

**Minutes
Windsor Town Council Meeting
Town Hall
September 12, 2023**

The Windsor Town Council met in a regular session on September 12, 2023 at 7:00 p.m. in the Council Chamber of the Windsor Town Hall, Windsor, Virginia. Mayor George Stubbs was present, and he called the meeting to order. He welcomed those who were present. Mayor Stubbs asked for anyone with cell phones to please silence them. Terry Whitehead, Town Clerk, recorded the minutes. William G. Saunders, IV, Town Manager, Cheryl McClanahan, Treasurer, and Fred Taylor, Town Attorney, were present.

Council members present: J. Randy Carr, Vice Mayor
 David T. Adams
 Walter Bernacki
 Edward (Gibbie) Dowdy
 Jake Redd
 Marlin Sharp

Councilman Sharp delivered the invocation, and Councilman Bernacki led the Pledge of Allegiance.

Public Hearings
None

Delegations and Public Comments

Glyn Willis, 24291 Lover's Lane, reviewed a site map for the proposed Tidewater Logistics Center on the north side of Windsor Boulevard in between Lovers Lane and Old Mill Road. Mr. Willis added that Doug Freeman, who lives on Keaton Avenue and who is a surveyor for VDOT, showed on the site map how close the proposed industrial warehouse buildings are to the homes on Lovers Lane and Keaton Avenue. He noted that Mr. Freeman attended the August 23rd Planning Commission meeting to gather information and to express his concerns regarding the proximity of the 24-hour industrial operation to his home and neighboring homes, and the effect it will have on the community.

Mr. Willis thanked the Planning Commission for responding to the Isle of Wight County Board of Supervisors with questions and observations. He stated that Jay Randolph, Planning & Zoning Administrator, informed him that with the traffic study that was conducted at the intersections between Route 258 and Old Mill Road, they didn't include the significant traffic impact the warehouse traffic will cause at Roberts Avenue and Lovers Lane.

Mr. Willis encouraged Council to review the Traffic Impact Analysis showing the daily traffic numbers, including numbers related to trucks and passenger traffic. Mr. Willis expressed his concern with what was not included in the study, such as environmental information, and other information regarding what they are in the process of doing or what has already been done.

Mr. Willis said he realizes that the Town is not involved in this project, but as we have learned with other projects in the past, the Town can contribute to mitigating the impact that a project such as this may have on the community. He said this project will bring jobs to the community, but there is a cost to that. Mr. Willis said this project will dramatically impact the quality of life on the east side of Town.

Mr. Willis thanked Town Council and the Planning Commission for their attention to this matter. He said he is willing to share any information with Council and the Planning Commission that he and Mr. Freeman gather regarding the proposed development of the logistics center. Mr. Willis commented that there is more information needed and more questions that need to be asked.

Mayor Stubbs said he spoke with Mr. Freeman, and Mr. Freeman voiced his concerns. He recommended that Mr. Freeman let his voice be heard at the County level. He suggested that Mr. Freeman attend both public hearings being held by the Isle of Wight County Planning Commission and by the Isle of Wight County Board of Supervisors.

Mayor Stubbs said he received a lengthy email from a couple who lives on Lovers Lane who also expressed concerns and asked questions regarding this project. He said the questions are there, and there is more to be discussed. Mayor Stubbs thanked Mr. Willis for his comments.

Councilman Adams said he found it interesting that the Traffic Impact Analysis states that there will be no impact whether the Tidewater Logistics Center is built or not. He said he doesn't see how they arrived at that conclusion, because there is obviously going to be an impact if they build the logistics center.

Councilman Adams, who also serves on the Planning Commission, added that the Planning Commission recommendation was that a representative from Council also accompany the citizen who speaks at the Isle of Wight County public hearings to present a unified front from the Town regarding the proposed development of the Tidewater Logistics Center.

Mayor Stubbs briefed Council on the approved warehouse distribution center project, with 136 bays, being developed on Route 258. He said the traffic from this project will impact Route 258 and Route 460.

Consent Agenda

Mayor Stubbs said the Consent Agenda consists of the minutes of the August 8, 2023 Town 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 Sharp said he did not see the "Traffic Stops" included in the police report.

