

## Onley Town Council Minutes of July 6, 2017

VIRGINIA: At the Regular Monthly Meeting of the Onley Town Council held at the Onley Baptist Church, 25501 W. Main Street, on the 6th day of July, A.D., 2017:

Council Members Present: Jack Pierson, Mayor  
Ned Finney, Vice-Mayor  
Ted Bliss  
Dawn Dize  
Matt Hart  
Susan Rillo  
Woody Zember

Staff Present: Rachel Kellam, Town Attorney  
John Pavlik, Zoning Administrator  
Jamy Salazar, Town Manager  
John Spivey, Chief of Police

### Call to Order

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

### Invocation & Pledge of Allegiance

The invocation was given by Ned Finney and the Pledge of Allegiance was led by Dawn Dize.

### Adoption of Agenda

**Motion: To adopt the agenda by Ned Finney and seconded by Ted Bliss.**

**Roll Call Vote:** Bliss -yes; Hart-yes; Rillo-yes; Dize-yes; Zember-yes; Finney-yes. MOTION PASSED

### Consideration of Minutes

Ms. Dize asked to have a statement struck from the June 5, 2017 minutes stating that she does not feel Mr. Pavlik is doing all that he can in the matter of a zoning violation. She does not believe that she said that.

**Motion: To accept the minutes of the June 5, 2017 Public Hearing for Proposed 2017-2018 Budget & Regular Monthly Meeting with the change by Dawn Dize and seconded by Susan Rillo. Roll Call Vote:**

Bliss -yes; Hart-abstain; Rillo-yes; Dize-yes; Zember-yes; Finney-yes. MOTION PASSED

**Motion: To accept the minutes of the June 15, 2017 Meeting by Ned Finney and seconded by Susan**

**Rillo. Roll Call Vote:** Bliss-yes; Hart-yes; Rillo-yes; Dize-yes; Zember-yes; Finney-yes. MOTION PASSED

### Department Reports

#### Police Report & Schedule

Chief Spivey said that Officer Spencer Rose has resigned effective June 30<sup>th</sup> and Officer Patrick Coulter replaced him on July 5<sup>th</sup>. He is doing some field training and he will be on his own after about two weeks. He asked that Council ratify the repair of the 2012 Dodge Charger at a cost of \$1675.00. Ms. Salazar stated that she polled the Council because of the dollar amount and all Council Members voted yes to the repair except Councilman Hart who voted no.

**Motion: To approve the re-revised July 2017 schedule by Ned Finney and seconded by Susan Rillo. Roll**

**Call Vote:** Bliss- yes; Hart-yes; Rillo-yes; Dize-yes; Zember-yes; Finney-yes. MOTION PASSED

**Motion: To approve the August 2017 schedule by Ned Finney and seconded by Susan Rillo. Roll Call Vote:** Bliss=yes; Hart=yes; Rillo=yes; Dize=yes; Zember=yes; Finney=yes. MOTION PASSED

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

Ms. Salazar stated that there are additional payables. Council should consider them when making any motions. Ms. Salazar gave her report at this time noting that it is the end of the fiscal year and some of the numbers may change slightly. She pointed out that she did make the transfer from the regular checking account to the money market at the request of Council last month. She noted there was an overage of \$4.53 in the cash box.

Ms. Salazar asked to ratify the vote from last month to send her to the CZA training in the amount of \$632.00. She stated that she polled Council and all Council Members voted yes. She apologized and stated that she should have ratified this at last month's meeting.

**Motion: To Pay the June 2017 Payables including the additional payables by Ted Bliss and seconded by Matt Hart. Roll Call Vote:** Bliss=yes; Hart=yes; Rillo=yes; Dize=yes; Zember=yes; Finney=yes. MOTION PASSED

