

\*Postponed from January 6, 2014 Due to Inclement Weather

VIRGINIA: At a Regular Monthly Meeting of the Onley Town Council held at the Onley Fire & Rescue Building on the 13th day of January, A.D., 2014:

Members Present: Jack Pierson, Mayor  
Billy Chance  
Ned Finney, Vice-Mayor  
Fred Gardner  
Susan Rillo  
Don Strautz

Members Absent: Dawn Dize

Staff Present: Walter Marks, OPD Chief of Police  
Jamy Salazar, Treasurer  
Cela Burge, Town Attorney  
Cindy McKeever, Zoning Administrator

#### **Invocation/Pledge of Allegiance**

The invocation was given by Susan Rillo and the Pledge of Allegiance to the Flag was led by Billy Chance.

#### **Call to Order**

The Regular Monthly Town Council meeting was called to order by Mayor Pierson at 6:29pm.

#### **Adoption of Agenda**

Mr. Finney asked to add (E.) Andy Hurst's Re-appointment to Planning Commission under New Business.

**Motion: To adopt the agenda with the addition by Ned Finney and seconded by Susan Rillo.**

**Vote:** Chance=yes; Dize=absent; Finney=yes; Gardner=yes; Rillo=yes; Strautz=yes. MOTION PASSED

#### **Consideration of Minutes**

**Motion: To approve the minutes of the December 2, 2013 Regular Monthly Council Meeting by Don Strautz and seconded by Ned Finney. Vote:** Chance=yes; Dize=absent; Finney=yes; Gardner=yes; Rillo=yes; Strautz=yes. MOTION PASSED

#### **Department Reports**

##### **Police Report & Schedule**

Chief Marks noted that Officer Long is going to taser instructor training on February 3<sup>rd</sup> and he will be helping the ACSO on February 13<sup>th</sup>. He added that he has included a yearly summary of the calls that his department has handled for 2013. Mr. Strautz asked about the Crown Victoria. Chief Marks stated that it should be ready tomorrow and the new car should be delivered in another couple of weeks.

**Motion: To approve the February 2014 Police Schedule by Don Strautz and seconded by Susan Rillo.**

**Vote:** Chance=yes; Dize=absent; Finney=yes; Gardner=yes; Rillo=yes; Strautz=yes. MOTION PASSED

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

Ms. Salazar stated that there are additional payables that need to be considered when paying the payables but added that some of the bills have been paid since the meeting had to be postponed. She stated that there was a mistake with the December 2013 Payroll expense report and there were two pages of revised information. She explained that she mistakenly gave two employees an additional

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\$50.00 in their holiday bonus checks and added that she will reimburse the Town for the \$100.00 as well as the FICA tax. She further explained that she mistakenly paid all part-time employees -with the exception of Chief Marks- \$150.00. Upon realizing her mistake, she voided the checks and re-printed them for \$100.00; however, two of the employees were given the \$150.00 checks. Mr. Finney stated that he does not feel Ms. Salazar should reimburse the Town – he would like to give the other two employees an additional \$50.00 to make things “even”. Ms. Salazar gave a review of the budget and an update on the Rainy Day Fund. A copy of the Rainy Day Fund will be attached to the minutes. Mr. Strautz asked if the Town was going to have to pay Mr. Morgan for the cleaning of the Nicolls Property since it was done by another entity. Ms. Burge stated that Mr. Morgan sort of “jumped the gun” a bit and that this matter will be brought up under the Zoning Report. At this time, Mr. Finney & Ms. McKeever left the meeting to move their vehicles.

**Motion: To pay the Payables & add \$50.00 to the holiday bonus checks for the two part-time employees that were paid \$100.00 by Don Strautz and seconded by Fred Gardner. Vote:** Chance-yes; Dize-absent; Finney-absent; Gardner-yes; Rillo-yes; Strautz-yes. MOTION PASSED

In Ms. McKeever’s absence, Ms. Burge asked to give the Attorney’s Report and Mayor Pierson agreed.

