

**Minutes
Windsor Town Council Meeting
Town Hall
May 27, 2014**

The Windsor Town Council met in regular session on May 27, 2014 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 Clerk to call the roll. Terry Whitehead, Town Clerk, recorded the minutes. Michael Stallings, Town Manager, Christy Newsome, Interim Treasurer, Dennis Carney, Planning and Zoning Administrator, and Wallace W. Brittle, Jr., Town Attorney were present.

Council members present: Wesley F. Garris
J. Clinton Bryant
Greg Willis
N. Macon Edwards, III
Durwood V. Scott
Patty Flemming

Mayor Richardson asked Councilwoman Flemming to lead the Pledge of Allegiance, and Councilwoman Flemming did.

Public Hearing

Capital Improvements Plan

Mayor Richardson said there are two public hearings tonight. She said the first public hearing is to receive the comments and requests of interested citizens and organizations concerning the formulation and preparation of a proposed Capital Improvements Plan for the fiscal years 2014-2015 through 2018-2019 for the Town of Windsor, Virginia. She said the Town of Windsor's Capital Improvements Plan encompasses contemplated expenditures by the Town of Windsor in excess of \$1,000 for improvements to sidewalks, public buildings, public streets, public lands, public utilities, public services and public safety. She asked Mr. Stallings if he had any further comments on the Capital Improvements Plan, and he said he did not.

Mayor Richardson opened the public hearing. She asked for any persons wishing to speak in favor of the Capital Improvements Plan to come forward at this time. There were none. She asked for any persons wishing to speak in opposition of the Capital Improvements Plan to come forward, and hearing none she closed the public hearing. She said it is now open for discussion among Council. Council did not have any discussion on the Capital Improvements Plan. Mayor Richardson said Council will vote on this item at the continued Council meeting scheduled for June 10, 2014.

Proposed Budget Fiscal Year 2014-2015

Mayor Richardson said the next public hearing is to consider the proposed budget for the Town of Windsor, Virginia for the fiscal year July 1, 2014 through June 30, 2015. She opened the public hearing. She asked for any persons wishing to speak in favor of the proposed budget to come forward at this time. There were none. She asked for any persons wishing to speak in opposition of the proposed budget to come forward, and hearing none she closed the public hearing. She said it is now open for discussion among Council. Council did not have any discussion on the proposed budget for fiscal year 2014-2015. Mayor Richardson said Council will vote on the budget at the continued meeting as well.

Old or Unfinished Business

Mayor Richardson stated that the Conditional Use Permit (CUP) application 13-02 for Verizon Wireless/Fox Run Farm, Inc. was presented to Council at the May 13, 2014 Council meeting. The CUP application was tabled due to revisions needed to language on five additional conditions. She asked Mr. Steve Blair, Attorney representing Verizon Wireless, to come forward to speak on behalf of Verizon.

Mr. Blair said since the public hearing held on May 13, 2014, several conditions were revised concerning Isle of Wight Emergency Services utilizing the tower in the future. He stated that the revised additional conditions were acceptable to Verizon. Mr. Blair said that he and Mr. Stuart Squier, Site Development Consultant to Verizon, are available for any questions.

Councilman Edwards noted several grammatical corrections needed to condition 18. He also asked if the property owner had given permission in writing stating that the Town of Windsor or Isle of Wight Emergency Services would have access to the tower fenced compound and any shelter housing equipment as stated in condition 18. Mr. Blair said that the property owner signed the application; therefore would be bound by the conditions.

Councilman Scott noted that the conditions do not state that the Town of Windsor or Isle of Wight Emergency Services are guaranteed space on the tower if needed, and he felt that this needed to be in writing. Councilman Bryant expressed his concerns with the appearance of the tower and questioned the benefits the tower would have to the Town. Mr. Blair explained the advantages of having 4G coverage in Windsor and the surrounding areas. After further discussion, Council and Mr. Blair were in agreement with revising the language in condition 7 to guarantee space on the tower for the Town of Windsor or Isle of Wight Emergency Services if needed.

Town Council and Mr. Blair, Attorney representing Verizon Wireless, were in agreement with the following conditions, including condition 7 with revisions and condition 18 with corrections:

CONDITIONS FOR CUP-13-02 VERIZON WIRELESS/FOX RUN FARMS, INC.