#### **Manager's Report**

Ms. Salazar said that she met with Shannon Alexander from ANPDC because she has a wealth of knowledge about available grants. Ms. Alexander put her in touch with Barbara Schwenk about the possibility of acquiring a grant for sidewalks since she works along with VDOT on such grants and projects. Eastern Shore Communications has completed the install at the town office. The agreement with the ORA has been signed and Ms. Salazar has already given out about thirty applications and the feedback from this is very positive. At the request of Councilman Hart, she has looked into the possibility of adding smaller signs to the two bigger Welcome to Onley signs to advertise the downtown area. She has begun the process of creating a Facebook page but she has been waiting to get the better internet service in place to complete the page. At the June 15<sup>th</sup> meeting, Council asked Ms. Salazar to get answers from GMB to seven specific questions. She stated that Ms. Helfrich's responses were in the packet and will be discussed later in the night. Progress has been made with the charter change concerning the election. That will be discussed later tonight along with the Rainy-Day Fund and the VRS Resolution. On the matter of ditch maintenance, Ms. Salazar met with Laura Belle Gordy and Ms. Gordy said that there are nine watersheds in Accomack County and it takes about two and a half years for the County to get to all of them. Currently, the town is about a year from starting that process. She told Ms. Gordy that we are looking into the possibility of hiring a private company to do the work ourselves. Ms. Gordy suggested that Ms. Salazar write two letters (one for this year, one for next year) to Stewart Hall requesting that the County give us the money that they budgeted for us to help cover the cost. Ms. Salazar has written the letters and they have been received by Mr. Hall. Lastly, Ms. Salazar stated that Joel Parks is still out on medical leave. She returns to the doctor on July 11<sup>th</sup> and we will get an update at that time.

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

Mr. Pavlik read his report into the minutes. A copy of his report will be attached to the minutes.

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

Ms. Kellam reviewed the minutes and documents from GMB to prepare for the meeting regarding the new town office. She reviewed language for the additional definitions in the zoning ordinance with Rose Pierson. She reviewed the current Rainy-Day Fund that is in place. She reviewed the Procurement Ordinance because Council has said they may want to increase the Town Manager's spending limit. Lastly, she has spoken with Mr. Pavlik about several zoning matters. In the matter of the Town

Manager's spending limit, Mr. Finney asked if the charter needs to be changed to make it official. Ms. Kellam said that we could change it but we do not have to for every day expenditures. Mr. Hart said he disagrees with raising the amount from \$500.00 because he would like to see two estimates for work done on repairs. He cited the repair of the 2012 Charger as an example adding that he feels we could have saved quite a bit of money had we shopped around. Mr. Finney said that the problem with getting three estimates is if the car is undrivable, that means three towing bills and the possibility of being without the vehicle for a longer time. Ms. Dize stated that she believes we are required to get three estimates. Chief Spivey stated that we only have one repair shop in town and we do get front of the line privileges as well as the fact that they do offer tires at state contract pricing. He added that his understanding is that if the repair is classified as an emergency, it is not necessary to get three estimates. Billye D. Custis stated that years ago, before she was Mayor, Council made a motion to not take the vehicles to Good Year because their pricing was so much higher. Getting away from the matter of vehicle repair, Chief Spivey stated that there are times when it is not possible to get three estimates on single sourced items. He asked that the ordinance address that issue.

**Motion: To increase the Town Manager's spending limit to \$1,000.00 without Council's approval by Susan Rillo and seconded by Ted Bliss.**

Ms. Kellam asked if they wish to move everything up by \$500.00. Ms. Rillo and Mr. Bliss agreed. Mr. Zember stated that we have a Town Manager and a Chief of Police that are very competent and we need to let them do their job. Chief Spivey asked if his spending limit will also be increased. Ms. Rillo said that she thinks that limit should be for any procurements for the town. Ms. Kellam said that he should talk with Ms. Salazar first before spending money. Chief Spivey said that will mean he can't buy anything without checking with her. Ms. Kellam said that she does not see where the Police Department has any authority to spend money. Ms. Salazar stated that when she came to work here, the Mayor, the Treasurer and the Chief of Police were the only ones that could authorize expenditures less than \$500.00. Ms. Kellam said that is not in the ordinance. Ms. Rillo said that we may also need to define the purchasing agents. Mr. Bliss thinks that the Town Manager and the Chief of Police are department heads and both should be able to spend money according to the procurement policy.

**A vote was taken this time on the above motion: Roll Call Vote: Bliss-yes; Hart-no; Rillo-yes; Dize-yes; Zember-yes; Finney-yes. MOTION PASSED**

Mr. Finney asked that we get three estimates the next time that we have a vehicle repair. He would like to do this as an experiment just to see how much we may save as well as how much it may cost in towing and how much time it will take. Mr. Hart asked that we check with Bayside Auto for an estimate.

