

**Minutes
Windsor Town Council Meeting
Town Hall
May 12, 2015**

The Windsor Town Council met in regular session on May 12, 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 cell phones to please turn them off. She asked the Clerk to call the roll. Terry Whitehead, Town Clerk, recorded the minutes. Michael Stallings, Town Manager, Interim Chief Riddle, Dennis Carney, Planning and Zoning Administrator, Christy Newsome, Town Treasurer, and Wallace W. Brittle, Jr., Town Attorney, were present.

Council members present: J. Clinton Bryant
N. Macon Edwards, III
Durwood V. Scott
Patty Flemming
Tony Ambrose

Council member absent: Greg Willis

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

Mayor Richardson recognized Delegate Rick Morris and his Legislative Assistant, Tim Mitchell, former Vice-Mayor Wesley Garris, Glyn Willis who serves on the Planning Commission, and several Town of Windsor Police Officers. She welcomed and thanked them for attending the meeting.

Delegations, Public Comments and Citizens' Concerns

Del. Morris presented Wesley Garris with House Resolution No. 235 which was agreed to by the House of Delegates on February 13, 2015 thanking him for his many years of leadership and tireless service to the residents of the Town of Windsor and the Commonwealth. The resolution stated that Wesley Garris is an exemplar of the professionalism, vision, and dedication shown by public servants throughout the Commonwealth.

Mr. Garris thanked Del. Morris and Town Council for their kind words and support throughout the years.

Interim Chief Riddle announced that this is National Police Week. He honored Detective Sergeant Grafton P. Jernigan with a "Life Saving Award". He explained that on January 7, 2015 a 63 year old gentleman collapsed from a massive cardiac event during routine traffic court. He said Det. Sgt. Jernigan and a former Isle of Wight County Deputy immediately began providing CPR on the citizen until an Isle of Wight County rescue unit arrived. Interim Chief Riddle said because of Det. Sgt. Jernigan's professionalism and ability to remain calm under pressure by providing aid to this citizen, he has made a full recovery.

Interim Chief Riddle also honored Officer Robert B. Swan with the "Town of Windsor Officer of the Year Award" which was decided upon by his peers. He said Officer Swan has worked hard and demonstrated solid police skills throughout the year.

Mayor Richardson congratulated Det. Sgt. Jernigan and Officer Swan for their outstanding accomplishments. She also thanked Interim Chief Riddle and the entire police department for all that they do to keep the citizens safe and for being professional and community oriented.

Raegan Hasty, Windsor High School co-student liaison to Council, reported that the FCCLA Club attended the state convention, and several club members received first place awards in the entrepreneurship, recycle, and redesign divisions. She also said that Tyler Bracey won first place at the state welding competition. Ms. Hasty continued to report on several sporting events.

Mayor Richardson thanked Ms. Hasty for updating Council on the recent events at the high school.

Billy Gwaltney, 23489 Deer Path Trail, said he was asked to brief Council on the activity that has taken place on his property related to the U.S. Route 460 Project. He said soon after the Governor cancelled the contract with 460 Mobility Partners on April 15, 2015, six environmental engineers worked on his property for approximately a week flagging the 500 feet route and looking for wetlands. He said that a crew just finished boring 15 to 130 feet holes on his property. He said an extremely large truck that will ultimately do damage to his peanut crops will be coming onto his property with a probe that can go as deep as 200 to 300 feet. He noted that VDOT is giving prior written notification before they enter his property. He explained that no one from VDOT will tell him whether there is funding for the project or not, whether it will go before the HB2 project evaluation process, or where the corridor will actually be. He said there is a new map from VDOT showing the bypass being moved further north.

Mr. Gwaltney reported that endangered species habitat has been located between the Babb farm and Windsor Woods, and further studies are being done on this area. He also reported that VDOT has scheduled a meeting with him in June, and he will report back to Council with any updates. Mr. Gwaltney thanked Mayor Richardson and Council for their support in helping to stop this proposed preferred alternative which includes a northern bypass around the Town of Windsor.

Mayor Richardson commented that she does not understand why environmental work is still being done to work towards a permit when the project will have to go back through the HB2 process and the Commonwealth Transportation Board (CTB). She said in the past, VDOT could not get the environmental permit through the Army Corps of Engineers until the CTB voted on the project.

