

**Minutes
Windsor Town Council Meeting
Town Hall
August 9, 2022**

The Windsor Town Council met in a regular session on August 9, 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. Mayor Willis asked for anyone with cell phones to please turn them off. Terry Whitehead, Town Clerk, recorded the minutes. William G. Saunders, IV, Town Manager, Chief Riddle, and Cheryl McClanahan, Treasurer, were present.

Council members present: Greg Willis
 Walter Bernacki
 Kelly Blankenship
 J. Randy Carr
 George Stubbs

Council member absent: Jake Redd

Vice Mayor Greg Willis led the Pledge of Allegiance.

Delegations and Public Comments

Mr. Bentley Richardson, 24229 S. Johnson Avenue, said he has lived and worked in this community for 53 years. He noted his contributions to the Town Center, which included rebuilding a roll top desk, constructing a podium, and building a barn door for the storage room. He said these projects were needed, and he was capable of doing them.

Mr. Richardson made the following suggestions, on behalf of Rita Richardson and other citizens in the community since the last Town Center Advisory Board meeting, for senior programs at the Town Center:

- Advertise Senior Services, with contact numbers and registration information, in the Windsor Weekly and the Smithfield Times.
- Give Town of Windsor residents first priority; with only citizens of Isle of Wight being able to participate, since these taxpayers are funding the majority of the programs.
- Give monthly reports to Town Council that include number of participants, names and addresses of participants, and a list of monthly programs and activities.
- Allow citizens to suggest activities and volunteer if additional help is needed.
- No groups should use the facility for food distribution. Windsor Harvest Outreach already provides that service to the community.
- Facility must be cleaned each day and ready for night-time and weekend rentals.

- Assign an individual to be responsible for oversight.

Mr. Richardson stated that the Town Center was rented Saturday, August 6, 2022 for a large event, and the facility was not clean. He also noted that the air conditioner was not left on for the Saturday event. Mr. Richardson said the renters had to clean the facility before it could be decorated.

Consent Agenda

Mayor Willis said the Consent Agenda consists of the minutes of the July 12, 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. Vice Mayor Greg Willis seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #1.

Treasurer's Report

Ms. McClanahan reviewed the July 2022 Treasurer's report and gave an update on collections that were moved back to FY22 for the accruals.

Councilman Bernacki asked if Communication Tax and Traffic Fines are used as dedicated funding sources to offset specific expenses such as the E911, or are those funds put into the General Fund and pulled from there.

Mr. Saunders explained that some are dedicated expenses as it relates to our budget. He said the Traffic Fines just go into revenue. He said with the MOU with the County on funding E911, that portion of the Communications Tax is listed in E911 as part of what is forwarded back to the County to pay the balance.

Mr. Saunders confirmed that the collection of a \$5.00 fee per citation generated from the DigiTicket system will be dedicated only to funding the ongoing maintenance of that system, as questioned by Councilman Bernacki.

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

Council Comments

Councilman Stubbs said he has received a couple of phone calls from citizens with concerns regarding Senior Services using the Town Center without paying a rental fee. He said there seems to be a misunderstanding from some that he has been a strong opponent of Senior Services of Southeastern Virginia (SSSEV) locating in the Town of Windsor. He said this is far from the truth. He said he has known from volunteering with Meals on Wheels that there is need for our seniors to be supported in any way we can to enrich their lives; provide lunches, meals, programs, and information to help seniors to have a more active lifestyle.

Councilman Stubbs stated that SSSEV, along with Christian Outreach and Friends Community Church of Rescue, requested we provide them with this facility, the number of days it would be used, storage area we would need to store tables and chairs during their programs, and add them to the Town's insurance. He said when this information became known, it did not go well with some people who had worked diligently to make the Windsor Town Center a place the Town of Windsor could be proud of. He said those that have worked supporting the Town Center found out after all their efforts of bringing the center to reality; if they wanted to use the facility, they would have to pay a rental fee like anyone else.

Councilman Stubbs said SSSEV would like to utilize this facility possibly four days a week for senior programs at no charge to them. He said they have no skin in this game, and they have provided no elbow grease. Due to staffing and funding issues, Isle of Wight Parks and Recreation and the Town of Windsor, thus far, have consented that SSSEV will have to be given a key to the building. He said it is the belief that if you hold a key to the building then you are in control of it.

Councilman Stubbs said that the condition of the facility before the August 6, 2022 event mentioned by Mr. Richardson was also brought to his attention. He said we have a problem, and it needs to be addressed.

