

## Onley Town Council Minutes of April 1, 2013

VIRGINIA: At a Regular Monthly Meeting of the Onley Town Council held at the Onley Fire & Rescue Building on the 1st day of April, A.D., 2013:

Members Present: Jack Pierson, Mayor  
Billy Chance  
Dawn Dize  
Ned Finney  
Fred Gardner  
Susan Rillo

Members Absent: Don Strautz

Staff Present: Walter Marks, OPD Chief of Police  
Jamye Salazar, Treasurer  
Cela Burge, Town Attorney  
David Engelhart, Zoning Administrator

### Call to Order

The Regular Monthly Town Council meeting was called to order by Mayor Pierson at 6:30pm. Mayor Pierson read a letter of apology from Mr. Strautz for his absence at tonight's meeting. The invocation was given by Fred Gardner and the Pledge of Allegiance to the Flag was led by Ned Finney.

### Adoption of Agenda

**Motion: To adopt the agenda by Dawn Dize and seconded by Ned Finney. Vote:** Chance-yes; Dize-yes; Finney-yes; Gardner-yes; Rillo-yes; Strautz-absent. MOTION PASSED

### Consideration of Minutes

**Motion: To approve the minutes of the March 4, 2013 Regular Monthly Council Meeting & the March 19, 2013 Recessed Meeting/Budget Workshop by Ned Finney and seconded by Fred Gardner. Vote:** Chance-yes; Dize-yes; Finney-yes; Gardner-yes; Rillo-yes; Strautz-absent. MOTION PASSED

### Department Reports

#### Police Report & Schedule

**Motion: To approve the May 2013 Police Schedule by Ned Finney and seconded by Susan Rillo. Vote:** Chance-yes; Dize-yes; Finney-yes; Gardner-yes; Rillo-yes; Strautz-absent. MOTION PASSED

#### Treasurer's Report

Ms. Salazar asked that when approving payables, Council include the Additional Payables that came in after the packets were delivered. She gave an overview of the budget for the month as well as the year.

**Motion: To pay the Payables by Ned Finney and seconded by Fred Gardner. Vote:** Chance-yes; Dize-yes; Finney-yes; Gardner-yes; Rillo-yes; Strautz-absent. MOTION PASSED

She asked that Council consider moving some money from the regular checking account to an account bearing more interest. Ms. Burge suggested that Ms. Salazar look into the LGIP.

#### Zoning

Mr. Engelhart stated that he notified Mr. Nicolls that the Town has contracted someone to continue with the clean-up of his property.

### **Attorney's Report**

Ms. Burge stated that Betty Chance has asked to be released from her lease of the Town property located next to her property as well as be reimbursed for any expenses that she has incurred from the lease. Mr. Chance excused himself at this time.

**Motion: To terminate the land lease with Betty Chance by Ned Finney and seconded by Dawn Dize.**

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

**Motion: To decline Betty Chance's reimbursement request for expenses by Dawn Dize and seconded by Ned Finney. Vote:** Chance- absent; Dize-yes; Finney-yes; Gardner-yes; Rillo-yes; Strautz-absent.

MOTION PASSED

Mr. Chance returned to the meeting at this time.

### **Old Business**

The building committee stated that Mr. Engelhart will finalize the RFP for Architect and have Ms. Salazar send it out.

There was no Grant Coordinator's Report.

Ms. Salazar stated that since it may be a while before a Public Works contract is in place, she contacted Adam Simpson and he is willing to work with the Town on an hourly basis to get some of the initial work done. There was some discussion about the litter problem as well as the ditch maintenance. Ms. Salazar will discuss the hourly rate with Mr. Simpson and she and Mayor Pierson will meet to finalize changes in the RFP for Public Works. Council will look over them at the next meeting.

The garage door has been delivered and needs to be installed.

Council agreed to have Mr. Finney purchase the supplies and secure the back of the Town signs.

### **New Business**

After some discussion about the 2013-2014 draft budget, Council decided to send it to Public Hearing at the May meeting. Mr. Gardner asked about the need for more funds to cover the cost of the new building. Mr. Finney asked Ms. Burge if it is possible to set some money aside for the preliminary work on the new building. He also asked if the committee will need Council approval each time they spend more than \$500.00. Ms. Burge explained that there is a procurement ordinance that says how Council will spend money. She added that Council can approve certain tasks in advance but that most bills are paid after the money has actually been spent when the monthly payables are paid.