Brenda Peters, 11332 Five Forks Road, said she requested notification from VDOT if they wanted to enter her property. She explained that she received a phone call from Josh Nash, with HDR Engineering, who wanted to bring an excavator and a large remote control drilling machine through her property to reach a drill point. After realizing he couldn't enter through her yard due to the septic field, she helped him find another path hoping to minimize the damage caused to the property. She said the only other

path to the drill point involved crossing a wetland ravine that funnels water off the surrounding land and eventually becomes part of the drinking water in Lake Prince.

Mrs. Peters explained that landowners whose property is adjacent to drill sites are not being notified, and their property is being damaged. She expressed her concerns with VDOT not showing the drill map or a drilling plan schedule on their website for the public to view. She also expressed her concerns with VDOT destroying and damaging hundreds of feet of crop land and forest with heavy equipment just to drill a three inch hole in the ground. Mrs. Peters continued to discuss her many concerns including whether citizens will be enlightened with new and accurate information at the next public meeting being held on April 28, 2015. Mrs. Peters said that any help or guidance from Town Council on these concerns would be greatly appreciated.

Chris Peters, 11332 Five Forks Road, said there is currently an open comments period for comments to the CTB on the Six-Year Improvement Plan, which includes the 460 Project. He said comments will be received until Friday, May 22, 2015, and he will give Mr. Stallings the link so that this information may be put on the Town's website. Mr. Peters explained that this project needs to be stopped at the CTB because the entire project is a huge waste of taxpayer's money.

Mayor Richardson thanked Mr. Gwaltney and Mr. and Mrs. Peters for this helpful information. She said these issues and concerns discussed tonight need to be addressed at the April 28, 2015 public hearing. She encouraged everyone to attend the public hearing with their questions and concerns.

Consent Agenda

Mayor Richardson said the Consent Agenda consists of the minutes of the April 14, 2015 Council meeting, minutes of the April 28, 2015 Council work session, the Police Chief's report, and the Zoning Administrator's report. She asked if there were any questions or comments regarding the Consent Agenda.

Councilwoman Flemming made a motion to adopt the Consent Agenda. Councilman Ambrose seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #1.

Treasurer's Report

Ms. Newsome said that the Treasurer's report for the month of April is before Council for review. She asked if there were any questions or comments regarding the report.

Councilman Scott asked Ms. Newsome to explain the \$1,200 showing in the General Fund Expenditures under the Mayor & Council Members line item in the Legislative section of the budget. Ms. Newsome explained that the \$1,200 was a donation of the Mayor's stipend to the Community Center. Mayor Richardson said she asked Ms. Newsome to move the funds because the contractor needed to be paid by the end of May according to the Obici Grant requirements.

Councilman Edwards made a motion to accept the Treasurer's report as presented. Councilwoman Flemming seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #2.

Budget Transfers

Ms. Newsome explained that there is a need for budget transfers within the General Fund and Water Fund. She said the transfers are in the Utilities line item for both funds. She said we had a very harsh winter increasing the Town's utility bills for the General Fund, and the Town has been pumping a lot more water due to an increase in demand increasing the utility bills for the Water Fund. Ms. Newsome recommended that Council approve these budget transfers.

Councilman Ambrose made a motion to approve a budget transfer in the amount of \$1,000 from account 4-100-41000-5110 Utilities-Street Lights to account 4-100-41000-5100 Utilities and a budget transfer in the amount of \$1,800 from account 4-200-4200-6007 Maintenance & Repairs-System to account 4-200-4200-5100 Utilities. Councilwoman Flemming seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #3.

Council's Discussion of Citizens' Concerns

Mayor Richardson said that a citizen called her regarding the grass on the Town's Bank Street property being too high. She explained to the citizen that the property is low and has been wet due to excessive rain. Mr. Stallings said he will contact the farmer who will be planting on the property to see if he will cut the grass if he is not planning to plant soon.

Councilman Edwards asked for an update on the sidewalk repairs. He said that the holes left from the removal of the old sidewalks should be secured with markers for safety purposes until they can be replaced with new sidewalks. Mr. Stallings said that the sidewalk contractors are waiting to pour all the sidewalks at one time when the tree is removed from Church Street that is obstructing the sidewalk. He said the tree should be removed by this Thursday, and the sidewalks should be poured on Friday. Mr. Stallings said he will make sure that all of the sidewalks are marked for safety until they are repaired.