#### **Attorney’s Report**

Ms. Burge stated that Mr. Nicolls has passed away and the town has received come correspondence from Mrs. Nicolls. She added that the town will ensure that there has been opportunity for his will to be probated and an executor has been identified. Once that happens, the town will make the executor aware of the issues with the property and continue towards resolving them. Mr. Finney and Ms. McKeever returned during this time.

#### **Zoning**

Ms. McKeever stated that great progress was being made at the Nicolls property but she was told that the rain has since slowed things down. Mr. Finney added that the property is still not cleaned up. Ms. Burge agreed. Ms. McKeever asked to speak about the playground/skateboard ramp. Mayor Pierson asked that she speak on that when it is reached on the agenda. She began her report by stating that the new building cannot be constructed until the property lines are vacated. She added that you cannot build across a property line. Some members of Council were not sure that was an accurate statement adding that various properties in Town have been built on property lines. Ms. Burge stated that under the Town’s zoning ordinance, we will want to meet our setbacks. She added that a lot line vacation when a parcel needs to be fully used would help to do that. There was a question as to whether two structures may be built on one lot. Ms. McKeever stated that she believes as long as each has its own septic it should be okay. There was much discussion as to whether or not this building is in the residential district. Mr. Strautz said that according to the map he was looking at it is in a residential zone but he feels that the map may not be accurate. Billye D. Custis stated that she believes it is in the business district based on numerous businesses that have been operated there over the years. Ms. McKeever was asked to find out exactly how the property is zoned. Ms. Burge did make the recommendation that Council agree to vacate the lines. Ms. McKeever presented Council with a proposal to do that in the amount of \$350.00 from Shoreline Surveyors.

**Motion: To accept the \$350.00 proposal from Shoreline Surveyors to vacate the property lines by Ned Finney and seconded by Don Strautz. Vote:** Chance-yes; Dize-absent; Finney-yes; Gardner-yes; Rillo-yes; Strautz-yes. MOTION PASSED

Ms. McKeever stated that no permits were issued for the month of December. She stated that she has revised the zoning permit application and has provided Council with a copy of the new one. She added that residential plans do not need to be engineered stamped but commercial plans will. Lastly, she told

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Council that VDOT has completed the sidewalk repair in Town and they will come back in 2018 for more repairs.

Mr. Strautz stated that since Ms. McKeever will not be able to attend the Planning Commission meeting on January 22, the meeting has been moved to January 29 as long as the fire house is available. Ms. McKeever was asked to post notification of this at the usual locations in Town.

Mr. Finney asked Ms. McKeever if she knows what is going into the old Burger King location. Ms. McKeever stated that she is not at liberty to say very much but Mr. Hall did tell her that he has contacted a chain in Salisbury and he feels confident that he can get them to go into that location. She added that it is not a fast food chain but rather an establishment offering healthier alternatives.

### **Old Business**

Mr. Finney stated that Mr. Higgins will be e-mailing the construction companies that replied to the last RFP that the final bid date will be Monday, January 20, 2014. He asked that Ms. Salazar follow up with a phone call as well. He would like for Council to meet again later that week to open the bids. Council agreed to accept sealed bids until January 21, 2014 at 5:00pm and to meet on January 23, 2014 at 5:30pm at the fire house.

Mr. Finney would like to begin the process of moving the pump house from Billye D. Custis' property. There was no grant coordinator's report.

Ms. Salazar stated that there is still a vacancy on the BZA and asked that Council give some thought to who they might ask to serve. Billye D. Custis stated that she was sworn in today.

### **New Business**

Ms. Salazar stated that the Dollar General has submitted an application to the ABC Board to sell beer and wine off premise. Ms. Burge stated that this is very similar to the one last month from El Remolino whereas Council has been given the opportunity to provide comments if they wish. A copy of the application letter will be attached to the minutes.