Mr. Saunders said he would follow up with Chief Riddle and report back to Council.

Councilman Adams made a motion to adopt the Consent Agenda as presented pending the amended Police Chief's report. Councilman Bernacki seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #1.

Chief Riddle briefed Council on the number of traffic stops for the month of August 2023.

Treasurer's Report

Ms. McClanahan reviewed the August 2023 Treasurer's report and gave an update on collections. She noted several August FY24 revenues that were posted back as FY23 revenues. She reported that 2023 personal property bills have been generated in the system and balance through August 2023. Ms. McClanahan stated that the auditors returned on September 5th to continue the FY23 audit.

Ms. McClanahan confirmed that both banks in Town do pay a bank franchise tax, as questioned by Councilman Bernacki.

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

Council Comments

None

Town Manager's Report

Capital Projects Update

Duke Street & Virginia Avenue Water Main Replacement

Mr. Saunders reported that the contractors have removed trees and installed the new 8" water line around the town-owned property at the end of Duke Street. He said they have extended the line beyond A Street and are continuing down Duke Street. He said they will make the A Street crossing in approximately two weeks. Mr. Saunders reported that the contractors are currently approaching halfway down Duke Street.

Mr. Saunders stated that there are some supply chain issues on some of the parts that primarily go inside of the meter boxes that connect to individual services. He explained that the contractor is going to work the main down Duke Street and then down Virginia Avenue. Once this is complete, they will disconnect the old service and reconnect each individual customer's service line to the main.

Calendar of Events

Mr. Saunders said the September 2023 and October 2023 calendars are enclosed to include Town of Windsor and Isle of Wight County public meetings, as well as other pertinent information.

Mr. Saunders added that we took delivery of the new backhoe, and pictures are enclosed for Council's review. He said the old backhoe is being cleaned, and we may have it on the October meeting agenda to have it declared surplus.

Town Attorney's Report

None

Mayor's Report

None

Economic Development Authority (EDA)

Councilman Redd reported that a closing date for the sale of the property located on the west side of Town should be scheduled for the beginning of October.

Councilman Bernacki asked if the closing goes well, is there a projected start date for the development of the potential business purchasing the property.

Councilman Redd said they are planning and hoping to be in operation in nine months after the closing.

Other Reports

Councilman Bernacki reported that the tanker truck has arrived at the fire station. He said it will go back to the dealer for a couple of weeks for the installation of miscellaneous appliances. Councilman Bernacki said it should be in station and start responding to calls by the end of September 2023.

Old or Unfinished Business

None

New Business

Budget Appropriation - Lexipol Law Enforcement Accreditation Services for Windsor Police Department

Mr. Saunders said as you are aware, the Windsor Police Department has initiated the accreditation process with the Virginia Law Enforcement Professional Standards Commission (VLEPSC).

Mr. Saunders stated that a large portion of initial accreditation involves the development of policies and procedures which meet the VLEPSC standards. Mr. Saunders explained that as Lexipol is under contract to maintain our policies, the addition of their LE Accreditation Services will be invaluable to achieving accreditation.

Mr. Saunders said this appropriation includes the first year of Lexipol LE Accreditation Services for \$7,999.00.

Mr. Saunders added that the Windsor Police Department has applied for an accreditation grant from the U. S. Department of Justice COPS Program in the amount of \$165,000, in which, the first three years of the Lexipol LE Accreditation Services are included. He said Information regarding grant award is expected within the next 30 days.

Mr. Saunders noted that the purchase of this service is recommended to be made from unappropriated ARPA funds until such time as they are reimbursed by the grant, should the grant be received.

Mr. Saunders recommended that Council adopt a resolution entitled: A Resolution Appropriating The Sum Of \$7,999.00 From The American Rescue Plan Act Unappropriated Fund Balance Of The General Fund And Approving A Budget Amendment For Fiscal Year 2024 For The Acquisition Of Lexipol Law Enforcement Accreditation Services For The Windsor Police Department.

Chief Riddle confirmed that by partnering with Lexipol, we will be able to hire a part-time contract accreditation manager rather than a full-time manager, as questioned by Councilman Bernacki.

