

**Minutes  
Windsor Town Council Meeting  
Town Hall  
October 8, 2013**

The Windsor Town Council met in regular session on October 8, 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. Terry Whitehead, Interim 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 recognized Glyn Willis, who serves on the Planning Commission, Frances Butler and Karita Suiter, who serves on the Board of Zoning Appeals, Christy Hobbs, Staff, and William Archer, Co-Student Liaison to Council. She thanked them for attending the meeting.

Mayor Richardson asked Councilman Scott to lead the Pledge of Allegiance, and Councilman Scott did.

### **Public Hearing**

None

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

Will Archer, Windsor High School Co-Student Liaison to Council, briefed Council on the Windsor High School Homecoming parade and game. Mayor Richardson thanked him for attending the meeting, and updating Council on the recent events at the high school.

Karita Suiter, 107 Maple Lane, thanked Mayor Richardson, Town Council, Chief Reynolds, the Windsor Police Department, and Town Staff for all the support she received when her mother passed away. She said it was greatly appreciated.

Greg Willis, 26206 Lovers Lane, thanked Chief Reynolds, the Windsor Police Department, and the Emergency Medical Services (EMS) for responding to his home in his time of need. He said his daughter was home alone with him when

she called 911, and the EMS and Police department responded in a timely manner. He said it gives him great comfort to know that his family will be well taken care of by the great citizens of this community if anything were to ever happen to him. Mr. Willis said he is very grateful to live in a small Town where people truly care about their neighbors and friends.

### **Consent Agenda**

Mayor Richardson said the Consent Agenda consists of the minutes of the September 10, 2013 Council meeting, the minutes of the September 19, 2013 Work Session, and the Treasurer's reports. Mayor Richardson noted that a correction has been made to the Economic Development line item on the Treasurer's report and is before Council for their information.

Councilman Edwards questioned a \$100 payment to meals tax. He said the rate for meals tax is five percent, and \$100 is an odd amount. Ms. Whitehead, Interim Treasurer, explained that this is a partial payment from a former business in Town that was delinquent with its meals tax. She stated that they have set up a payment plan of \$100 per month until paid in full.

Councilman Edwards expressed his concerns with the Police Department budget. He stated that in the first quarter several of the categories show that almost 60 percent of the budget has already been spent.

Chief Reynolds explained several unexpected expenses that occurred during the first quarter. He stated that he will be very careful the rest of the fiscal year to stay within the budget.

Vice Mayor Garris made a motion to adopt the Consent Agenda with the correction to the Treasurer's report. 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 their information. He said if anyone has any questions, he will answer them at this time. Chief Reynolds stated that he received the accident report involving the Town sign and would forward it to Mr. Stallings.

Chief Reynolds reviewed the Memorandum of Understanding (MOU) between the Isle of Wight County School Board and the Isle of Wight County Sheriff's Department. He explained that the Town of Windsor Police Department is only mentioned in the MOU as a secondary response and also mentions the mutual aid agreement with the Sheriff's department. Chief Reynolds also reported that he would be Chairman of TRIAD for another year.

Mayor Richardson asked Chief Reynolds if he had any ideas or suggestions regarding a generator for the new police department. Chief Reynolds stated that generators are very costly, and grant money is not available at this time. He said that the most cost efficient option is to utilize the generator owned by the Town that is not in use. Council was in agreement with Chief Reynolds.

Vice Mayor Garris asked Chief Reynolds to brief Council on the status of the Redflex red light camera to be placed at the six-way intersection in Town. Chief Reynolds said that the company has requested a permission letter from the Isle of Wight County Sheriff. He said that he is in the process of drafting the permission letter.

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

Councilwoman Flemming stated that several citizens have expressed concerns regarding ditches not draining properly within the Town. She said that a meeting needs to be scheduled with the Drainage Committee regarding the drainage issues. Mr. Stallings said he would schedule a meeting with the Drainage Committee.

Vice Mayor Garris said that several citizens have expressed safety concerns regarding the six-way intersection in Town. He stated that he feels that the red light cameras would eliminate some of the safety issues at this intersection.

Vice Mayor Garris said he understands that the Isle of Wight Animal Control no longer answers calls for wildlife. He said that citizens are being told to call a private business who traps wildlife, and the business charges an enormous fee to respond and trap these animals. Vice Mayor Garris suggested that Staff contact Animal Control and ask what procedures should be taken if a citizen encounters wildlife in the Town.

Chief Reynolds said that within the last few months changes have been implemented for Animal Control. He suggested that the Town Manager draft a letter to Animal Control requesting that services regarding responding to wildlife be reinstated. After a brief discussion, it was the consensus of Council to have Mr. Stallings send a fact finding letter to the Isle of Wight Animal Control.

Mayor Richardson said the letter should also state that Town Council is very concerned with this issue and the safety of our citizens. Mr. Stallings said he would send a fact finding letter to the Isle of Wight Animal Control.