Mayor Pierson asked that Council consider purchasing some sort of storage pod and save the \$100.00 per month pod rent. Council stated that this was discussed before and they decided against it because they thought the new building would be going up. Mr. Strautz said that a lot of the paperwork in the pod can be destroyed but it will need to be sorted through and documented. Billye D. Custis stated that she feels it will take approximately 40 hours to sort, document and destroy the paperwork. Council decided to hold off on purchasing a storage facility.

Ms. McKeever has acquired some information in reference to the possibility of a skate park or playground across from the current Town Office. She told Council that the property mentioned at last month's meeting will not be big enough for a skate park but would accommodate a playground. She provided Council with some information in their folder. Mr. Finney stated that he would like to forget the skate park but added that whatever is put there – a fence will be needed. Billye D. Custis agreed adding that, years ago, a committee was formed to look into the possibility of a park and no one was interested in selling property for that purpose. No one wanted a playground adjacent to their property. Council was concerned that a fence would not be aesthetically pleasing. Ms. McKeever stated that the fence would not need to be as high for the playground as the skate park. She suggested Council consider the possibility of a gazebo to be used for Town functions. Mr. Strautz stated that while a fence may be necessary, most of the responsibility for the children will fall on the parents – not the town. Ms. McKeever had an application for a skate park grant that was sent to her and she would like to pass that along to Kristie. She has also asked the realtor to be on the lookout for another area that may be suitable for a skate park. Mr. Finney asked that someone look into the additional insurance coverage that will be necessary adding that he feels that a skate park will require a lot of additional coverage. Ms. McKeever stated that she spoke with someone from Chincoteague and they said that the addition of a

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bike path will add another layer of coverage – not so much the skate park. Ms. McKeever will look into the additional coverage needed. Mr. Finney suggested asking Mr. McMath about his property over by the pool. Billye D. Custis stated that he was not interested years ago. Council asked that Ms. McKeever look into the lot over behind the property next to H.B. Rew.

Ms. Salazar stated that the Business Coalition on Worker’s Comp Initiative is legislation that is being introduced to the General Assembly to keep the cost of worker’s comp coverage down. A study was done showing that the amount of premiums paid in over the last few years has been considerably higher than claims going out yet premiums continue to rise. VML wanted to make us aware of this issue and also asks that we support this initiative to keep costs down. Ms. Burge added that this does not affect municipalities – only the private sector. She added that Council does not have to take any action but they may want to pass this information along or perhaps contact our legislators to show our support. Ms. Salazar stated that Mr. Hurst’s term on the Planning Commission expired December 31, 2013.

**Motion: To re-appoint Andy Hurst to the Planning Commission by Ned Finney and seconded by Don Strautz. Vote:** Chance=yes; Dize-absent; Finney=yes; Gardner=yes; Rillo=yes; Strautz=yes. MOTION PASSED

#### **Public Comment**

No one signed up to speak. Mayor Pierson asked if anyone wished to. No one did.

#### **Council Comments**

Mr. Chance thanked everyone for coming.

Mr. Strautz stated that he feels that the Town is going to make great strides this year specifically concerning the new town office. He has made a promise to himself to help the citizens of Onley. He is anxious to see what the construction of the hospital will mean for the Town.

Mr. Finney thanked everyone for coming and expressed his appreciation for the town employees. He stated that he was happy to see Billye D. Custis out and looking well.

Mr. Gardner agreed stating that it is good to see Ms. Custis as well as Mr. Chance at the meeting. He hoped that they are both doing well. He added that he hopes the hospital turns out to be all that we are hoping for.

Ms. Rillo thanked everyone for coming out and added that she is hopeful that we will be in a new building by the end of the year. She is also excited about the possibility of a park and hopes that it comes to fruition.

#### **Adjourn/Recess**

**Motion: To recess at 7:49pm until January 23, 2014 at 5:30pm by Ned Finney and seconded by Don Strautz. Vote:** Chance=yes; Dize-absent; Finney=yes; Gardner=yes; Rillo=yes; Strautz=yes MOTION PASSED

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Jamye Salazar, Treasurer

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Jack Pierson, Mayor