Mr. Stallings explained that a citizen came into the Town office to purchase a business license to sell homemade patio furniture at other businesses within Town with the business owner's permission. He stated that he fell under the "Peddlers" category having to pay \$50 a day, which would create a financial burden for him. Mr. Stallings asked Council if they would be interested in considering a "Craft Vendor License" with a yearly fee, which would allow him to set up at another business with the owner's permission. After discussion, it was the consensus of Council to have Mr. Stallings bring back information at the next Council meeting regarding a "Craft Vendor License."

Councilwoman Flemming said that many citizens think that the U.S. Route 460 Project is "dead" because the contract with 460 Mobility Partners was cancelled. She said it is very important that the Town find a way to inform the citizens that the project is still ongoing.

Councilwoman Flemming said she was approached by a citizen who signed up for individual recycling with A.V.E.S. Moody's in February and has not received a recycling bin. Mr. Stallings said staff has contacted the recycling company regarding this issue, and they are rectifying the problem.

Town Manager's Report

Surplus Property

Mr. Stallings said that Council will be considering the purchase of two new police cars with the upcoming budget. As such, we will be disposing of two of the Town's existing vehicles. He said one of the vehicles will remain in service until the new cars arrive, and the other vehicle has been removed from service due to it no longer being functional.

Mr. Stallings said he recommends that Council adopt the attached resolution that will declare the 2007 Dodge Charger surplus and will authorize its disposal.

Mayor Richardson read the title of the resolution as follows: "A resolution declaring certain non-fixed assets surplus and approving the disposal of said assets."

Councilman Scott made a motion to adopt the resolution entitled: A Resolution Declaring Certain Non-fixed Assets Surplus And Approving The Disposal Of Said Assets. Councilman Edwards seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #4.

Budget Proposal

Mr. Stallings stated that the proposed 2015-2016 budget has no recommended tax increases. He said the General Fund proposed budget total is \$1,635,754. He said included in the 2015-2016 General Fund revenue is a payment of \$63,240 from the Water Fund for indirect services that the General Fund provides this fund. He noted that the Water Fund's indirect payments to the General Fund are adequate, and the General Fund does not subsidize the Water Fund. He reviewed two pie charts which show "Where the Money Comes From" and "Where the Money Goes" reporting that the majority of revenues come from Other Local Taxes such as meals tax, utility tax, and sales tax. He summarized the General Fund revenues and expenditures for each department of the proposed budget.

Mr. Stallings reported that the proposed Water Fund budget total is \$606,000. He explained that water sales are consistent, and tap fees have increased due to homes being built at a steady rate. He stated that \$62,855 has been funded for depreciation.

Mr. Stallings said the Capital Improvements Plan (CIP) is a doable list for the Town and not just a "wish list". He said the only significant capital project contained within this year's budget is the construction of a new public works facility. This project has a total budgeted amount of \$230,000 and is split funded between the Water Fund and the General Fund.

Mr. Stallings said the budget has been made available to the public on the Town's website as well as being placed in businesses around Town. He said the public hearing on the budget is scheduled for Tuesday, May 26th at 7:00 p.m. in the Council Chamber.

Councilwoman Flemming asked Council to consider funding a 50-50 split of recycling fees between the Town and the citizens for those who would like to recycle. She suggested advertising this service to the citizens with the 50-50 split of the fees for one

year as a trial to see how many would be interested. Council continued to discuss costs, funding, and possible billing issues.

After further discussion, Councilman Ambrose made a motion to have Mr. Stallings contact A.V.E.S. Moody's for individual recycling costs and to ask if they can do a 50-50 split billing between the Town and individuals interested in recycling and to present this information to Council at the next meeting. Councilwoman Flemming seconded, and Council passed the motion three to two as recorded on the attached chart as motion #5.

Former Vice-Mayor Garris stated that he would like to see the Town adopt a policy that would bring fairness to the trash collection schedule by having everyone pay a fee.

Councilman Scott made a motion to have Mr. Stallings look into trash disposal fees for all citizens in the Town of Windsor. Councilman Edwards seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #6.

Action List

Mr. Stallings reviewed the Action List for the month of April with Council. He said the Council retreat that was discussed at a previous meeting was not scheduled due to the uncertainty regarding the U.S. Route 460 Project. He asked Council if they would like to go forward with scheduling the retreat at this time. Council agreed to have Mr. Stallings schedule the retreat for early fall.

