

## Onley Town Council Minutes of April 7, 2014

VIRGINIA: At a Regular Monthly Meeting of the Onley Town Council held at the Onley Fire & Rescue Building on the 7th day of April, A.D., 2014:

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

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

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

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

### **Call to Order**

The Regular Monthly Town Council meeting was called to order by Mayor Pierson at 6:30pm.

### **Adoption of Agenda**

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

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

### **Consideration of Minutes**

**Motion: To approve the minutes of the March 13, 2014 Regular Monthly Council Meeting (Postponed from March 3, 2014) by Ned Finney and seconded by Dawn Dize. Vote:** Chance-yes; Dize-yes; Finney-yes; Gardner-yes; Rillo-yes; Strautz-yes. MOTION PASSED

### **Department Reports**

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

Mr. Finney asked what the citizen complaint was about on the monthly report. Chief Marks did not remember but stated it was not a complaint against the department.

**Motion: To approve the May 2014 Police Schedule by Don Strautz and seconded by Fred Gardner.**

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

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

Ms. Salazar asked that Council approve her payables and gave a short overview of the budget. In response to a question from last month's meeting, Ms. Salazar stated that the rate of interest on the USDA loan is 3.75%, the term left is 33 months and the balance remaining is \$12,091.26. She stated that there have been no changes to the Rainy Day Fund since January's update. A copy of this will be attached.

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

Ms. Salazar gave an update on the matter of the delinquent meals tax owed by Pickles Subs & Deli Sandwiches LLC. She stated that they have been sent two letters. The first giving the owner ten days to pay us the money owed or their business license will be suspended and they will need to close. The second letter stated that the Mayor and Treasurer will be at their business the day before closing to audit all business records including cash register receipts, bank deposits and IRS tax papers. Ms. Salazar stated that upon receipt of this letter, Ms. Pawin contacted her and brought a check for \$1,684.00. This amount means that they now owe for the last three months only. She assured Ms. Salazar that she will have that to us within the next two to three weeks. Ms. Salazar explained to her if that does not happen, the town will be forced to continue with the audit and the business license suspension. Ms. Salazar thanked Ms. Burge for her help with this matter.

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

Due to the resignation of the zoning administrator, there was no zoning report.

### **Attorney's Report**

Ms. Burge stated that in the absence of the zoning administrator, she has answered several zoning questions this month. She added that she will be happy to do so until that position is filled. In the matter of the delinquent meals tax, she stated that she did assist Ms. Salazar with collection by following the ordinance. Regarding the matter of standing grey water, she spoke with Dale Pusey from VDOT. VDOT plans to check the elevations along the streets and visit the possibility of shaving some pavement to redirect the water. She will keep Council posted on anything new that comes along about this issue. At last month's meeting, Council asked her to give them an overview of the procurement policy and highlight those pertaining to the construction of a new building. She stated that she has done so and a copy of those will be attached to the minutes. She concluded by stating that she is working with Ms. Siglin to put together some training for the Planning Commission to be discussed at the next planning meeting. She added that anyone interested in the planning process should attend the meeting – this training will be beneficial to everyone.

Ms. Dize asked Ms. Burge about the status of the Nicolls property. Ms. Burge stated that she has not done any more work on that matter adding that she has not heard anything from Ms. Nicolls. She asked Council if they would like her to follow up on that matter. Council agreed.

### **Old Business**

Ms. Burge stated that she would be opening two sealed bids (date stamped received on-time) for the Onley Town Office Project. The first bid was from Evans Builders in Salisbury Maryland. Ms. Burge read the details of the bid into the record including the scope of work and stated that the bid is \$615,040.00 with alternate pricing to include \$32,880.00. The second bid was received from Beauchamp Construction in Pocomoke Maryland. Beauchamp Construction's proposal included bid details including a scope of work. The amount of their proposal was \$494,379.00 with an additional \$32,940.00 for architectural/structural design & drawings for permits totaling \$527,319.00. They did identify allowances within the bid for doors, floor coverings, specialties, furnishings and counters. There were exclusions in the bid as well. A copy of both proposals will be attached to the minutes. Don Dashiell from Evans Builders stated that even though the bid stated it was good for 30 days, the figures will still be honored after that length of time. Ms. Burge suggested that the bids be sent to the building committee. The committee should review the bids and then prepare a full and complete statement of their reasons for a recommendation to the Council. Council expressed concern that the bids were much higher than expected. Billye D. Custis stated that she (as a citizen) is not in favor of spending

