67 Church Street, to the Planning Commission for the remaining portion of the vacated term. Councilman Ambrose seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #9.

Councilman Bernacki stated that Mrs. Williams moved to Windsor several years ago. He said she loves the community and has been looking for ways to become more involved.

## **New Business**

Council discussed replacing the tape recorder with a digital recording system.

Councilman Edwards made a motion to adjourn. Councilman Ambrose seconded, and Council passed the motion unanimously as recorded on the attached chart as motion #10.

The meeting adjourned at 8:40 p.m.

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Carita J. Richardson, Mayor

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Terry Whitehead, Town Clerk

TOWN OF WINDSOR  
RECORD OF  
COUNCIL VOTES

Council Meeting Date July 11, 2017

Motion #	Willis	Scott	Flemming	Edwards	Ambrose	Bernacki	C. Richardson
1	✓	✓	✓	✓	✓	✓	
2	✓	✓	✓	✓	✓	✓	
3	✓	✓	✓	✓	✓	✓	
4	✓	✓	✓	✓	✓	✓	
5	✓	✓	✓	✓	✓	✓	
6	✓	✓	✓	✓	✓	✓	
7	✓	✓	✓	✓	✓	✓	
8	✓	✓	✓	✓	✓	✓	
9	✓	✓	✓	✓	✓	✓	
10	✓	✓	✓	✓	✓	✓	
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