

**Minutes  
Windsor Town Council Meeting  
Town Hall  
October 13, 2015**

The Windsor Town Council met in regular session on October 13, 2015 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 a cell phone to please turn it off. She asked the Clerk to call the roll. Terry Whitehead, Town Clerk, recorded the minutes. Michael Stallings, Town Manager, Chief Riddle, Dennis Carney, Planning and Zoning Administrator, Christy Jernigan, Town Treasurer, and Wallace W. Brittle, Jr., Town Attorney, were present.

Council members present:

- J. Clinton Bryant
- Greg Willis
- N. Macon Edwards, III
- Durwood V. Scott
- Patty Flemming
- Tony Ambrose

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

### **Public Hearing**

Mayor Richardson said there is a public hearing tonight to consider public comments on the Draft Land Development Ordinance and the Draft Zoning Map. She asked Mr. Carney to summarize the proposed draft ordinance and map.

Mr. Carney stated that in the fall of 2010, the Planning Commission began working on revising the Land Development Ordinance. It was felt that the existing ordinance did not follow a coherent pattern because of incremental changes that had been made to it and amendments in the Code of Virginia. Numerous work sessions were held with the Commission on changes that should be made. Mr. Carney reported that a joint work session was held with Town Council in the fall of 2011. At that meeting, Town Council agreed with the draft ordinance overall, but some relatively minor changes were suggested as well as some wording, grammatical, and punctuation questions.

Mr. Carney reported that in the site-plan process and the subdivision process, provisions were included to ensure more aesthetically pleasing development, as well as important infrastructure such as sidewalks. He said the General Assembly this year amended the Board of Zoning Appeals section on variances. These changes were incorporated into the draft ordinance. Mr. Carney reported that the Town also adopted some storage amendments and sign amendments to the ordinance during the period in which this was being reviewed, which have also been incorporated into the proposed draft ordinance.

Mr. Carney reviewed the synopsis of the proposed ordinance that was in his staff report.

Mr. Carney explained that the Draft Zoning Map has been modified to deal with the placement of the Public (P) Districts that were corrected by the Planning Commission.

He also noted that a rezoning that had a "sunset" reversion clause was also corrected and is now properly shown on the revised zoning map.

Mr. Carney said that Planning Commission, at its July public hearing, recommended approval of the Draft Land Development Ordinance to Town Council. The zoning map was recommended for approval by the Commission to Council at its September public hearing.

Mr. Carney suggested that Town Council consider accepting the recommendation of the Planning Commission on both the Land Development Ordinance and the companion Zoning Map. Mr. Carney thanked Town Council, Planning Commission, Staff and Sarah Kidd from the Hampton Roads Planning District Commission for all their help in revising the Land Development Ordinance and map.

Councilman Ambrose inquired about the time frame for the availability of the new zoning map, if approved, on Isle of Wight County's GIS property maps. Mr. Carney said he will be sending the map to Isle of Wight as soon as he receives it from the Hampton Roads Planning District Commission.

Mayor Richardson asked if the ordinance and map were properly advertised. Mr. Brittle said they were properly advertised.

Mayor Richardson opened the public hearing. Being that there was no one to speak in favor or in opposition to the proposal, she closed the public hearing. She said it is now open for discussion among Town Council.

Councilwoman Flemming made a motion to adopt the Land Development Ordinance and Zoning Map. Councilman Willis seconded, and Council passed the motion as recorded on the attached chart as motion #1.

Mayor Richardson explained that the Land Development Ordinance has been updated, but because of future growth and changes to the Town, revisions to the ordinance will always be necessary. She thanked everyone involved for their hard work with helping to update the ordinance and map.

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

### ***Presentation – Sam Welty, Muralist***

Mayor Richardson presented Sam Welty, renowned Muralist, with a commemorative Key to the Town of Windsor and a Resolution of Recognition. She thanked him for graciously providing his talent by helping Girl Scout Troop 1105 paint a mural depicting the history of the Town of Windsor on two sides of the business located at 11 East Windsor Boulevard. She noted that Mr. Welty was nominated by the Town for a 2015 ALLI Award presented by the Cultural Alliance of Greater Hampton Roads, and she just recently found out that he is a finalist.

