

**Minutes  
Windsor Town Council Meeting  
Town Hall  
December 11, 2018**

The Windsor Town Council met in regular session on December 11, 2018 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, Chief Riddle, Ben Sullivan, Planning and Zoning Administrator, Christy Jernigan, Town Treasurer, 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

Councilman Bernacki led the Pledge of Allegiance.

**Public Hearing**

None

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

Dale Scott, 9 Virginia Avenue, said he was present to speak on behalf of the Windsor Volunteer Fire Department. He thanked Mayor Richardson and Council for their support especially during the last couple of years while dealing with the fire department budget issues. He said he looks forward to working with Council in the future because there is still a lot of work to be done.

**Consent Agenda**

Mayor Richardson said the Consent Agenda consists of the minutes of the November 13, 2018 Council meeting 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 Ambrose seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #1.

Vice Mayor Scott noted that the revenue from the Fines line item in the police department budget is down. Chief Riddle said the collection of revenue for fines is the responsibility of the Clerk of Court and not the police department. He said there are many factors that affect the collection of the fines. He explained that some tickets are reduced in court, the volume of traffic is increased in the summer months, and some tickets are just not paid. He said if the court doesn't get paid then the town does not

receive funds for those fines. Chief Riddle said there has also been a shortage in personnel.

### **Treasurer's Report**

Mrs. Jernigan said the Treasurer's report for the month of November is before Council for review. She reported that a check for \$13,000 was received today for fines which should put the town on point to meet budget. She asked if there were any questions.

Vice Mayor Scott noted that retirement line items are higher in all departments. Mr. Stallings said he is researching this issue, and explained that it may be caused by incorrect calculations set up for employees with hybrid retirement benefits.

Councilman Edwards said that 83% of the \$28,000 budgeted for Information Technology has already been spent for this fiscal year. Mr. Stallings explained that the town's IT contracts are set up to pay labor fees at the beginning of the fiscal year.

Councilman Edwards 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's Discussion of Citizens' Concerns**

Councilman Bernacki referenced a letter received by Dale Scott on behalf of the Windsor Volunteer Fire Department regarding an Intergovernmental meeting held on July 20, 2018 where the Isle of Wight County Board of Supervisors led Town Council to believe that the fire department would be fully funded. He explained that the county has selectively reimbursed for some expenses but not for all expenses. He said this has caused some difficulties for the fire department to purchase needed equipment that protects the citizens that Council is here to represent.

Councilman Bernacki explained that the fire department not being fully funded is also a safety concern for the firemen who volunteer their time to keep our citizens and community safe. He stated that we need to be diligent as a Council for our citizens and put the pressure on the Isle of Wight County Board of Supervisors to fully fund the fire department as previously discussed.

Mr. Dale Scott explained that the fire department has received some immediate relief in the amount of \$29,589 towards the department's vehicle expenses and some future relief in the CIP of \$58,681 which will take some time to receive. He said the fire department will still be \$12,243.64 short on being made whole as they had hoped.

After further discussion, Council suggested that an Intergovernmental meeting be scheduled to discuss this issue. It was also suggested that Mr. Dale Scott be included to express these funding concerns on behalf of the fire department.

Councilman Bernacki said he was approached by a citizen who asked if it was feasible to move the polling site from the fire department to the Windsor Town Center due to safety concerns regarding traffic entering and exiting U.S. Route 460 and possible fire alarms during polling hours.

Mr. Stallings said he made contact earlier with the local Board of Elections regarding this issue, and they are in agreement with using the town center. He said he would need to contact Isle of Wight County for their approval, and public hearings would need to take place at the town and at the county.

After further discussion, Council agreed to have Mr. Stallings pursue moving the polling site from the fire department to the Windsor Town Center.

Councilman Edwards reported that the Joyner Town Lane street sign off of U.S. Route 258 is bent over and there is no Joyner Town Lane sign located off of North Court Street. He said there are several signs off of U.S. Route 460 that are leaning and need to be addressed. Mr. Stallings said he will notify Isle of Wight County regarding the street signs.

Councilman Edwards noted that the sinkhole on Virginia Avenue that was discussed at a previous meeting has not been addressed. Mr. Stallings said Belchers Pavement has been scheduled to repair the sinkhole.

Vice Mayor Scott reported that a vehicle ran into the ditch across the road from 11332 Shiloh Drive, and the ditch is not draining properly due to the accident. Mr. Stallings said this has been reported to VDOT, but he will follow-up.

Mayor Richardson said she received a complaint from a resident who has concerns with a large pontoon boat sitting in the front yard of a home located on Duke Street. She asked if there was an ordinance prohibiting boats from being parked in front yards within the town.

Mr. Sullivan explained that there is an ordinance which prohibits recreational vehicles from being parked in front yards within the town, but it does not include boats.

Councilman Bernacki said there are quite a few homes in town that do not have a side yard to access their back yards without driving on their neighbor's property. He said Council needs to be careful not to penalize those who have no other option except to park large boats in their front yards.