Town Manager's Report

Capital Projects Update

Calendar of Events

Mr. Saunders said the August 2022 and September 2022 calendars are enclosed to include Town of Windsor and Isle of Wight County public meetings, as well as other pertinent information.

Duke Street & Virginia Avenue Water Main Replacement

Mr. Saunders reported that all deeds of easement have been acquired. He said he has received the final set of documents and plans to be reviewed by himself and the Town Attorney.

Mr. Saunders said he hopes to bring this before Council at the September 13, 2022 meeting for authorization to put this project out to bid. He said a cost estimate will be included.

Town Attorney's Report

Mr. Saunders reported that Mr. Taylor will be available via telephone during the closed session.

Mayor's Report

None

Economic Development Authority (EDA)

Councilman Bernacki said his daughter had a couple of marketing ideas that she would like him to share with Council that may help promote the Town. He said she suggested

putting graphics on the Town sign of frogs hopping with the intent of getting people interested and curious about what is going on in Windsor, particularly with the frog project underway. He said she also suggested that geocaching would be a great way to promote and market the Town of Windsor. Councilman Bernacki said she suggested involving the local businesses by asking for donations to be used as prizes.

Mr. Saunders presented the following EDA item in Councilman Redd's absence.

Mr. Saunders reported that the Boy Scout frog is near completion, and the EDA has proposed the placement of this frog to be at the Wesley Garris Event Park. He said the EDA's other recommended locations for the Farmer frog and the Jewel frog would be at the Town Center and the Town property close to Shirley Drive.

After discussion, Councilwoman Blankenship made a motion for the Boy Scout frog to be placed at the Wesley Garris Event Park. Vice Mayor Greg Willis seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #3.

Mayor Willis asked Councilman Bernacki to reach out to Councilman Redd regarding the two marketing recommendations presented, on behalf of his daughter, for consideration by the EDA.

Other Reports

None

Old or Unfinished Business

Proposal for Senior Programs at the Windsor Town Center

Mr. Saunders reported that following receipt of recommendations from the Windsor Town Center Advisory Board (WTCAB), the Windsor Town Council met on this item at their July 12, 2022 meeting.

Mr. Saunders said the iteration of the Memorandum of Understanding (MOU) that was before the Town Council at their July 12, 2022 meeting had been amended to reflect the recommendations for the WTCAB.

Mr. Saunders noted that at that meeting, Town Council also tasked staff with researching potential insurance and utility cost increases related to the Senior Services of Southeastern Virginia proposal. Further, Council directed the forwarding of the draft MOU to Isle of Wight County Administration for their review to ensure that no conflict existed with agreements on the provision of programs by Parks and Recreation and that the proposal met with the County's plan for senior service programs.

Mr. Saunders said regarding insurance, our insurance provider, the Virginia Risk Sharing Association, felt that the \$5M total coverage might be higher than necessary, but that they would provide an estimate if necessary. However, if the total coverage in the MOU were revised to the Town's current total coverage of \$3M, there would be no increase in coverage costs. Mr. Saunders reported that after consultation with the Town Attorney, the total coverage in the latest draft of the MOU has been revised down from \$5M to \$3M.

Mr. Saunders said the difference in costs of utilities from prior to Parks and Recreation programs to after, were not conclusive. He said this is partly due to the number of other factors that caused irregular utility usage amounts beyond the programs, or lack thereof, in the center. Mr. Saunders estimated that there's at least \$200 to \$300 a month more for utility costs when programs are being run versus when they're not.

Mr. Saunders said the draft MOU was forwarded to the County Administrator and County Attorney for their review and comment. He said the County Administrator and County Attorney have stated that the draft enclosed herein was fine and they have no objections to the proposal.

Councilwoman Blankenship noted that the language in Section III.B.3 of the MOU states that the Town "will cover all utilities, routine cleaning, refuse & recycling, insurance, supplies, maintenance, and all repairs which do not fall under Section III.A.2, for the facility." She said it was discussed previously to revise the language to show "facility supplies" so that there's no implication that the Town would provide supplies for SSSEVA programs.

Council agreed by consensus to revise the language to show "facility supplies."

Council discussed the suggestions brought up by Mr. Richardson.

Mr. Herb Degroft confirmed that there has never been an issue where participants were turned away from a program because of the space provided; therefore, he didn't see where Town of Windsor seniors would ever be turned away due to space issues.