Mr. Welty thanked the Mayor and Council for the recognition and expressed how much he enjoyed working with the girl scouts and with the community.

### ***Student Liaison***

Kelly Lewis, Student Liaison to Council, briefed Council on the school's Senior Mentor program which helps freshmen transition into the high school. She said the Homecoming events were a huge success, and Windsor High School won the Homecoming game. She announced that the Booster Club will be having a fundraiser dinner and auction on Saturday, November 7<sup>th</sup> at 6:00 p.m. at the high school. She continued to brief Council on several sporting events. Mayor Richardson thanked Ms. Lewis for attending the meeting and updating Council on the recent events at the high school.

Mayor Richardson introduced Dr. Jim Thornton, Division Superintendent for Isle of Wight County Public Schools. Dr. Thornton said he looks forward to working with Town Council in the future. He said there is already a strong instructional plan in place for the schools. He said his focus is to implement this plan and maintain the facilities in a responsible way. Mayor Richardson said she looks forward to working with Dr. Thornton and the School Board to help benefit the community and the students.

### ***Windsor Volunteer Fire Department Update***

Dale Scott, 9 Virginia Avenue, updated Council on the status of the Windsor Volunteer Fire Department's ongoing negotiations regarding the Facility Use Agreement with Isle of Wight County. He said that a compromise was reached during the Board of Supervisors' meeting on September 17, 2015. He reported that funds for past maintenance of the station were received on September 25, 2015. He thanked Town Council for their support during these negotiations for the past sixteen months. Mr. Scott also thanked the citizens of the Town for supporting the fire department since 1946. Mayor Richardson thanked Mr. Scott for the leadership he displayed and for all that the fire department does for the community.

### **Consent Agenda**

Mayor Richardson said the Consent Agenda consists of the minutes of the September 8, 2015 Council meeting and the September 10, 2015 Called Council meeting, the Police Chief's report, and the Zoning Administrator'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. Councilwoman Flemming seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #2.

### **Treasurer's Report**

Mrs. Jernigan said the Treasurer's report for the month of September is before Council for review. She explained that due to some discrepancies with the adjusting entries from last year's audit that were entered by a previous consultant, there may be a delay in the completion of the audit. She said she would keep Council informed as staff works through this issue. She also reported that real estate and personal property taxes for 2015 are scheduled to be mailed out this month.

Vice Mayor Bryant made a motion to accept the Treasurer's report. Councilman Ambrose seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #3.

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

Councilman Edwards reported that the sidewalks located on North Court Street and at the corner of the six way intersection have debris on them, and this could potentially be a safety hazard. He also said that the sidewalks on Church Street near the Windsor Baptist Church have not been marked for repairs as mentioned at a previous meeting. Councilwoman Flemming said that drainage issues may be causing erosion under some sections of sidewalk.

Councilman Scott reported that two flower beds located in Town, one at the intersection of U.S. Route 460 and Highway 258 and the other located on South Court Street, need to be kept up in order to maintain the appearance of the Town.

Mr. Stallings said that the Maintenance Supervisor will be meeting with the contractor this week to confirm a date for the sidewalk repairs to begin, and he will have the maintenance department take care of the flower beds.

Mayor Richardson stated that she was in favor of hiring a part time maintenance employee with the understanding that the maintenance department will take the initiative to do tasks that need to be done on a consistent basis. She suggested that they create a list and follow it consistently.

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

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

Mr. Stallings reported that in July, well #5 on East Griffin Street was struck by lightning, and it caused damage to the pump motor. The motor was repaired, and the claim was submitted to VML Insurance. He said the repair work was \$14,504.40, and the insurance company sent a check for \$14,004.40, which was minus the \$500 deductible. Mr. Stallings said he has enclosed a resolution appropriating the funds from VML Insurance into the Town's operating budget to cover the repairs.

Mr. Stallings read the title of the resolution as follows: "A resolution appropriating the sum of \$14,004.40 from VML Insurance into the Water Fund Operating Budget and approving a budget amendment for fiscal year 2015-16."

Councilwoman Flemming made a motion to adopt the resolution entitled: *A Resolution Appropriating The Sum Of \$14,004.40 From VML Insurance Into The Water Fund Operating Budget And Approving A Budget Amendment For Fiscal Year 2015-16.* Councilman Scott 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 September with Council. Council discussed LED replacement bulbs for streetlights within the Town.