Calendar of Events

Mr. Stallings stated that he has enclosed the Calendar of Events for Council's information. He said the Route 460 Project public meeting will be held Thursday, May 28th at the Windsor High School. The public meeting will be from 5:00 p.m. to 7:30 p.m. He also reported that the next Concert at the Gazebo featuring Bria Kelly will be June 5th from 6:00 p.m. to 9:00 p.m. Mayor Richardson noted that the State of the County Breakfast will be held June 4th at the Smithfield Center and will begin at 8:00 a.m. She asked Council to let Mr. Stallings know if they would like to attend.

Town Attorney's Report

None

Mayor's Report

Mayor Richardson thanked Council and their spouses, everyone who sold and purchased tickets, and staff for their help with the Community Center Fundraiser. She reported that approximately \$4,000 was raised.

Mayor Richardson encouraged everyone to sign the petition opposing the Route 460 Project with a northern bypass around the Town of Windsor. She said the petition is also available to sign on the Town's website. She said she would like to have 1000 signatures. Mayor Richardson said she will be sending the signed petitions and a resolution to Senators and VDOT Representatives.

Economic Development Authority Report

Councilman Scott reported that Windsor's Economic Development Authority (EDA) has voted to pay Mr. Sam Welty, renowned Muralist, \$10,000 to paint murals on both sides of the building located at 13 Windsor Boulevard for its expected economic benefits. He said there will also be a date set for a webinar titled "Open for Business" for businesses and the public to view.

Councilman Scott said EDA has requested that Council transfer several parcels of land donated by Farmers Bank located on the west side of Town to EDA to be used for economic development. He also reported that the Governor has declared June as Business Appreciation month. He explained that the EDA has agreed to invite all the businesses to the June 5, 2015 concert series featuring Bria Kelly. As a token of appreciation, the Town will recognize and give a voucher for a free meal to business representatives that attend.

Councilman Scott made a motion that Council deed several parcels of land donated by Farmers Bank on the west side of Town to EDA to be used for economic development. After further discussion, Mayor Richardson seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #7.

Vice Mayor Bryant asked if Council will be involved in the decisions made by EDA regarding the use of the property. Mr. Stallings said that Council will have input through the rezoning process before the land can be developed, but the sale or use of the property will be controlled by EDA.

Other Reports

Councilwoman Flemming announced that the Library is planning its 20th year anniversary celebration for September 20th. She said that the Windsor High School is celebrating its 20th year anniversary also.

Old or Unfinished Business

Flag Pole Installation

Councilman Scott presented a rough sketch of the flag pole, benches, and the centennial monument located at the corner of Shirley Drive and Windsor Boulevard creating an attractive park/sitting area. After discussion, Council agreed to have Mr. Stallings and Councilman Scott review the sketch and bring back suggestions regarding the location of the flag pole.

New Business

Mayor Richardson said two members of Planning Commission need to be appointed. She said she spoke with both individuals currently serving on the Planning Commission, and both are willing to serve another term. She said the two members are Glyn Willis and Mike Jones. She asked for a motion from Council in regards to this re-appointment.

Councilman Edwards made a motion to re-appoint Glyn Willis and Mike Jones to serve on Planning Commission. Councilman Scott seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #8.

Mayor Richardson said there is also a need for one appointment for the Board of Zoning Appeals (BZA). She said she spoke with Marion Neighbours, and he has agreed to continue to serve. She asked for a motion from Council regarding the BZA re-appointment.

Councilman Edwards made a motion to re-appoint Marion Neighbours to BZA. Councilman Scott seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #9.

Closed Session

Councilman Edwards made a motion to go into closed session pursuant to Virginia Code Section 2.2-3711, A-3 discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body. Councilman Ambrose seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #10.

Vice Mayor Bryant made a motion to go back into regular session. Councilman Ambrose seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #11.

Councilman Edwards 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 Ambrose seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #12.

Councilman Edwards made a motion to adjourn. Councilwoman Flemming seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #13.

The meeting adjourned at 9:45 p.m.

Carita J. Richardson, Mayor

Terry Whitehead, Town Clerk

TOWN OF WINDSOR
 RECORD OF
 COUNCIL VOTES

Council Meeting Date May 12, 2015

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