Chief Riddle explained that most of the work to obtain accreditation will be the review and updating of the policy to commission standards. He noted that the Windsor Police Department already contracts with Lexipol for policy services, and they offer a full accreditation support service. Chief Riddle added that Lexipol will provide a project manager, who would be Cammie King. He stated that Mrs. King is a retired police captain from a northern Virginia law enforcement agency that was dual accredited. Chief Riddle said she served as her agency's accrediting manager and is familiar with the process.

Chief Riddle noted that it could be early October before we receive information regarding the grant award.

Councilman Bernacki made a motion to adopt a resolution entitled: A Resolution Appropriating The Sum Of \$7,999.00 From The American Rescue Plan Act Unappropriated Fund Balance Of The General Fund And Approving A Budget Amendment For Fiscal Year 2024 For The Acquisition Of Lexipol Law Enforcement Accreditation Services For The Windsor Police Department. Councilman Sharp seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #3.

Budget Appropriation – Donations to Police Department Community Affairs

Ms. McClanahan said we have received funds in the amount of \$1,025.00 for Community Affairs donations. As such, we must appropriate to the 2023-2024 General Fund Operating Budget for Miscellaneous Donation Revenue and Community Affairs expense line item.

Ms. McClanahan recommended that Council adopt a resolution entitled: A Resolution for Appropriating The Sum Of \$1,025.00 to The General Fund Operating Budget For Fiscal Year 2023-2024 for Miscellaneous Donation Revenue and Community Affairs Expense.

Councilman Sharp made a motion to adopt a resolution entitled: A Resolution for Appropriating The Sum Of \$1,025.00 to The General Fund Operating Budget For Fiscal Year 2023-2024 for Miscellaneous Donation Revenue and Community Affairs Expense. Councilman Redd seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #4.

School Zone Speed Enforcement Cameras (Late Item)

Mr. Saunders reported that in recent months, representatives from two speed camera companies have expressed interest in providing their services to school zones in Isle of Wight County.

Mr. Saunders said one, Blue Line Solutions has given a presentation to the Isle of Wight County Board of Supervisors (IOWC BOS) and the Smithfield Town Council. The other, representing Altumint, spoke during citizen comments at a recent IOWC BOS meeting. Blue Line Solutions has conducted a preliminary speed study at the school zones within the County and presented the findings to the Sheriff's Office and the two town police departments.

Mr. Saunders said the IOWC BOS would like to know what the interest of the two towns is in pursuing these services; so, they know whether to move forward with proposals jointly or separately.

Mr. Saunders added that there are also some streets in the county posted as school zones, that may not meet current VDOT warrants; VDOT is willing to re-evaluate them if that is desired by county officials.

Mr. Saunders said there are many moving parts to these services, as well as public perception to consider. Chief Riddle and I will discuss these further tonight.

Specifically, the IOWC BOS would like answers to the following questions:

1. Is there a need/interest in school speed zone enforcement?
2. If so, should we seek proposals for all 3 localities as a package deal?
3. Should we ask VDOT to re-evaluate the current school zones using the most recent standards?

Mr. Saunders said he has enclosed the Smithfield Times Article of June 28, 2023, and the Blue Line Solutions Report to Windsor Police Department

Mr. Saunders asked Chief Riddle to review the Blue Line Solutions report and discuss how there may be an economy of scale to make this work. He also asked Chief Riddle to explain how maybe at least the Blue Line Solutions proposal wouldn't necessarily be the best fit for the town if we went on our own.

Chief Riddle reviewed the speed study conducted by Blue Line Solutions, LLC at the Georgie Tyler Elementary School on Courthouse Highway during December 2022. He said he doesn't know what type of equipment they used to conduct the count, but he's not familiar with these excessive speeding violation numbers. He said he receives phone calls regarding speeding in other areas of town, but no complaints about speeding in the school zones.

Chief Riddle said his biggest issue with Blue Line Solutions is that based on the volume of traffic we have on Church Street and North Court Street, which are our school zones, they say we don't meet their volume requirements to have a fixed mounted camera. Blue Line Solutions would supply a handheld lidar, and we would have to have an officer stand outside and shoot traffic, which would take pictures that would need to be

uploaded to Blue Line Solutions for them to mail speeding citations. Chief Riddle said if we have to stand out in the school zones with a handheld lidar twice a day, then we might as well make the traffic stops ourselves.