### **Planning Commission Report**

Rose Pierson said that the Planning Commission has submitted a recommendation to amend the Town's Zoning Ordinance for feather flags for businesses. They hope that Council will consider this proposal with the recommendations regarding real estate signage. There were several questions from Council Members about the feather flag proposal.

**Motion: To accept the proposed changes to the zoning ordinance with the correction being made to the maximum height of 10' and 2.5' width overall by Ted Bliss and seconded by Woody Zember. Roll Call Vote: Bliss-yes; Hart-yes; Rillo-yes; Dize-yes; Zember-yes; Finney-. MOTION PASSED**

At this time, Ms. Salazar asked Mr. Finney if he voted. He said that he did not since he feels there is a need for another correction. The word *that* needs to be changed to *than* on the second page, third line.

**Motion: To present proposed zoning changes at a Public Hearing that covers feather flags for businesses, pennants for business and real estate signs by Ted Bliss and seconded by Ned Finney. Roll Call Vote: Bliss-yes; Hart-yes; Rillo-yes; Dize-yes; Zember-yes; Finney-yes. MOTION PASSED**

### **Public Works**

Ms. Salazar said that she completed the VAZO CZA training in Charlottesville. It was a three-day course and she did learn some things that should be useful to the town.

On the matter of Public Works, the flags went up for July 4<sup>th</sup> and she had a lot of positive feedback. The Welcome to Onley sign that was removed for hospital construction has been replaced and looks very nice. All of the town signs, as well as the town office and the beautification project have been weeded and re-mulched. They continue with grass cutting, litter pick-up and the curbs and sidewalks have been edged and cleaned along E. & W. Main Street. They will continue to do this along Coastal as well.

Mosquito spraying continues three times a week and most people are commenting that there are no mosquitoes. Ms. Dize said that he may want to come over to Virginia Avenue a little more because there are some there. Rick Hall has offered us mulch and Ms. Salazar would like to use it around the crepe myrtles and clean them up a bit. Lastly, the garage door has broken for the third time and Ms. Salazar is trying to find someone to fix it. She will get back to Council with pricing.

Mr. Hart asked when the town will need to re-bid the Public Works contract. Ms. Salazar believes that Mr. Simpson has about another year left on his contract since we picked up the two-year extension from his original contract two years ago. She will look into this matter and get back to Council. Mr. Hart said Sam Long who has a lawn care company contacted him and he sent him to the town office with a proposal for Public Works. Ms. Salazar stated that Mr. Long did drop off an unsolicited proposal but because it was unsolicited and the town had not advertised for proposals, we are unable to consider his proposal at this time.

Mr. Dennis said that they may want to clean up around the A/C unit before the weeds get out of control.

### **Old Business**

Mr. Finney said that everyone has the answers to the questions for GMB from the previous meeting. Mayor Pierson asked if Council is going to be considering local people to oversee the project and how will it affect the hourly rates like room and board. He does not think we want to pay meals and lodging for someone to come from Maryland. Mr. Finney said they have given us a total of about \$800,000.00 for the project. Council agreed to strike the portion of the proposal pertaining to water and sewage design.

**Motion: To accept the proposal/contract striking the sewage and design portion and continue to work with GMB by hiring them and approving hourly services for bidding and construction services pursuant to the hourly rate on the proposal by Ned Finney and seconded by Ted Bliss. Roll Call Vote:**

Bliss-yes; Hart-yes; Rillo-yes; Dize-yes; Zember-yes; Finney-yes. MOTION PASSED

Ms. Salazar will sign and return the proposal/contract per Council's wishes.

Mr. Finney said that he has taken two bills to the OVFD for the missing pagers. Mr. Bliss asked the Chief of the OVFD if he thinks VFIS would consider this a loss. The Chief responded that he really does not have a good understanding of the situation with the pagers. He would like to get a list of the pagers with the serial numbers and any other information that they can supply. He added that he just took over as Chief about three days ago. Mr. Hart thanked the OVFD for all they do and said he feels that the pagers have depreciated quite a bit since they were purchased. He added that with all of the problems the fire department is having, he doesn't feel we should kick them while their down.