### **Calendar of Events**

Mr. Stallings stated that he has enclosed the Calendar of Events for Council's information. He noted that Isle of Wight County will be holding a Town Hall community meeting to update citizens about the overall progress in the County and other matters of interest. It will be held on Thursday, October 22, 2015 at 7:00 p.m. at the Windsor Ruritan Building. He also reported that elections will be held November 3, 2015.

### **Car Tax Relief Ordinance**

Mr. Stallings said as with previous years, Council needs to establish the car tax relief for tax calendar year 2015. He said the relief has been calculated for 2015 at 31.65%. He said he has attached an ordinance that will set 31.65% as the amount of the car tax relief for the 2015 calendar year. He said he would recommend that Council adopt the enclosed ordinance. Mr. Stallings read the title of the ordinance as follows: "An ordinance establishing a personal property tax relief percentage of 31.65% for the calendar year 2015 personal property tax bills."

Councilman Scott made a motion to adopt the ordinance entitled: *An Ordinance Establishing A Personal Property Tax Relief Percentage Of 31.65% For The Calendar Year 2015 Personal Property Tax Bills*. Councilman Ambrose seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #5.

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

None

### **Mayor's Report**

Mayor Richardson said as mentioned earlier, Sam Welty was nominated for the 2015 ALLI Award presented by the Cultural Alliance of Greater Hampton Roads, and he is a finalist. The awards event will be Sunday, November 8, 2015 at the Double Tree Inn located on Military Hwy. She said that the girl scouts have been invited, and if anyone else would like to attend, contact Mr. Stallings. It was the consensus of Council to pay for the girl scouts to attend the event since they were involved with the mural project.

Mayor Richardson congratulated Michael Stallings, Town Manager, for earning the designation of International City/County Management Association (ICMA) Credentialed Manager granted by the ICMA Executive Board.

Mayor Richardson announced that the Council/Staff Christmas party will be held Thursday, December 17, 2015 at 6:00 p.m. at her home.

### **Resolution Thanking Dr. Nakorn**

Mayor Richardson said that Dr. Nakorn Apakupakul will be retiring on October 31, 2015, and a resolution thanking and commending him for his service to the Town of Windsor is enclosed in Council's packet. Councilman Willis made a motion to adopt the resolution entitled: *A Resolution Thanking And Commending Dr. Nakorn Apakupakul For His Service To The Town Of Windsor, Virginia*. Councilman Scott seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #6.

## **Economic Development Authority Report**

None

## **Other Reports**

Councilwoman Flemming said the Christmas parade will be December 5, 2015 at 4:00 p.m., and the lighting of the Christmas tree will immediately follow at the library. She also reported that "Breakfast with Santa" will be the same day from 8:00 a.m. to 10:00 a.m. at the Windsor Ruritan Building.

## **Old or Unfinished Business**

### ***Leave Policy***

Mr. Stallings said at the September meeting, Council discussed possible changes to the employee leave policy to reduce the amount of leave that employees are allowed to carry over. As directed, changes have been drafted to the Town's existing leave policy that allows 160 hours of leave to be carried over each fiscal year.

Mr. Stallings explained that currently the Town allows employees to carry over no more than 240 hours (30 days) per year. He said that a spreadsheet has been attached that shows the amount of leave that each employee has on the book as of the last pay period. The spreadsheet also shows the cost that is associated with reducing the amount of leave on the books for all of those who are over the proposed 160 hour cap. The cost is based on the current pay rates for each employee, as we are required to pay out leave based on current salaries. He reported that the current cost to buy leave time held by employees over the 160 hour cap is \$19,475.84.

Mr. Stallings said there was also discussion about a buy back policy. A "Vacation Buy Back Form" is attached that allows employees to sell back up to 40 hours of leave each fiscal year. Employees will be required to fill out the attached form before April 1<sup>st</sup> of each year in order to sell back time. He said any leave sold back will be paid out in July with the start of the new fiscal year.

Mr. Stallings explained that if Council elects to implement this new leave policy, funds will need to be appropriated to reduce the amount of leave on the books for all those above the 160 cap. Reducing the leave that employees are allowed to carry over will help reduce future liabilities if and when employees leave the Town of Windsor. Mr. Stallings said he has drafted a resolution that will appropriate the sum of \$19, 475.84 to cover the initial buy back if Council would like to move forward.