Mayor Pierson asked that Council reconsider their earlier decision to penalize Council members for missing meetings if there is a legitimate reason such as family emergencies, illness or death. Mr. Gardner agreed. Mr. Finney stated that he is not really in favor of repealing this decision but would consider only in the case of matters that are beyond someone's control. Ms. Dize stated that she feels that if you are elected, you should attend meetings and be involved in the decision making process. She feels that there needs to be very specific guidelines in place pertaining to this matter. Mr. Gardner stated that he is a Council member 24 hours a day, 7 days a week – that doesn't mean that he isn't looking out for the Town if he has to occasionally missing a meeting.

**Motion: To change the current Council pay guidelines to state that Council members missing a meeting due to illness or death may be excused from having their pay decreased for that absence by Fred Gardner.**

After much more discussion on this matter, Mr. Gardner asked to withdraw his motion.

At this time, Ms. Salazar asked what Council decided about the current budget – she was unclear as to where Council left things on that subject.

**Motion: To send the current proposed draft budget for 2013-2014 to public hearing by Ned Finney and seconded by Susan Rillo. Vote:** Chance- yes; Dize-yes; Finney-yes; Gardner-yes; Rillo-yes; Strautz-

absent. MOTION PASSED

**Motion: To send out the RFP for the 2012-2013 Audit to the normal list of Accounting Firms by Ned Finney and seconded by Susan Rillo. Vote:** Chance- yes; Dize-yes; Finney-yes; Gardner-yes; Rillo-yes; Strautz-absent. MOTION PASSED

Council agreed to make a decision on the Spring Clean-up once a Public Works contract is in place. Council asked Ms. Salazar to place an ad in the paper requesting any interested contractors attend a pre-bid meeting in reference to the Public Works contract.

The Chance land lease was decided on earlier in the night. Ms. Burge will respond to Carl Bundick with Council's decision.

Ms. Salazar stated that next month will be one full year since \$150,000.00 was placed in the Rainy Day Fund. Ms. Burge added that while Council had agreed to re-visit this issue quarterly, that has not been done, but she feels that next month would be a good time to do this. She asked that Council give some thought to this and come back with their recommendations at the May meeting.

### **Public Comments**

Billye D. Custis stated that she is not in favor of two non-residents of the Town being on the building committee. She feels that they (David Engelhart & Mike Higgins) should be consultants much like Joe Hill. She does not feel that they should be allowed to spend taxpayers' money. She concluded by saying that next year with the addition of the new Town Office, the taxpayers are going to feel it. Ms. Burge stated that she thought Mr. Engelhart is there as a member of the staff and not a voting committee member. Mr. Finney agreed and would like his expertise on this subject but added that he is a voting member of the committee. He added that the committee cannot spend any money that is not approved by the Council.

### **Council Comments**

Mr. Chance thanked everyone for coming.

Mr. Finney thanked Council, the citizens and the Town employees.

Ms. Dize thanked everyone for coming as well as the employees. She added that she is a little frustrated that it is taking so long to get some things done and she would like to remedy this situation a little if possible.

Mr. Gardner thanked everyone for coming.

Ms. Rillo thanked everyone for coming, the Council and the employees. She added that she agrees with Ms. Dize about the need to move forward with some things.

Ms. Burge thanked Mr. Chance for being so willing to recues himself from the land lease issue. She added that she understands why everyone is a little frustrated but that Council must remember that with a very limited staff, there really isn't anyone doing a lot of the detailed work.

### **Closed Session**

**Motion: To go into Closed Session at 8:09pm 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, specifically pertaining to the Zoning administrator position and the Police Department by Dawn Dize and seconded by Susan Rillo. Vote:** Chance-yes; Dize-yes; Finney-yes; Gardner-yes; Rillo-yes; Strautz-absent. MOTION PASSED

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

**Motion: To return to Open Session at 8:40pm by Ned Finney and seconded by Susan Rillo.**

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

Onley Town Council Minutes of April 1, 2013

Mr. Finney stated that back-up or adequate office support staff was also discussed along with what was previously stated in the motion to go into closed session.

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; Chance-yes; Dize-yes; Finney-yes; Gardner-yes; Rillo-yes; Strautz-absent.

**Motion: To increase David Engelhart's Zoning Administrator's hourly rate from \$18.00 to \$25.00 effective immediately by Ned Finney and seconded by Fred Gardner. Vote:** Chance-yes; Dize-yes; Finney-yes; Gardner-yes; Rillo-yes; Strautz-absent. MOTION PASSED

**Adjourn/Recess**

**Motion: To recess at 8:43pm until April 9, 2013 at 6:30pm by Ned Finney and seconded by Dawn Dize. Vote:** Chance-yes; Dize-yes; Finney-yes; Gardner-yes; Rillo-yes; Strautz-absent. MOTION PASSED

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Jamye Salazar, Treasurer

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Jack Pierson, Mayor