Councilwoman Blankenship said it concerns her that those individuals and organizations who helped put in the work to make the Town Center a functional building feel that the Town is letting SSSEVA use the facility for free and they have to pay. She said she would like to understand that comment better. She said she would like to think that no promises were made that the facility would be free to those who helped with labor or with financial assistance.

Councilwoman Blankenship said that the WTCAB has tried to accommodate by giving a price reduction and one free event per year to Civic groups. She said the partnership with SSSEVA is something the Town would like to do by offering senior services to the community; just as we partnered with Isle of Wight County Parks and Recreation to offer parks and recreation to the community.

Mayor Willis said he sees this as an event compared to a service. He said there are organizations and individuals who want to use the facility for events such as fundraisers and weddings; whereas, a service is what Parks and Recreation is providing to the community by having paid staff provide that service, just as SSSEVA would be providing staff for senior services.

Mayor Willis said he is appreciative to the civic groups and individuals who worked diligently to get the facility in place for the purpose of having large events and providing services to the community.

After further discussion, Vice Mayor Greg Willis made a motion to adopt the Memorandum of Understanding between Senior Services of Southeastern Virginia, Inc.

and The Town of Windsor with the aforementioned revision to the language from “supplies” to “facility supplies” in Section III.B.3. Councilman Bernacki seconded, and Council passed the motion 4-1 as recorded on the attached chart as motion #4.

New Business

Town Center Management and Oversight

Mayor Willis said we’ve had turnover with County staff, which has created challenges that may have precipitated some of the problems with the Town Center before the event took place on August 6, 2022. He said it was recommended by Mr. Richardson that we need to get direction from the WTCAB on how we provide oversight so that we have consistency on managing the Town Center.

Mayor Willis said Parks and Recreation are gearing up to define some events for the fall. He said there are processes and procedures that we need to meet with David Smith, Isle of Wight County Parks and Recreation Director, to discuss regarding their role and responsibility regarding set-up and clean-up for events. He said we need to have a defined process to make sure that the facility is left in good condition for the next rental event.

Councilwoman Blankenship said that the WTCAB suggested that cleaning services clean the facility more frequent than twice a month.

Mr. Saunders added that Parks and Recreation is expected to follow the rental agreement as it relates to cleaning up after their programs. He said we run into problems when Parks and Recreation programs end at 8:00 pm Friday evening, and we have a Saturday morning rental event. He said there isn’t a large window of opportunity to bring in an outside cleaning service in that timespan.

After further discussion regarding clean-up and set-up for events at the Town Center, Council agreed by consensus that a cleaning checklist and oversight strategy is needed. Council also agreed that a follow up discussion with Parks and Recreation is needed to determine their role and responsibility regarding preparation for an event at the Town Center.

Mr. Saunders said he will schedule a meeting with everyone involved to make sure everyone is educated on what their roles, responsibilities, and expectations are. He said a checklist will be included in this process.

Mr. Saunders said he will check on the tables and chairs being used during summer camp to make sure that tables that were purchased by the Town for events is not being utilized for arts and crafts by Parks and Recreation, as questioned by Councilman Stubbs.

Closed Session

Councilman Bernacki 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 for 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 negotiating or litigating posture of the public body. Section 2.2-3711. A.8 consultation with legal counsel employed or retained by the public body regarding specific legal matters in regard to contract negotiations requiring the provision of legal advice by such counsel. Councilman Stubbs seconded, and Council passed the motion as recorded on the attached chart as motion #5.

Councilman Stubbs made a motion to come out of closed session. Vice Mayor Greg Willis seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #6.

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 #7.

Councilman Stubbs made a motion to adjourn. Vice Mayor Greg Willis seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #8.

The meeting adjourned at 9:10 p.m.

Glyn Willis, Mayor

Terry Whitehead, Town Clerk

TOWN OF WINDSOR
 RECORD OF
 COUNCIL VOTES

Council Meeting Date August 9, 2022

| Motion # | Greg Willis | Bernacki | Blankenship | Carr | Stubbs | Redd | Glyn Willis |
|----------|-------------|----------|-------------|------|--------|--------|-------------|
| 1 | Y | Y | Y | Y | Y | absent | |
| 2 | Y | Y | Y | Y | Y | | |
| 3 | Y | Y | Y | Y | Y | | |
| 4 | Y | Y | Y | Y | N | | |
| 5 | Y | Y | Y | Y | Y | | |
| 6 | Y | Y | Y | Y | Y | | |
| 7 | Y | Y | Y | Y | Y | | |
| 8 | Y | Y | Y | Y | Y | | |
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Jerry Whitehead, Clerk