## **Town Manager's Report**

### ***Resolution Commending and Thanking Constance Rhodes***

Mr. Stallings said that Constance "Connie" Rhodes is resigning as President of the Isle of Wight/Smithfield/Windsor Chamber of Commerce effective January 15, 2014. He stated that Mrs. Rhodes has served the Chamber and those it serves with great leadership and vision for almost 30 years. Mr. Stallings said he has included a resolution commending and thanking Mrs. Rhodes for her service to the community.

Mayor Richardson read the title of the resolution as follows: A resolution thanking and commending Constance "Connie" Rhodes for her service to the Town of Windsor, Virginia and Isle of Wight County as President of the Isle of Wight/Smithfield/Windsor Chamber of Commerce.

Councilman Edwards made a motion to adopt the resolution entitled: *A Resolution Thanking And Commending Constance "Connie" Rhodes For Her Service To The Town Of Windsor, Virginia And Isle Of Wight/Smithfield/Windsor Chamber Of Commerce.* Councilman Scott seconded, and Council unanimously passed the resolution as recorded on the attached chart as motion #2

### ***Resolution Opting Out of the Virginia Local Disability Program***

Mr. Stallings said that Legislation adopted by the General Assembly has created the Virginia Local Disability Program (VLDP). The VLDP provides long and short term disability insurance for employees that are covered by the new hybrid VRS retirement plan.

Mr. Stallings said that the legislation provides the option to opt-out of the VLDP and provide comparable coverage. The Virginia Municipal League Insurance Programs (VMLIP) and Standard Insurance Company (working with VACO) are offering coverage that satisfies the comparable coverage requirement. He explained that the decision to opt-out or stay in is irrevocable. Once you opt-out, you do have the ability to switch providers as long as you continue to provide the comparable coverage.

Mr. Stallings stated that after researching this matter, he has determined that it is in the Town's best interest to opt-out of the VRS provided VLDP and to provide this coverage through the Standard Insurance Company who works with VACO. Mr. Stallings said that VACO will be sending him a proposal, and he will present it to Council when he receives it. Mr. Stallings said he has included a resolution opting-out of the VLDP. He recommended that Council adopt the enclosed resolution.

After a brief discussion, Mayor Richardson read the title of the resolution as follows: A resolution of irrevocable election not to participate in Virginia Local Disability Program.

Vice Mayor Garris made a motion to adopt the resolution entitled: *A Resolution Of Irrevocable Election Not To Participate In Virginia Local Disability Program*. Councilman Willis seconded, and Council unanimously passed the resolution as recorded on the attached chart as motion #3.

### ***Car Tax Relief Ordinance***

Mr. Stallings said that the General Assembly's 2005 amendments to the State's Personal Property Tax Relief Act of 1998 (PPTRA) modified the method of the State's reimbursement for personal property tax relief from a variable percentage to a fixed sum of money payable to each locality. He said the amount that the General Assembly annually appropriates for this program varies from year to year; therefore, each year localities throughout the state must consider the adoption of an ordinance or resolution setting a personal property tax relief percentage. The relief that the locality provides to qualifying taxpayers will exhaust the funds that the State allocates to the locality for that tax year.

Mr. Stallings stated that Staff has calculated the amount of personal property tax relief for the 2013 calendar year, and this year the amount of relief is 32%. Included is an ordinance that will set 32% as the amount of car tax relief for the 2013 calendar year. Mr. Stallings recommended that Council adopt the enclosed ordinance.

After a brief discussion, Mayor Richardson read the title of the ordinance as follows: An ordinance establishing a personal property tax relief percentage of 32% for the calendar year 2013 personal property tax bills.

Councilman Willis made a motion to adopt the ordinance entitled: *An Ordinance Establishing A Personal Property Tax Relief Percentage of 32% For The Calendar Year 2013 Personal Property Tax Bills*. Councilman Bryant seconded, and Council unanimously passed the ordinance as recorded on the attached chart as motion #4.

### ***Action List***

Mr. Stallings said the Action List is enclosed for Council's review. He noted that the Town has been issued its Ground Water Withdrawal permit for well #6.

Councilman Edwards said that the small building next to the post office is still in dire need of repair. Mr. Stallings said that the postmaster is recovering from health issues and is going to be demolishing it in the near future.

Councilman Edwards asked for an update on the sinkhole problems on the streets within the Town. Mr. Stallings said that Mr. Carney met with a VDOT representative and toured the Town investigating the sinkhole problems. They are planning to work on the sinkholes but have not scheduled a specific date. Mr. Carney said he would contact VDOT and determine a date for the repairs.

Councilman Edwards noted that two light poles on North Court Street have rocks piled around them, and when it rains, the rocks end up on the sidewalks. He said the pavement should be replaced around these poles. He also addressed two ditches or ravines located on North Court Street heading south that need some type of barrier around them for safety purposes.

Councilman Scott reported a light pole at the six-way intersection that is leaning. He also noted that the sinkholes should be repaired before the paving begins on the streets within the Town. Mr. Stallings said he would check on these issues and report back to Council.