After discussion, Vice Mayor Scott made a motion to send this issue to Planning Commission for further review. Councilman Bernacki seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #3.

### **Town Manager's Report**

#### ***Appropriation of Donated Funds***

Mr. Stallings said each year our police department conducts a toy drive in Windsor. 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.

Mr. Stallings recommended that Council adopt the enclosed resolution appropriating the sum of \$1,873.85 in donated funds.

Mayor Richardson read the title of the resolution as follows: "A resolution appropriating the sum of \$1,873.85 in funds donated to the Town of Windsor to the General Fund of the Town of Windsor's Operating Budget for fiscal year 2018-2019."

Councilman Bernacki made a motion to adopt the resolution entitled: A Resolution Appropriating The Sum Of \$1,873.85 In Funds Donated To The Town Of Windsor To The General Fund Of The Town Of Windsor's Operating Budget For Fiscal Year 2018-2019. Councilman Ambrose seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #4.

### ***Action List***

Mr. Stallings reviewed the Action List for the month of November with Council. He stated that he has reached out to Norfolk Southern to get an updated schedule for the work on the Bank Street crossing but has not received a response at this time. He said he will continue to reach out to them. He also reported that the Bowman Consulting Group has started their survey work regarding the drainage issues in town and will be providing recommendations.

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

Mr. Stallings reviewed the Calendar of Events with Council. Mr. Stallings reminded Council of the Chamber of Commerce Pre-Legislative Breakfast on January 3, 2019 at 8:00 a.m. at the Smithfield Center.

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

Mr. Brittle stated that Sharon Jones, Isle of Wight County Clerk of the Circuit Court, will swear in the new members of Council and the new Mayor at the January 8, 2018 Council meeting.

### ***Mayor's Report***

Mayor Richardson thanked everyone who was involved in the Christmas Parade. She said it was a great event and everyone enjoyed it. She also said she will be hosting her annual Christmas party for Council and staff to show her appreciation on Thursday, December 20, 2018 beginning at 5:30 p.m. at her home.

### ***Economic Development Authority (EDA) Report***

Vice Mayor Scott said there will be an EDA meeting in the month of January, 2019.

### ***Other Reports***

None

## **Old or Unfinished Business**

### ***New Planning Commission Members***

Mayor Richardson said there were seven candidates willing to finish out the terms for Glyn Willis and George Stubbs on Planning Commission.

Councilman Bernacki suggested that each of the seven candidates submit a brief resume stating their background and experience relating to the Planning Commission for Council to review before making a decision.

After discussion, Council agreed to have Mr. Stallings reach out to each candidate to request a brief resume so that a decision can be made at the January 8, 2019 Council meeting.

Councilman Willis requested a list of Planning Commission members and when their terms expire. Mr. Stallings said he would provide a list.

### ***Youth Development Center Update***

Councilman Bernacki asked if an update had been received regarding the Youth Development Center. Mr. Stallings reported that Isle of Wight County met with the Corps of Engineers to walk the site off of U.S. Route 258 to confirm the wetlands issues previously discussed. He said the state is still in the design process for the facility. He said the newspapers have reported a possible co-locator to go on the same site as the center.

## **New Business**

Mayor Richardson asked Council to consider Christmas bonuses for staff. After a brief discussion, Councilman Willis made a motion to give full time staff a Christmas bonus of \$200 after taxes and to prorate for full time staff who have not worked a full 12 months. Vice Mayor Scott seconded, and Council passed the motion as recorded on the attached chart as motion #5.

Councilman Bernacki gave an update on the fire department's purchase of the new rescue truck. He said it is in the final prebuild stages. He said he has a rough drawing of the rescue truck if anyone would like to see it after the meeting. Councilman Bernacki, on behalf of the Windsor Volunteer Fire Department, thanked Council and the community for their continued support.

Mayor Richardson gave a brief overview of her 8 ½ years in office. She reviewed several goals that have been met from the town's 5/10/15 year plan which included the new police department, a plan and installation of sidewalks throughout the town, updated zoning and sub-division ordinances, new town entrance signs, and the new Windsor Town Center. She noted several other accomplishments, such as welcome bags for new residents which promoted the businesses in town, costly repairs made by VDOT to the section of road in front of the post office, working with Dominion Power to decrease the number of power outages within the town, adding a grievance policy for the town's employees, updating the Town Code, working with Planning Commission to update the

Comprehensive Plan, and establishing a line item in the budget to help fund depreciation in the Water Fund.

Mayor Richardson said she is also proud that Council has not had to raise real estate and personal property taxes. Mayor Richardson said that planning and working together has been the key to Council's many accomplishments. Mayor Richardson thanked Council, staff, and the community for their support during her term. She said it has been an honor.

Council continued to thank Mayor Richardson for her support, hard work, and dedication to the Town of Windsor.

**Closed Session**

None

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

The meeting adjourned at 8:25 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 Dec 11, 2018

| Motion # | Bernacki | Willis | Scott | Flemming | Edwards | Ambrose | C. Richardson |
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Jerry Whitehead, Clerk