1. The proposed tower shall be of a monopole design, no more than 199 feet in height and placed on the property as shown on the revised General Development Plan/Construction Plans dated July 19, 2013 drawn by Engineering Concepts that is a part of this application.
2. Certification from Isle of Wight County that the telecommunication tower complex is not within a Resource Protection Area shall be provided to the Town of Windsor prior to the issuance of any Zoning Permits for the telecommunications tower.
3. A signed statement indicating that the National Environmental Protection Act (NEPA) standards are met shall be provided with a copy of the NEPA results including whether there are any historic properties that are affected by the telecommunications tower.
4. The telecommunication facilities shall be certified by a qualified structural engineer or architect to be designed and installed so as in the case of a collapse or structural failure that the structure will be contained within the present Fox Run Farm, Inc. property.
5. The telecommunication facilities shall be designed and installed so as not to interfere with the County's public safety/service radio system or public safety/service radio systems operated in other jurisdictions. Any noted interference will be corrected immediately by Verizon Wireless or its assigns.
6. Any other entity operating wireless telecommunication facilities on the tower that are determined to interfere with the County's or another jurisdiction's public safety radio system shall take corrective action immediately upon discovery.
7. The telecommunications tower will be engineered and constructed in such a manner as to accommodate a minimum of three (3) additional users, one of which would be for the Town of Windsor or Isle of Wight County Emergency Services as well as Verizon Wireless or its assigns.
8. An entrance to the site built to Virginia Department of Transportation standards with all requisite permits shall be installed prior to final approval of the telecommunications tower.
9. A bond or letter of credit of \$100,000 payable by Verizon Wireless or its assigns shall be provided to the Town of Windsor, Virginia to remove the proposed telecommunications tower should it become unused or otherwise obsolete for a period of time exceeding two years. Said bond shall be released should Verizon Wireless or its assigns voluntarily remove the telecommunications tower.
10. An erosion and sediment control plan and requisite erosion and sediments permits shall be acquired from Isle of Wight County prior to any land disturbance of over 2,500 square feet on the site for the telecommunications tower.

11. The telecommunications tower shall be of a muted or metallic galvanized steel finish and shall not require Federal Aviation Administration lighting unless that agency's regulations are amended to state otherwise. There also shall be no visible signs other than required warnings.
12. Town of Windsor will not be responsible for any tower lighting, painting, or any other maintenance or repair of the tower or its operations.
13. The trees, shown on page C-2 of the General Development Plan dated May 30, 2013 drawn by Engineering Concepts that are a part of this application, that are shown as being outside of the telecommunications compound facing Buckhorn Road shall be preserved and used to shield the compound to the maximum extent possible. On the north, south, and east sides of the compound, a row of at least five shrubs or suitable low growing trees per side shall be installed and maintained to shield the compound from public view as approved by the Town of Windsor Zoning Administrator.
14. The proposed monopole tower to be constructed shall include, at no cost to the Town, subject to the approval of Verizon Wireless, space at the highest available location or location to be determined by the Town after consultation and direction from Isle of Wight County Department of Emergency Services for installation by the department for any components of its emergency communications system(s), if so needed, and for no commercial purpose whatsoever.
15. The proposed telecommunications facility in the Town of Windsor shall include, at no cost to the Town, sheltered equipment space or ground space for a shelter and generator within the fenced tower compound as may be required and determined by the Isle of Wight County Department of Emergency Services. The location of the ground space shall be determined by Verizon Wireless.
16. The proposed telecommunications facility in the Town of Windsor shall include, at no cost to the Town, an electrical and local telephone service connection point reserved for Isle of Wight County Department of Emergency Services if and when such communications are required.
17. The proposed telecommunications facility in the Town of Windsor shall include, at no cost to the Town, 24 hours a day, 7 days per week access to the tower fenced compound and any shelter housing Isle of Wight County Department of Emergency Services equipment or any equipment providing service to the County equipment if such access is ever required.
18. Subject to the property owner's approval, access to all tower compounds shall include right-of-ways, driveways, or other roadways utilized for Isle of Wight County Department of Emergency Services service vehicles to be driven to the tower at no cost to the Town or County.

Councilman Edwards made a motion to approve the CUP-13-02 Verizon Wireless/Fox Run Farm, Inc. application to construct a 199 foot tall monopole telecommunications tower with the proposed conditions and revisions to condition 7 guaranteeing the Town of Windsor or Isle of Wight Emergency Services space on

the tower. Councilwoman Flemming seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #1.

New Business

Mr. Stallings reported that he has received three estimates ranging from \$6,700 to \$12,000 to make repairs to the front office in the Town Hall. He stated that the repairs would include repairing the plaster on the walls, painting the walls, new carpet, new tile, and re-surfacing the counter-top. He explained that the repairs would begin after the June 10, 2014 Council meeting and be completed before the July 8, 2014 Council meeting. He said this would allow the office to function in the Council Chamber while repairs are taking place.

Councilman Edwards requested to review the three estimates before agreeing to select a contractor to make the repairs. Mayor Richardson stated that funds have already been appropriated for the repairs. After further discussion, it was agreed that Mr. Stallings would present the three estimates to Council for review before a decision regarding the contractor would be made.

Closed Session

Councilman Willis made a motion to go into closed session pursuant to Virginia Code Section 2.2-3711, A-3 discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, and A-7 consultation with legal counsel and briefings by staff members pertaining to actual or probable litigation. Councilwoman Flemming seconded, and Council passed the motion as recorded on the attached chart as motion #2.

Councilwoman Flemming made a motion to go back into regular session. Councilman Willis seconded, and Council passed the motion as recorded on the attached chart as motion #3.

Councilman Edwards 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. Councilwoman Flemming seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #4.

The meeting will be continued on June 10, 2014.

Carita J. Richardson, Mayor

Terry Whitehead, Town Clerk

TOWN OF WINDSOR
 RECORD OF
 COUNCIL VOTES

Council Meeting Date May 27, 2014

Motion #	Flemming	Edwards	Garris	Bryant	Willis	Scott	C. Richardson
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							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							
20							
21							
22							
23							
24							
25							
26							
27							
28							
29							
30							
31							
32							
33							
34							
35							
36							
37							
38							
39							
40							
41							
42							
43							
44							
45							

Jerry Whitehead, Clerk