

VIRGINIA: Public Hearing for Proposed 2014-2015 Budget & Regular Monthly Meeting at the Onley Fire & Rescue Building on the 2nd day of June, A.D., 2014:

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

Members Absent: Don Strautz

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

## **Public Hearing for Proposed 2014-2015 Budget**

### **Call to Order**

Mayor Pierson called the Public Hearing to order at 6:00pm. He asked Ms. Burge to read the Rules for Public Participation & Public Hearings. Ms. Salazar read the highlights of the proposed 2014-2015 budget into the minutes. A copy will be attached. Ms. Salazar noted that the budget does balance and there is no proposed tax increase. She added that this budget does include a reserve to balance of \$15,765.00.

### **Public Comments**

There were no public comments.

### **Adjourn Public Hearing**

Mayor Pierson adjourned the Public Hearing at 6:04pm.

## **Regular Monthly Meeting**

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

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

### **Adoption of Agenda**

Ms. Rillo asked to add 9(F) Enterprise Zone under New Business.

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

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

### **Presentation of 2012-2013 Audit**

Ms. Salazar introduced David Foley from Robinson Farmer Cox Associates. Mr. Foley thanked Ms. Salazar for her help with the audit. A copy of the audit will be attached to the minutes.

**Motion: To accept the 2012-2013 Audit by Susan Rillo and seconded by Fred Gardner. Vote:** Chance-yes; Dize-yes; Gardner-yes; Finney-yes; Rillo-yes; Strautz-absent. MOTION PASSED

### **Consideration of Minutes**

**Motion: To approve the Minutes of the May 5, 2014 Regular Monthly Council Meeting by Ned Finney and seconded by Dawn Dize. Vote:** Chance-yes; Dize-yes; Gardner-yes; Finney-yes; Rillo-yes; Strautz-absent. MOTION PASSED

**Motion: To approve the Minutes of the May 12, 2014 Recessed Council Meeting by Dawn Dize and seconded by Fred Gardner. Vote:** Chance-yes; Dize-yes; Gardner-yes; Finney-yes; Rillo-yes; Strautz-absent. MOTION PASSED

### **Department Reports**

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

Chief Marks gave the monthly police report. A copy will be attached to the minutes.

**Motion: To accept the July 2014 schedule by Fred Gardner and seconded by Ned Finney. Vote:** Chance-yes; Dize-yes; Gardner-yes; Finney-yes; Rillo-yes; Strautz-absent. MOTION PASSED

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

Ms. Salazar asked that Council consider some additional payables when approving the payables. She also gave an overview of the budget. Mr. Gardner thanked Ms. Salazar for the prompt way that she gets information to Council.

**Motion: To pay the May 2014 Payables by Dawn Dize and seconded by Ned Finney.**

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

At this time, Mayor Pierson read a letter from Mr. Strautz explaining his absence from tonight's meeting. A copy of this letter will be attached to the minutes.

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

Ms. Salazar stated that she has had an inquiry from one of the restaurants in Town about putting a mobile ice cream facility in the parking lot. She has emailed Ms. Burge about this and will let Council know what becomes of this matter. She stated that she issued a zoning permit to Four Corners Plaza LLC to put a new roof on the old Burger King building. Finally, there have been numerous grass issues that had to be addressed this month. Ms. Salazar stated that most of the grass has been cut but there are still a few problem areas.

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

Ms. Burge stated that she has worked on several items throughout the month and she will speak to them as they are reached on the agenda. She stated that she has not made any advancement on the Nicolls property issues but she will continue to look into that. She has completed the two part training session for the Planning Commission. She has reviewed the job description for the zoning administrator and made several changes to that. She spoke about the issue of trees and bushes being used for hanging clothes to dry, adding that this matter does not pose a health or safety issue to residents and is not considered to be a nuisance and it is not a zoning matter. Lastly, she stated that the State has mandated that all localities adopt some sort of storm water management plan. Accomack County has

adopted theirs and has given us the opportunity to opt into it. Our other option would be to do nothing and have the DEQ handle it. Ms. Burge recommended that the Town opt into the County's plan.

**Motion: To opt into Accomack County's Storm Water Management Plan by Ned Finney and seconded by Susan Rillo. Vote:** Chance-yes; Dize-yes; Gardner-yes; Finney-yes; Rillo-yes; Strautz-absent. MOTION PASSED

### Old Business

There is nothing new to report on the property at 25571 E. Main Street. Mr. Finney stated that the plans need to be changed and he would like to pick things up once the new Council is in place.

There was no grant coordinator's report. Ms. Salazar did state that reimbursement for last quarter highway safety grant was received last week. She added that Chief Marks is looking into spending the next Byrne Jag grant.

In the matter of the Public Works Bids, three were received before the deadline. Ms. Burge opened each bid and read them into the record. The first bid was received from Moab Farm Enterprises LLC in the amount of \$38,400.00 per year. The second was received from Simpson's Tree & Bobcat Services LLC in the amount of \$16,800.00 per year. The third was received from Crutchley Enterprises Inc. in the amount of \$17,750.00 per year. A copy of the bids will be attached.

**Motion: To accept the bid for Public Works Services from Simpson's Tree & Bobcat Services LLC in the amount of \$16,800.00 per year by Ned Finney and seconded by Dawn Dize. Vote:** Chance-yes; Dize-yes; Gardner-yes; Finney-yes; Rillo-yes; Strautz-absent. MOTION PASSED

Mr. Gardner asked when the Nicolls property is going to be cleaned up. Ms. Burge stated that she has been very busy this month and was not able to work on this matter but she does plan to pursue it as soon as possible.

