

Onley Town Council Minutes of January 11, 2016

VIRGINIA: At a Regular Monthly Meeting of the Onley Town Council held at the VVA Building, 25534 East Main Street, on the 11th day of January, A.D., 2016:

Council Members Present: Jack Pierson, Mayor  
Ned Finney, Vice-Mayor  
John Dennis  
Dawn Dize  
Matt Hart  
Susan Rillo  
Don Strautz

Staff Present: John Spivey, Chief of Police  
Jamy Salazar, Treasurer  
John Pavlik, Zoning Administrator

**Call to Order**

Mayor Pierson called the meeting to order at 6:30pm.

**Invocation & Pledge of Allegiance**

The invocation was given by Don Strautz and the Pledge of Allegiance was led by Ned Finney.

**Consideration of Minutes**

**Motion: To adopt the minutes of the December 14, 2015 Regular Monthly Meeting by Ned Finney and seconded by Matt Hart. Roll Call Vote:** Hart=yes; Rillo=yes; Dize=yes; Dennis=abstain; Strautz=yes; Finney=yes. MOTION PASSED

**Adoption of Agenda**

**Motion: To adopt the agenda by Susan Rillo and seconded by Don Strautz.**

**Roll Call Vote:** Hart=yes; Rillo=yes; Dize=yes; Dennis=yes; Strautz=yes; Finney=yes. MOTION PASSED

**Department Reports**

**Police Report & Schedule**

Chief Spivey stated that there have been several serious cases in town this month including a murder/suicide and a large drug bust. He said that there was a lull in the amount of citations written this month due to the large amount of leave time that was used as well as the time spent on the previously mentioned cases. He stated that the whole department is headed to the range next week for re-certification. Lastly, Chief Spivey asked that Council approve an expense of \$1,250.00 to have the VRS perform a Hazardous Duty Supplement Study which would allow us to upgrade our retirement and keep us competitive regarding hiring and retaining good police officers. He asked to take the money from the capital expense line item. At this time, Mr. Dennis asked if all of the car cameras are installed and working. Chief Spivey stated that they are all installed and working except his.

**Motion: To approve the Hazardous Duty Supplement Study at a cost of \$1,250.00 by Matt Hart and seconded by Susan Rillo. Roll Call Vote:** Hart=yes; Rillo=yes; Dize=yes; Dennis=no; Strautz=yes; Finney=yes. MOTION PASSED

Ms. Dize asked Chief Spivey why there are three officers working on February 25<sup>th</sup>. Chief Spivey explained that there is occasionally some overlap with the schedule. Ms. Dize asked if it is possible to

have one work at night and not so many on during the day. Chief Spivey stated that if Council insisted, he would certainly try to make that happen; however, it is unreasonable to have an officer who is working a ten-hour night shift and getting off at 3:00am to return to work again at 7:00am and work another ten-hour shift. It is also beneficial to have this overlap in the schedule since sometimes there is a need for numerous officers working together such as check points and training.

**Motion: To approve the January 2016 schedule by Susan Rillo and seconded by Matt Hart. Roll Call**

**Vote:** Hart-yes; Rillo-yes; Dize-no; Dennis-yes; Strautz-yes; Finney-yes. MOTION PASSED

#### **Treasurer's Report**

Ms. Salazar stated that at last month's meeting, Council asked her to find the loan payoff amount for the 2012 Charger. She stated that amount is \$4,928.93. Mr. Finney asked Ms. Salazar to find the book value of that vehicle. Mr. Strautz asked about the penalty for early payoff. Ms. Salazar stated that there is no actual penalty but as has been previously discussed it may affect our ability to acquire future grants. She then added that a lot of work was put into acquiring this particular grant and a lot of work has gone into maintaining it. She stated that once you factor in the amount of interest that was paid back for the loan and the time spent working on it, she feels it was a small payoff for a great deal of work.

Ms. Salazar stated that Council will need to consider moving some money from the regular checking account at PNC since the balance is at over \$150,000.00 and is not earning interest. She gave an overview of the budget and asked if Council had any questions for her.

