

DRAFT

**Minutes
Windsor Town Council Meeting
Town Hall
April 9, 2013**

The Windsor Town Council met in regular session on April 9, 2013 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. Robin Hewett, Town Clerk, recorded the minutes. Michael Stallings, Town Manager, Chief Reynolds, Dennis Carney, Planning and Zoning Administrator, and Wallace Brittle, 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 said the Isle of Wight Sheriff's Department has experienced a great loss this week with the death of Sgt. Jeff Storm. She asked that everyone keep the family in their prayers. She asked that everyone bow in a moment of silence to remember Jeff Storm and his family. Mayor Richardson asked Councilman Scott to lead the Pledge of Allegiance, and Councilman Scott did.

Public Hearing

None

Delegations, Public Comments and Citizens' Concerns

Vince DeTerlizzie reported that there was a new school app for smart phones entitled *School Connect*. He explained the benefits of this app. He also reported that the new school logo was approved for use throughout the school at the last school board meeting. He said Mrs. Garris, school secretary, is the individual that designed the new logo. He reported to Council on events that have taken place during the month, and also on upcoming events for the school. Mayor Richardson thanked him for coming out and updating Council on the recent events at the high school.

Allen Brown, 41 Bank Street, said his last water bill was over \$1,100. He explained that HRSD and Isle of Wight County adjusted their bills accordingly, due to the major water leak he had on his property. He said the leak has been capped off, and he is asking if Council could make an adjustment to his water bill. Mr. Brown also asked if there could be some way to regulate water usage when filling pools, so individuals would not have to pay sewer bills on that usage. He asked for any help Council could give on his concerns.

Consent Agenda

Mayor Richardson said the consent agenda consist of the minutes of the March 12, 2013 Intergovernmental meeting, the minutes of the March 12, 2013 Council meeting, the minutes of the March 26, 2013 Council work session, and the Treasurer's reports. She said it also

includes a budget transfer for the Planning and Zoning Department, a budget transfer in the health insurance line item of General Management, a budget transfer in the part-time help line item, and several budget transfers in the Police Department. Mayor Richardson asked what the pleasure of Council regarding the consent agenda was.

There was a brief discussion regarding the health insurance cost, and also about the duties of the part-time help. There were several questions asked and answered regarding the Treasurer's reports. Councilman Scott asked to have the General Fund bond amount added to the liabilities listed on the summary page of the Treasurer's report. Mr. Stallings said this will be added on the next month's reports.

Councilwoman Flemming made a motion to adopt the consent agenda as presented. Councilman Scott seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #1.

Police Chief's Report

Chief Reynolds said the report is before Council for its information. He said if there are any questions, he would answer them at this time. He said during the time of the funeral of Sgt. Storm, portions of E. Griffin Street and Old Suffolk Road would be closed due to the expected influx of traffic. Mayor Richardson thanked Chief Reynolds and his officers for all they do for the Town.

Council's Discussion of Citizens' Concerns

Mayor Richardson said she would like to address Mr. Brown's concern regarding his water bill at this time. Mr. Stallings read the water leak policy to Council. He said it is up to Council as to whether or not they want to change the policy. He said HRSD and Isle of Wight County did adjust their bills because the water was not treated. Mayor Richardson said if the leak is underground and cannot be easily detected, then there should be a cap on the amount of the water bill. Council briefly discussed the situation. Mayor Richardson asked how or if other localities make adjustments for this type of situation. Mr. Stallings said he thought the Town of Smithfield would make some type of adjustment, but he did not know about any other localities. Mayor Richardson asked Mr. Stallings to research this issue further, and to let Mr. Brown know that staff is working on his concern. Mr. Stallings said he would take care of it.

Council briefly discussed how to regulate water usage when filling pools. Mayor Richardson asked Mr. Stallings to contact HRSD to see how they handle making adjustments for water used to fill swimming pools. Mr. Stallings said he would research this further.

Mr. Stallings discussed a citizen concern regarding the flushing of the water line with a hydrant. He said the resident is upset because the water runs in their yard when the water line is being flushed. He said Councilwoman Flemming was approached about this issue as well. He said he would meet with the Maintenance Supervisor to see if there is something that can be done to help with the water runoff problem.

Council briefly discussed the problems with a ditch on North Court Street that runs to Duke Street. It was stated that there are many sink holes along the ditch. Mr. Stallings said he has contacted VDOT about the ditch, and they have gone out and inspected the ditch. He said VDOT reported back that the ditch is on private property, and therefore, it is the owner's responsibility to fix the ditch.

Mayor Richardson said when the Drainage Committee meets again, she would like for them to look at the major ditches in Windsor. She said she would like to know how these ditches affect the roads in regards to drainage during heavy rain storms. Mr. Stallings said he would take care of this.

Town Manager's Report

Audit Request of Proposals (RFP)

Mr. Stallings said Mayor Richardson, Ms. Hewett, and he met with the three proposers on March 28th. He said he felt the interviews went well. He said he will let Mayor Richardson provide Council with her insight from the interviews.