Ms. Salazar stated that no qualified applicants responded to the zoning administrator ad. Ms. Burge suggested that the Town look into contracting with the County to have them handle zoning. Council agreed and asked that Ms. Burge pursue this. They also asked Ms. Salazar to run the newspaper ad another week.

Mr. Finney stated that the fire company gave the Town the okay to pursue a town playground on the property next to the fire house. He asked that Ms. Burge contact Chief Ferguson and write up a lease detailing the conditions essential to making this happen.

Ms. Rillo stated that she was contacted by a local business owner who stated that the County told him that the Town had opted out of the enterprise zone. She asked for a little more information about this since she was not aware that the Town had done that. Ms. Burge stated that she too had recently heard someone say that the Town of Onley had opted out and she was wondering how that came about since it had not been discussed in any of our meetings. Council asked that Ms. Burge contact Tom Brockenbrough and gather more information as to why the County thinks we opted out.

### New Business

**Motion: To have the July 2014 Regular Monthly Meeting on July 7, 2014 at 6:30pm by Ned Finney and seconded by Dawn Dize. Vote:** Chance-yes; Dize-yes; Gardner-yes; Finney-yes; Rillo-yes; Strautz-absent. MOTION PASSED

Ms. Rillo will not be able to attend that meeting. Ms. Burge stated that anyone who can't attend that meeting should make arrangements to be sworn in at another time. Ms. Siglin stated that the Planning Commission will need to be sworn in as well.

Ms. Salazar stated that there will be a VML Newly Elected Officials Conference in July if any Council members are interested. She added that they have all of the information in their folder and they should let her know if they are planning to attend.

Ms. Burge presented Council with a Resolution for Contribution Rate from VRS and explained that Council has been given two rate choices. She explained that if Council chooses the alternate rate (3.85%) instead of the certified rate (4.42%), there may be repercussions later, these being that you may have to pay more in the future and show on your balance sheet that you have obligations that you have not fully funded. Her recommendation was for Council to adopt the certified rate. Ms. Burge read the Resolution into the minutes. A copy will be attached.

**Motion: To adopt the Resolution for Contribution Rate accepting the certified rate of 4.42% by Ned Finney and seconded by Fred Gardner. Voice Vote:** Chance-yes; Dize-yes; Gardner-yes; Finney-yes; Rillo-yes; Strautz-absent. MOTION PASSED

Ms. Salazar stated that the current contract for waste pickup with Waste Management is going to expire July 2014. She asked if Council would like to issue an RFP.

**Motion: To issue and RFP for waste pickup by Dawn Dize and seconded by Susan Rillo. Vote:** Chance-yes; Dize-yes; Gardner-yes; Finney-yes; Rillo-yes; Strautz-absent. MOTION PASSED

Council agreed to come back on June 16, 2014 at 6:30pm to adopt the 2014-2015 budget. The meeting will be at the Town Office.

### Public Comments

Billye D. Custis stated that she was happy the clean-up started today but the Bobcat did ride in her yard. She thanked Ms. Burge for the Planning Commission training and stated that it was excellent and she was sorry more people didn't attend. She thanked Council for allowing Ms. Burge to do it. She encouraged Council to form a playground committee and added that someone from Chincoteague stated that the Chincoteague citizens are raising money now because they need \$60,000.00 in new equipment. She stated that she has attended many Accomack County Board of Supervisors meetings and businesses have always had to request to be in the enterprise zone – it has never been up to the Town. She pointed out that there is no money in the budget for the Mayor to attend the VML Newly Elected Officials meeting and only \$500.00 for Council members. Mayor Pierson stated that anyone who wishes to attend should let Ms. Salazar know in the next couple of days so arrangements can be made for the Town to cover the cost.

### Council Comments

Ms. Rillo thanked the citizens for attending and their comments. She thanked Mr. Chance and Mr. Gardner for their time on Council.

Mr. Gardner stated that he has really enjoyed serving with everyone on Council and he thanked them as well as the employees for all of their help.

Ms. Dize thanked Mr. Gardner and Mr. Chance for serving.

Mr. Finney thanked all of the town employees, the citizens and the Planning Commissioners and Mr. Chance and Mr. Gardner.

Mr. Chance stated that it's been very nice serving on Council and he thanked everyone for their hard work.

### Closed Session

**Motion: To go into Closed Session at 7:18pm 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 Department & General Government, specifically related to employee's performance by Ned Finney and seconded by Fred Gardner. Vote:** Chance-yes; Dize-yes; Gardner-yes; Finney-yes; Rillo-yes; Strautz-absent. MOTION PASSED

**Open Session & Certification of Closed Session**

**Motion: To return to Open Session at 7:51pm by Ned Finney and seconded by Fred Gardner.**

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

**Motion: To give all full-time employees a 5% salary increase and all part-time employees a 3% increase in salary by Ned Finney and seconded by Fred Gardner. Vote:** Chance-yes; Dize-yes; Gardner-yes; Finney-yes; Rillo-yes; Strautz-absent. MOTION PASSED

**Motion: To give Chief Walter Marks a 5% salary increase instead of 3% by Ned Finney and seconded by Susan Rillo. Vote:** Chance-yes; Dize-yes; Gardner-yes; Finney-yes; Rillo-yes; Strautz-absent. MOTION PASSED

Council agreed that all salary increases should have an effective date of July 1, 2014.

**Motion: To recess at 7:52pm until June 16, 2014 at 6:30pm at the Town Office by Ned Finney and seconded by Dawn Dize. Vote:** Chance-yes; Dize-yes; Gardner-yes; Finney-yes; Rillo-yes; Strautz-absent. MOTION PASSED

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Jack Pierson, Mayor

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Jamy Salazar, Treasurer