Mr. Stallings recommended that Council adopt the revised leave policy as well as the attached resolution which will allow staff to move forward with reducing the number of vacation hours currently on the books.

Councilman Edwards noted that under *C. Use of Sick Leave*, paragraphs three and four refer to policy number 4.16 Worker's Compensation. He said these paragraphs do not seem to relate to the leave policy. Mr. Stallings said he will correct the leave policy by removing paragraphs three and four regarding Worker's Compensation because they do not relate to the leave policy and are showing on this copy of the leave policy in error.

He said he will distribute a clean copy of the leave policy to Council by the end of the week.

After further discussion, Mayor Richardson read the title of the resolution as follows: "A resolution appropriating the sum of \$19,475.84 from the unappropriated fund balance of the General Fund to the 2015-16 General Fund Operating Budget."

Councilman Willis made a motion to adopt a change to the Employee Leave Policy that reduces the amount of carry over leave from 240 hours to 160 hours effective July 1<sup>st</sup>, which also implements a buy back policy that allows employees to sell back 40 hours of leave per year effective July 1<sup>st</sup>. Councilman Ambrose seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #7.

Councilwoman Flemming made a motion to adopt the resolution entitled: *A Resolution Appropriating The Sum Of \$19,475.84 From The Unappropriated Fund Balance Of The General Fund To The 2015-16 General Fund Operating Budget.* Councilman Scott seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #8.

### ***Surplus Property***

Mr. Stallings reported that at the last meeting, Council discussed the donation of one of the Town's surplus police vehicles to the Windsor Volunteer Rescue Squad. Council asked staff to obtain a letter from Isle of Wight County regarding this donation. He said he has attached a letter from Jeff Terwilliger, Chief of Emergency Services from Isle of Wight, regarding this donation.

Mr. Stallings said he has enclosed a resolution that will declare this vehicle as surplus and authorize the Town Manager to dispose of this vehicle in accordance with Town policy, in this case, donation of the vehicle to the Windsor Volunteer Rescue Squad.

Councilwoman Flemming made a motion to adopt the resolution entitled: *A Resolution Declaring Certain Non-fixed Assets Surplus And Approving The Disposal Of Said Assets.* Councilman Willis seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #9.

Mr. Stallings said he will be meeting with contractors soon and receiving bids for the new equipment building that will be located on East Griffin Street.

Mr. Stallings reported that the post office deed has been recorded and he is waiting to receive the paperwork from the postal service to transfer the lease to the new owner.

Mr. Stallings reported that he will be picking up the new rendering for the flag pole this week. He said he will present this information to Council and begin moving forward with installing the pole.

Councilman Edwards suggested notifying the newspapers with information regarding the hiring of the new police officer so that citizens will know that the hiring process has been completed.

## **New Business**

After a discussion regarding mowing large lots in Town, Council asked Mr. Stallings to obtain bids from contractors to cut large lots in Town to see if it is more cost efficient than using Town employees. Mr. Stallings said he would obtain bids and report this information back to Council.

Councilman Scott said that the Town has many ordinances from years ago that may not apply or be enforceable at this time and may need revisions. Mr. Stallings said he would discuss this issue with Mr. Carney.

Mayor Richardson reported that the Town has received \$25,000 from Isle of Wight County to be used for the gym that is being renovated as a Community Center for the Town of Windsor.

## **Closed Session**

None

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

The meeting adjourned at 8:37 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 October 13, 2015

Motion #	Flemming	Edwards	Ambrose	Bryant	Willis	Scott	C. Richardson
1	Y	Y	Y	Y	Y	Y	
2	Y	Y	Y	Y	Y	Y	
3	X	Y	Y	Y	Y	Y	
4	Y	Y	Y	Y	Y	Y	
5	Y	Y	Y	Y	Y	Y	
6	Y	Y	Y	Y	Y	Y	
7	Y	Y	Y	Y	Y	Y	
8	Y	Y	Y	Y	Y	Y	
9	X	Y	Y	Y	Y	Y	
10	Y	Y	Y	Y	Y	Y	
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Jerry Whitehead, Clerk