\$500,000.00 - \$600,000.00. Mr. Finney made a motion to cap the cost of the building at \$450,000.00. Mayor Pierson asked if he was including the cost of furnishing and equipment. Mr. Finney said that it does not but if Council does not proceed with the building – he is done. He feels that he has spent a lot of time on this and doesn't want to see the project tabled. Ms. Custis asked if a public hearing is necessary to spend such a large amount of money. Ms. Burge stated that it is not since this is an expense on property already owned. She added that all deliberation about this matter should be done publicly and she believes that it has. Ms. Dize stated that she has asked about ten residents their thoughts on a new building and everyone was in favor; however she does not feel they would agree with spending \$500,000.00 - \$600,000.00. Ms. Rillo agreed with Mr. Finney that the Town needs to continue with the construction of a new building. Mr. Gardner added that while he would like a new building – he is totally against spending more than \$300,000.00. There was much discussion about this topic. There was also a discussion about who should replace Mr. Engelhart on the building committee. Billye D. Custis questioned Mike Higgins' appointment and ability to vote since he is not a resident of town. Several council members stated that the committee is only making recommendations to Council – they are not voting on the building.

**Motion: To send the bids to a building committee meeting on April 15, 2014 at 6:30 and have them suggest changes to reach our current budget goals for the building by Ned Finney and seconded by Don Strautz. Vote:** Chance-yes; Dize-yes; Finney-yes; Gardner-yes; Rillo-yes; Strautz-yes. MOTION PASSED

**Motion: To appoint Susan Rillo to the building committee by Dawn Dize and seconded by Ned Finney. Vote:** Chance-yes; Dize-yes; Finney-yes; Gardner-yes; Rillo-yes; Strautz-yes. MOTION PASSED

Ms. Custis stated that minutes will need to be kept since the committee now consists of three Council members. Ms. Burge agreed. Ms. Dize stated that Mr. Gardner will no longer be a Council member after July 1<sup>st</sup> but he may wish to remain on the building committee. Mr. Gardner stated that he does plan to continue to serve on the committee.

There was no grant coordinator's report.

Ms. Salazar stated that Council had a proposed budget from the Planning Commission in their blue folder. Ms. Siglin has asked that Council include those figures for consideration.

**Motion: To hold a budget workshop on April 16, 2014 at 6:30 by Don Strautz and seconded by Susan Rillo. Vote:** Chance-yes; Dize-yes; Finney-yes; Gardner-yes; Rillo-yes; Strautz-yes. MOTION PASSED

Ms. Salazar asked that Council look at the scope of work on the Public Works RFP and consider making changes. Mr. Finney asked about the possibility of a part-time public works employee. Ms. Salazar stated that this will need to be discussed at length since there is no public works vehicle as well as insurance coverage for this position. Council decided to add to the Public Works RFP the possibility of having an employee at our disposal one day a week if necessary.

Council took no action on the letter from the Onley Volunteer Fire & Rescue Co. Inc. Mr. Finney stated that they can probably use the stretcher but he does not believe that they need the new turn out gear. Mr. Gardner asked why not. Mr. Finney stated that they have adequate for what personnel they have and he does not feel comfortable purchasing gear for anyone that has not yet finished training. Mr. Finney would also like a list of who has the pagers that the Town purchased. Ms. Salazar stated that she needs a list of who their active members are since several people have asked about their free decal.

### **New Business**

Ms. Salazar stated that several residents have asked about the date for Spring Clean-up. Council decided to have it at the same time as last year.

Council will discuss the maturing CD at Shore Bank at the April 16<sup>th</sup> meeting.

As reported earlier in the night, the zoning administrator position is vacant. Mayor Pierson stated that he knows someone that may be interested – he will follow up with him. He added that he wants to make sure a thorough background check is completed on any prospective candidates.

Ms. Salazar stated that it is time to send out an RFP for the 2013-2014 Audit. She added that the 2012-2013 Audit will not be presented until the June meeting.

**Motion: To send out an RFP for the 2013-2014 Audit by Ned Finney and seconded by Don Strautz.**

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

#### **Public Comments**

No one signed up to speak. Mayor Pierson asked if anyone wished too. No one did. Ms. Burge stated that Council had strayed from procedure a bit tonight by taking public comments throughout the meeting. She asked that Council be mindful of that in the future.

#### **Council Comments**

Ms. Rillo spoke again in favor of the building and stated that she was happy to see everyone at the meeting.

Mr. Gardner had no comment.

Ms. Dize thanked everyone for coming and agreed with Ms. Rillo that we need to try to come to an agreement about the building. She thanked the employees and Council as well.

Mr. Finney thanked everyone for all they do. He added that he believes that the police department needs their own space and he also wants to come to an agreement about the new building.

Mr. Strautz stated that he appreciates everyone's input on the building – Council members as well as non-Council. He knows that the reason everyone is here is their concern for the Town and he appreciates that most of all.

Mr. Chance thanked everyone for coming.

#### **Adjourn/Recess**

**Motion: To recess at 8:21pm until April 16, 2014 at 6:30pm by Ned Finney and seconded by Dawn**

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

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Jamye Salazar, Treasurer

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Jack Pierson, Mayor