**Motion: To Pay the December 2015 Payables by Ned Finney and seconded by Susan Rillo. Roll Call**

**Vote:** Hart-yes; Rillo-yes; Dize-yes; Dennis-yes; Strautz-yes; Finney-yes. MOTION PASSED

#### **Zoning Administrator's Report**

Mr. Pavlik read his report into the minutes. A copy of this report will be attached. Mr. Strautz asked that Mr. Pavlik provide him a synopsis of what is taking place at the SET Forums that he is attending. He added that he is wondering how it affects the Town of Onley. Mr. Pavlik replied that it doesn't really affect us directly.

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

Mayor Pierson stated that we have two applicants who are interested in filling the attorney vacancy. In the absence of an attorney, Ms. Salazar gave the Attorney's report. During the month of December, Ms. Burge worked with Mr. Pavlik on the matters that he just spoke about pertaining to property clean-up. She answered several questions from Ms. Salazar pertaining to the use of the VVA building. Lastly, she researched the Onley Volunteer Fire and Rescue Company Inc. There was a matter that was brought up last month concerning whether or not the Board of Directors is a separate entity. Ms. Burge found that they are not a separate entity. According to the SCC, they were established in 1971; their primary contact since July 20, 2015 is Christopher Davis. They do have by-laws which lay out how they are required to operate and by-laws can be changed if there is a need.

#### **Public Works**

Ms. Salazar stated that as a follow up from the November and December meetings, Tyler Marsh from VDOT will be contacting ANEC about repair of the sidewalk. He feels that it is their responsibility to repair them since they tore them up. He did say that they will most likely not fix them but he wants to start with them. The holiday lights and banners have been taken down, the storm drains were cleaned and litter picked up during the first part of the month, but she is unaware of anything Public Works has done during the last couple of weeks.

### **Planning Commission Report**

Ms. Salazar stated that Mr. Whitaker emailed her earlier and apologized for not attending. He is the drama teacher at Pocomoke and they have a big show they are rehearsing for. She read a statement from him and the Planning Commission into the minutes. A copy of the statement will be attached.

### **Old Business**

Council decided to set up a meeting on January 20, 2016 to meet with the two candidates applying for the attorney position. They set an alternative date of January 26, 2016 if the 20<sup>th</sup> doesn't work for the potential candidates. Mr. Strautz asked if Ms. Burge will be attending the interviews. Mayor Pierson stated that she cannot but she has made her recommendation to him and Vice-Mayor Finney. Ms. Salazar stated that she will not be able to attend the January 20<sup>th</sup> meeting. Billye D. Custis stated that someone will need to keep minutes. John Dennis stated that Ms. Amadeo should be able to handle that. There was some discussion about the rate of pay that the attorney should get compared to what some of the other towns on the Shore are paying.

Billye D. Custis stated that she thinks that Council should make a decision regarding when the meeting is going to be held before an attorney is chosen and make it understood that the attorney needs to be available on that night. Mr. Finney expressed concern that by doing that, we would limit ourselves since there are only two applicants –he doesn't want to tie hands and then we may end up without an available attorney. This issue was tabled until an attorney has been appointed.

**Motion: To donate the 2003 Ford Crown Victoria to the Onley Volunteer Fire & Rescue by Ned Finney and seconded by Susan Rillo. Roll Call Vote:** Hart-yes; Rillo-yes; Dize-yes; Dennis-yes; Strautz-yes; Finney-yes. MOTION PASSED

Mayor Pierson asked that Council make a decision regarding a meeting place. Mr. Hart questioned whether or not the VVA is okay with our using the building without reimbursement since they are actually the renters. Ms. Salazar stated that she believes that they are aware of and okay with the situation. Mayor Pierson added that Ms. Bonniwell has agreed to give a portion of the rent to the VVA once she feels that she has been compensated for the previous nine months.