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

Mr. Stallings said he has enclosed the Calendar of Events for Council's information. He said the VML Conference is scheduled for October 13<sup>th</sup> through October 15<sup>th</sup>. He also noted that the Chamber of Commerce Isle Fest is scheduled for October 23<sup>rd</sup> from 4:00 p.m. to 8:00 p.m. Mr. Stallings said the Chamber's State of the County Breakfast is scheduled for November 14<sup>th</sup> at 8:00 a.m. The breakfast will be held at the Trinity United Methodist Church in Smithfield. Mayor Richardson said she would like to attend the breakfast. Mr. Stallings said he would take care of making the reservations for everyone.

Mayor Richardson said that an open house will be held for the new Town of Windsor Police Department on Saturday, November 2, 2013 from 1:00 p.m. to 5:00 p.m.

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

None

### **Mayor's Report**

Mayor Richardson reported that she and Vice Mayor Garris attended Doug Caskey's retirement dinner held at the Boykin's Tavern in Isle of Wight County. She said that she spoke at the AARP meeting and at the Women's Club meeting in September. Mayor Richardson noted that there will be an event commemorating the service and sacrifice of Veterans, which will be held on Veteran's Day, November 11<sup>th</sup> at 11:00 a.m. at the memorial near the Smithfield Center.

## **Economic Development Authority**

None

## **Other Reports**

Councilwoman Flemming said that the Christmas parade will be held December 7, 2013. She said participants will gather at 3:00 p.m., and the parade will begin at 4:00 p.m., ending at the library for the lighting of the Christmas tree. The theme this year will be "The Music of Christmas". Mayor Richardson said that this is a great event for the community to kick off the Christmas season.

## **Planning Commission**

Mr. Carney said the Planning and Zoning report for September 2013 is enclosed for Council's information. He said there were nine zoning permits issued, and seven violation notices sent out during the month.

Mr. Carney stated that the Planning Commission granted a request from Isle of Wight Industrial Development Authority to continue their rezoning request.

Mr. Carney said that the Planning Commission also reviewed the Future Land-Use Map. There was a short discussion on the creation of delineated growth areas or a village center rather than a continuous commercial strip. He stated that a work session has been scheduled for October 15, 2013 with relevant members of the Isle of Wight Planning Department to coordinate their Comprehensive Plan with the Town's Plan.

Councilwoman Flemming said that a citizen asked her if there was enough sewer capacity within the Town to build new homes for individuals. Councilman Scott stated that existing tax parcels were calculated into the sewer system, and they should have sewer capacity. He suggested that they check with the Isle of Wight County Utility Department.

Council discussed the issue of construction trucks traveling on North Court Street during the construction of the new middle school. Chief Reynolds said that his officers are issuing tickets to the truck drivers. Mayor Richardson said that she has spoken to the Chairman of the School Board, and he was going to speak with the construction managers regarding this issue.

## **Old or Unfinished Business**

Councilman Scott reported that he has received the four zoning permits and building permits for the Town of Windsor entrance signs. He stated that the Industrial Development Authority met and signed off on the site easement for the sign on the east side of Town. Councilman Scott said that after the piping is

installed and the ditch is filled in on the north side of Town, the construction of the signs can begin.

Mr. Carney noted that the Isle of Wight Board of Supervisors waived the permit fee for the four signs.

Council discussed surplus vehicles and the issue of selling the post office. After further discussion, Council agreed to have Mr. Stallings draft a resolution declaring the vehicles as surplus, and stating they will be disposed of. Council also agreed to have Mr. Stallings contact a real estate broker regarding selling the post office. Mr. Stallings said he would draft the resolution and speak with a real estate broker regarding the post office and report back to Council.

Mayor Richardson stated that she would like direction from Council regarding the applications for the Treasurer position. After a brief discussion, it was the consensus of Council to have Mayor Richardson and Vice Mayor Garris select the best candidates for the interview process, and Council would then review these applications.

### **New Business**

Council asked Mr. Stallings to schedule a Drainage Committee meeting in November. Mr. Stallings said he would schedule the Drainage Committee meeting.

### **Closed Session**

Councilwoman Flemming made a motion to go into closed session pursuant to Virginia Code Section 2.2-3711, A-5 for perspective business. Councilman Willis seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #5.

Councilman Bryant made a motion to go back into regular session. Councilwoman Flemming seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #6.

Councilwoman Flemming 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 Willis seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #7.

Councilman Willis made a motion to adjourn. Councilwoman Flemming seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #8.

The meeting adjourned at 9:30 p.m.

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Carita J. Richardson, Mayor

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Terry Whitehead, Interim Clerk

TOWN OF WINDSOR  
 RECORD OF  
 COUNCIL VOTES

Council Meeting Date October 8, 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	Y	Y	Y	Y	
7	Y	Y	Y	Y	Y	Y	
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Jerry Whitehead, Interim Clerk