**Motion: To strike the pagers in the amount of \$7,200.00 and give them as a gift to the OVFD by Matt Hart and seconded by Woody Zember. Roll Call Vote:** Bliss-yes; Hart-yes; Rillo-yes; Dize-yes; Zember-yes; Finney-yes. MOTION PASSED

Mr. Bliss said that the OVFD should use this as an opportunity to recover some funds from their insurance company. He asked that Ms. Salazar supply them with the information to submit to an insurance company as a claim for lost/misplaced equipment.

Mr. Zember said that the flower pots have been delivered and Hortco will take care of the maintenance and the upkeep of the flowers. The banners will be discussed at next month's meeting. He would like to see some banners honoring our Veterans. Lastly, he would like to raise the height of the Welcome to Onley signs. Ms. Rillo asked why there are only three flower pots. Mr. Zember explained that the plan did not call for a pot in front of the coffee shop but Hortco mistakenly placed one there. He felt that it looked so good there, he decided to leave it and order a fourth pot from next year's budget. Mr. Bliss said that the pot in front of the coffee house is restricting handicap access to the sidewalk. Mr. Zember agreed that it is and will need to be moved. He will work on making this happen. Ada Jo Amadeo asked to have hardware installed on the pole in front of her house so that she can have a flag for the holidays. Mayor Pierson said that Ralph Wardius on the other side of town would also like to have a flag. Mr. Hart asked for one also.

Ms. Salazar said that we only had one response to our RFP for Audit. It was from Robinson Farmer Cox Associates in the amount of \$7,500.00. She said that they are a CPA firm and GASB 34 compliant.

**Motion: To accept the proposal from Robinson Farmer Cox Associates in the amount of \$7,500.00 to perform our 2016-2017 Audit by Ted Bliss and seconded by Ned Finney. Roll Call Vote: Bliss-yes; Hart-yes; Rillo-yes; Dize-yes; Zember-absent; Finney-yes. MOTION PASSED**

Ms. Dize would like Council to look into the possibility of enacting a Property Maintenance Ordinance to protect homeowners in town against things like sofas, appliances, tires and trash in yards. Council asked Ms. Kellam to put something together for next month's meeting.

#### **New Business**

**Motion: To adopt Ordinance 001-17 for the Motor Vehicle Code of Virginia by Ted Bliss and seconded by Susan Rillo. Roll Call Vote: Bliss-yes; Hart-yes; Rillo-yes; Dize-yes; Zember-yes; Finney-yes. MOTION PASSED**

**Motion: To adopt the 2017-2018 Meeting Schedule by Susan Rillo and seconded by Dawn Dize. Roll Call Vote: Bliss-yes; Hart-yes; Rillo-yes; Dize-yes; Zember-yes; Finney-yes. MOTION PASSED** A copy will be attached.

**Motion: To renew the current employee health insurance plan with Anthem by Dawn Dize and seconded by Woody Zember. Roll Call Vote: Bliss-yes; Hart-yes; Rillo-yes; Dize-yes; Zember-yes; Finney-yes. MOTION PASSED**

After some discussion on the Rainy-Day Fund, Council decided to change the amount from \$250,000.00 to \$400,000.00 adding \$50,000.00 increments beginning with this fiscal year. Ms. Kellam will have that resolution at next month's meeting. Ms. Dize asked Ms. Salazar to open a separate account to hold the Rainy-Day Funds. Council agreed.

**Motion: To increase the Rainy-Day Fund amount to \$400,000.00 by increments of \$50,000.00 beginning this fiscal year by Ned Finney and seconded by Woody Zember. Roll Call Vote: Bliss-yes; Hart-yes; Rillo-yes; Dize-yes; Zember-yes; Finney-yes. MOTION PASSED**

At this time, Mr. Zember asked to be excused adding that he is still recovering from surgery.

Ms. Salazar said that at last meeting, Council elected to participate in the Hazardous Duty Supplement Plan for our police officers. She said that VRS requires us to adopt a resolution to do so.

**Motion: To adopt the Resolution to Elect to Participate in the Hazardous Duty Supplement Program by Ted Bliss and seconded by Ned Finney. Roll Call Vote: Bliss-yes; Hart-yes; Rillo-yes; Dize-yes; Zember-yes; Finney-yes. MOTION PASSED**

In the matter of the Town of Onley signs, Ms. Salazar said that she has nothing new to report since our representative had emergency surgery and has been unable to work on this matter.