Mayor Richardson said she basically asked each firm the same questions. She said she has concerns about the firm that has only one Certified Public Accountant. She said that same firm also has a large turnover of employees. She said she would recommend staying with Diane Smith. She said the other firm is much higher in cost. Mayor Richardson said she would also like to have a contract with the firm stating that if the staff is ready by September 15th, then the draft should be completed by November 15th. She said if the draft audit is not ready on time there should be a monetary penalty for each day past the November 15th deadline.

Mayor Richardson made a motion to accept the proposal from Diane Smith, and to have the Town Manager draft a contract with the deadlines stated and the penalty if the deadlines are not met. Councilwoman Flemming seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #2.

Mr. Stallings said he would contact Diane Smith regarding the contract, and have a draft agreement for Council's review.

Action List

Mr. Stallings said the Action List is enclosed for Council's review.

Calendar of Events

Mr. Stallings said he has enclosed the calendar of events for Council's information. He said he has tentatively scheduled the budget work session for April 23rd. He asked Council if the date worked for everyone. Mayor Richardson said she was concerned with having two meetings back-to-back. She said Council is scheduled to have a joint meeting with Planning Commission on April 24th. She asked if it would be better to have the budget work session on April 29th instead. Council conceded to having the meeting on April 29th at 5:00 p.m. in the Chamber.

Mr. Stallings said as the Mayor mentioned earlier, there is a joint meeting with Planning Commission, Council, and County Planners on April 24th at 5:00 p.m. in the Chamber.

Mr. Stallings said he has an item for "old business" and one for "closed session".

Town Attorney's Report

None

Mayor's Report

Mayor Richardson said she has been working on the scheduling of the evaluations for the Town Manager and the Clerk/Treasurer. She said the self-evaluation for both is to be completed and given to her by April 16th, along with the action plan and notes from each individual. She said Council's evaluation of the Town Manager and the Clerk/Treasurer is due to her by April 24th. She said she will set dates in May for the evaluation reviews.

Mayor Richardson reported on the meetings she attended during the month. She said she has also spoken with the County Board regarding the funding of the gym in Windsor.

Mayor Richardson reported that she and Councilman Scott are still working with the County in regards to the welcome sign located on the Matthews property. She said hopefully this will be completed and ready for construction within the next few months.

Economic Development Authority

Councilman Scott said EDA has not had a meeting since the last Council meeting. He said he is currently working on the Business Appreciation event for this year. He said he is looking at having an evening event from 6:00 to 7:30 p.m. on June 6th at the Windsor Ruritan building. He said he is hoping for more participation by having it in the evening, instead of having a breakfast event.

Other Reports

None

Planning Commission

Mr. Carney said the planning and zoning report for March 2013 is enclosed for Council's information. He said there were three zoning permits issued, and eight violation notices were sent out during the month. He briefed Council on the items that Planning Commission has been working on.

Old or Unfinished Business

Mr. Stallings said the Coin Operated Machines business license that was discussed last month, has two businesses paying under that classification. He said they are the laundry mat and a vending machine owner. He said in researching the classification, the Town of Smithfield referred him to the State Code that addresses this issue. He said according to what he has read, the classification may only apply to arcade type establishments. Mr. Stallings read a portion of the State Code to Council. He said he is still working on this item. He said he does not feel that the ordinance needs to be rewritten, but instead applied properly. He said he feels that the Farm Vendor and Food Vendor portion needs to be moved from this classification.

Mr. Stallings reported to Council that the new Town website went live this morning. He highlighted the changes on the website with Council.

Mr. Stallings also reported that the first meals tax audit has been completed with favorable findings. He said staff is working to get started on the next one.

New Business

Councilman Willis asked if any plans had been made for the Town's July 4th event. Mayor Richardson asked if he would setup a committee to work on the July 4th event. She asked if he would also work on the car show for the event again this year. Councilman Willis said he would form a committee and also work on the car show.

Closed Session

Councilwoman Flemming made a motion to go into closed session pursuant to Virginia Code Section 2.2-3711, A-3 real estate matters, regarding acquisition of property. Councilman Willis seconded, and Council passed the motion as recorded on the attached chart as motion #3.

Councilwoman Flemming made a motion to go back into regular session. Councilman Bryant seconded, and Council passed the motion as recorded on the attached chart as motion #4.

Councilman Scott 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 Edwards seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #5.

Vice Mayor Garris made a motion to accept the donation of land from Farmers Bank, identified as 54B-01-271A, located on Bank Street, and to help defray the cost up to \$4,000 contingent on the property having no deed restrictions. Councilwoman Flemming seconded, and Council passed the motion five to one as recorded on the attached as motion #6.

Councilman Edwards made a motion to adjourn. Councilman Willis seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #7.

The meeting adjourned at 9:07 p.m.

Carita J. Richardson, Mayor

Robin Hewett, CMC
Town Clerk

TOWN OF WINDSOR
 RECORD OF
 COUNCIL VOTES

Council Meeting Date April 9, 2013

Motion #	Scott	Flemming	Edwards	Garris	Bryant	Willis	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	Y	Y	Y	Y	Y	Y	
6	Y	Y	N	Y	Y	Y	
7	Y	Y	Y	Y	Y	Y	
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 Robin Hewett, emc
 Clerk/Treasurer