**Motion: To continue to meet at the Vietnam Veterans building, paying \$300.00 per month to Ann Bonniwell, by Ned Finney and seconded by John Dennis. Roll Call Vote:** Hart-yes; Rillo-yes; Dize-yes; Dennis-yes; Strautz-yes; Finney-yes. MOTION PASSED

In the matter of the new town office, Mayor Pierson is still waiting on some information and a sketch from his contact. Once he receives it, he will present it to Council. He asked that Council not let that hold up the process. He stated that he believes the other issue is whether or not Council is in agreement with building a pre-fab structure.

### **New Business**

There was no new business.

### **Public Comments**

Billye D. Custis stated that when the town received the USDA grant, we benefitted somewhere between \$5,000.00 - \$7,000.00 and she feels that is a substantial amount.

Mr. Dennis asked Ms. Salazar what the status of the last audit is. She stated that she received a draft of the audit in early December but found that it contained three mistakes. She contacted Robinson Farmer & Cox and asked that they make corrections. She will contact them again for an update.

### **Council Comments**

Mr. Finney thanked everyone for coming. He expressed concern for the happenings at the OVFD and added that Ms. Bliss is no longer on the Board of Directors. Mayor Pierson stated that he has spoken

with Laura Belle Gordy and our hands are tied – it is really up to the County to get involved at this point. Ms. Laura Belle Gordy stated that the County can't really get involved unless there are problems with the audit.

Mr. Strautz thanked everyone.

Mr. Dennis said that it was nice to see Ms. Dize out and looking well. He added that the OVFD does not have proper certifications that are needed.

Ms. Dize stated that she is glad to be back.

Ms. Rillo said that she is looking forward to a prosperous 2016.

Mr. Hart welcomed Ms. Dize back. He said that he is excited about the possibilities of the new year.

#### **Closed Session**

**Motion: To go into Closed Session at 7:38pm in accordance with Section 2.1-344-A of the Code of Virginia of 1950, as amended for the purpose of Paragraph 1: Discussion or Consideration of Personnel Matters pertaining to the Police & General Department, specifically related to the end of probationary periods for Sergeant George Bennett & Officer Aaron Turner by Don Strautz and seconded by Ned Finney. Roll Call Vote:** Hart=yes; Rillo=yes; Dize=yes; Dennis=yes; Strautz=yes; Finney=yes. MOTION PASSED

#### **Open Session & Certification of Closed Session**

**Motion: To return to Open Session at 7:50 by Ned Finney and seconded by Don Strautz. Roll Call Vote:** Hart=yes; Rillo=yes; Dize=yes; Dennis=yes; Strautz=yes; Finney=yes. MOTION PASSED

A roll call vote was taken immediately after reconvening in Open Session, at which time each member certified by his/her vote whether only the matters previously disclosed were discussed during Closed Session: Pierson=yes; Dennis=yes; Dize=yes; Finney=yes; Hart=yes; Rillo=yes; Strautz=yes.

**Motion: To remove Sergeant Bennett from probation and increase his salary by \$1,000.00 by Ned Finney and seconded by Matt Hart. Roll Call Vote:** Hart=yes; Rillo=yes; Dize=yes; Dennis=yes; Strautz=yes; Finney=yes. MOTION PASSED

**Motion: To remove Officer Aaron Turner from probation and increase his salary by \$2,000.00 by Ned Finney and seconded by Matt Hart. Roll Call Vote:** Hart=yes; Rillo=yes; Dize=yes; Dennis=yes; Strautz=yes; Finney=yes. MOTION PASSED

Ms. Salazar asked when the pay raise goes into effect. Council decided it should begin with the next full pay period.

#### **Adjourn/Recess**

**Motion: To recess at 7:53pm until a date to be determined at 6:30 by Ned Finney and seconded by Susan Rillo. Roll Call Vote:** Hart=yes; Rillo=yes; Dize=yes; Dennis=yes; Strautz=yes; Finney=yes. MOTION PASSED

Respectfully submitted by,

Jamye Salazar  
Treasurer

Jack Pierson  
Mayor