The changes to the procurement policy was discussed earlier in the night.

### Public Comments

Rose Pierson said that she thinks the town is starting to look great.

Billye D. Custis signed up to speak but did not wish to at this time.

Royal Governor thanked the town for the gift of the pagers. He stated that the OVFD has a new Chief as of this past Saturday. He stated that he is the President of the OVFD. They hope to be able to continue to effectively serve the Town of Onley. He asked that everyone come to the Accomack Board of Supervisors meeting on July 19<sup>th</sup> to support them.

Oliver Boggs introduced himself as the new Chief of OVFD. He said that he is from Northampton County and has been a firefighter for 14 years. He said that his main goal is to acquire an OMD so that they can use the ambulance and get their engine into service. He would like to have transparency in the department. He is working on getting some members trained. He said that he wants to save this station and asked that everyone come out and support them.

### Council Comments

Mr. Hart thanked the OVFD for their service. He said that he is happy that we are moving forward with the new town office. He understands that it's a lot of money but we have a real need for a new building as well as the land and the money to make it happen. He thanked everyone for the job that they do.

Ms. Dize thanked the OVFD members for stepping up and trying to save the fire company. She said that she has mixed feelings about all of this and would like to put the gossip and the ugliness behind. She thanked everyone for all that they do. She said that she is happy that we are moving forward with the building and she thinks the town is looking good. She mentioned that Mr. Zember is doing a great job with beautification and she feels that Mr. Simpson is doing a lot to help with that also. She believes that he has stepped it up a lot and hopes that he continues so that we do not have to look into other options.

Ms. Rillo thanked everyone for all that they do. She praised Ms. Salazar for stepping up and doing two jobs in Joel's absence. She praised Chief Spivey for acting quickly and finding a replacement for Officer Rose. She added that it is nice to see Mr. Pavlik at the meeting and hopes that he continues to attend.

Mr. Bliss thanked the OVFD for coming and said he would like to see them here every month. He also thanked Ms. Salazar adding that she has a lot on her especially with Joel being out for so long. He asked Ms. Pierson and her committee to look into the cleanup of property in disrepair. He thanked everyone for a job well done.

Mr. Finney thanked Mr. Zember for doing fantastic job with the piece of property on the corner. He said that he is happy we are making progress on the building. He thanked Laura Belle Gordy for staying and her help with some things. He thanked Billye D. Custis as well. Lastly, he thanked the employees and fellow Council Members for all that they do.

### Closed Session

**Motion: To go into Closed Session at 8:39pm in accordance with Section 2.2-3711-(A) of the Code of Virginia of 1950, as amended for the purpose of Paragraph 1: Discussion of consideration of Personnel Matters specifically pertaining to Employee Performance Evaluations by Susan Rillo and seconded by Ted Bliss. Roll Call Vote: Bliss-yes; Hart-yes; Rillo-yes; Dize-yes; Zember-yes; Finney-yes. MOTION PASSED**

### Open Session & Certification of Closed Session

**Motion: To return to Open Session at 9:15pm by Ned Finney and seconded by Dawn Dize. Roll Call Vote: Bliss-yes; Hart-yes; Rillo-yes; Dize-yes; Zember-yes; Finney-yes. MOTION PASSED**

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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; Bliss-yes; Hart-yes; Rillo-yes; Dize-yes; Zember-yes; Finney-yes.

**Motion: To give the Town employees a 5%-year end performance bonus with the exception of Patrick Coulter who will get a \$200.00 bonus and Bennie Tatum a \$100.00 gift card by Ned Finney and seconded by Susan Rillo. Roll Call Vote:** Bliss-yes; Hart-yes; Rillo-yes; Dize-yes; Zember-yes; Finney-yes.  
MOTION PASSED

**Adjourn/Recess**

**Motion: To adjourn at 9:19pm by Dawn Dize and seconded by Susan Rillo. Roll Call Vote:** Bliss-yes; Hart-yes; Rillo-yes; Dize-yes; Zember-yes; Finney-yes. MOTION PASSED

Respectfully submitted by,

Jamye Salazar  
Town Manager, Acting Clerk

Jack Pierson  
Mayor