Chief Riddle said we also need to take into consideration the public perception of these cameras. He said several residents in the Town of Windsor have called the police department to express their concerns regarding the speed enforcement photo operation in the City of Suffolk.

Chief Riddle said they monitor the school zones regularly, and there have been no major safety or speed concerns that would warrant these cameras.

Mayor Stubbs said he noticed officers regularly patrolling Church Street lately. He asked if he has seen an increase recently in traffic violations.

Chief Riddle said looking at the speed signs, they do see more egregious speeds occurring later in the day or in the evenings. He explained that if he was getting phone calls or working accidents where a child was struck by a vehicle, then these cameras may be an option for school zones within the town.

Councilman Adams questioned the "Policing for Profit" regulations where you can't exceed a certain amount of revenue from citations.

Chief Riddle explained that every locality that runs any kind of photo enforcement operations must annually report to the State Police the total number of tickets issued, paid, scratched, and the amount of revenue generated.

Mr. Saunders said Blue Line Solutions states that after they implement the cameras, it will reduce speeding by 80 percent. Mr. Saunders said if you look at the number of speeders, they're not that high. When you subtract that number by 80 percent, you're not talking about a large number at that point.

Mr. Saunders explained that to gather the revenue from these cameras, we will have to pass an ordinance if we decide to do this on our own, piggy-back with the county, or whether the county just handles the schools within the town limits.

Mr. Saunders continued to discuss the issues with our volume not warranting a fixed position camera and the need to re-evaluate the school zones.

Mr. Saunders said he would appreciate any feedback from Council that can be sent to the IOWC BOS regarding the three previously discussed questions.

Councilman Sharp agreed that the school zones do need to be re-evaluated. He commented that school traffic doesn't exit on Courthouse Highway, but it's considered a school zone.

Councilman Adams agreed that school traffic doesn't exit on Courthouse Highway, but there is a lot of turning traffic during drop off and pick up hours at the school.

Councilman Redd made a motion to have the Town Manager report back to the IOWC BOS that the Town is not interested in school zone speed limit enforcement cameras

within the Town of Windsor. Council Dowdy seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #5.

After further discussion, Council agreed by consensus to have the Town Manager ask VDOT to re-evaluate the current school zones using the most recent standards.

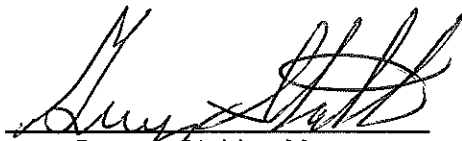
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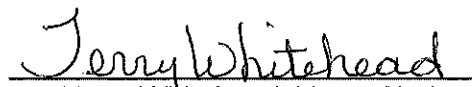
Councilman Bernacki made a motion to go into closed session pursuant to Virginia Code Section 2.2-3711.A.7. Consultation with legal counsel pertaining to actual litigation regarding the Commonwealth of Virginia versus the Town of Windsor, where such consultation or briefing in an open meeting would adversely affect the litigating posture of the public body. 2.2-3711.A.3. Discussion or consideration of the disposition of publicly held real property between the Town of Windsor and Isle of Wight County School Board, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body. 2.2-3711.A.1. Discussion or consideration of prospective candidates for employees of any public body, specifically Town Clerk. Councilman Adams seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #6.

Councilman Adams 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 Dowdy seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #7.

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

The meeting adjourned at 8:20 p.m.


George Stubbs, Mayor


Terry Whitehead, Town Clerk

TOWN OF WINDSOR
RECORD OF
COUNCIL VOTES

Council Meeting Date Sept. 12, 2023

Motion #.	Carr	Adams	Dowdy	Sharp	Redd	Bernacki	Stubbs
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	X	Y	X	Y	Y	Y	
7	Y	Y	Y	Y	Y	Y	
8	Y	Y	X	X	Y	X	
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Jerry Whitehead, Clerk