

Onley Town Council Minutes of August 5, 2013

VIRGINIA: At a Regular Monthly Meeting of the Onley Town Council held at the Onley Fire & Rescue Building on the 5th day of August, A.D., 2013:

Members Pres 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
 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. The invocation was given by Susan Rillo and the Pledge of Allegiance to the Flag was led by Mayor Pierson.

Adoption of Agenda

Motion: To adopt the agenda by Ned Finney 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 July 1, 2013 Regular Monthly Council Meeting by Don Strautz and seconded by Ned Finney. Vote: Chance-yes; Dize-yes; Finney-yes; Gardner-yes; Rillo-yes; Strautz-yes. MOTION PASSED

Motion: To approve the minutes of the July 9, 2013 Recessed Meeting by Ned Finney and seconded by Fred Gardner. Vote: Chance-yes; Dize-yes; Finney-yes; Gardner-yes; Rillo-yes; Strautz-yes. MOTION PASSED

Department Reports

Police Report & Schedule

Mr. Finney asked if the 10 hour schedule is working. Chief Marks stated that everyone is adjusting and the only problem so far has been accommodating everyone's vacation requests.

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

Chief Marks stated that the silver 2009 Charger is still having transmission problems and it is still at Hertrich in Pocomoke. The cost of this repair is about \$1,100.00.

Chief Marks stated that there is a need for a fifth officer but he is unsure if we should hire a full-time or part-time officer. He stated that his preference would be a full-time person – allowing him (Chief Marks) to return to an 8 hour schedule. He is also concerned that there are no qualified officers available at this time. He is still looking for a qualified candidate.

Treasurer's Report

Ms. Salazar pointed out that on the accounts payable purchase journal, there is no bill from Optima for employee health insurance coverage. She explained that since this policy has just been renewed, they will bill us in September for July and August. She gave an overview of where we are in the budget for the year adding that the sales and use tax revenue has not been received for the prior month but we were notified that since the rate changed, the state will need a little to get it to us.

Mr. Finney asked if Mr. Shaw is still spraying for mosquitoes. Ms. Salazar stated that he is but that she has received some complaints about mosquitoes. Jan Siglin complained that she has had a lot at her house. Billye D. Custis agreed and added that she received about 20 bites on one occasion. Mr. Strautz suggested that we ask Mr. Shaw to spray on Friday instead of Thursday. Ms. Salazar stated that she can ask but Mr. Shaw may not be able to accommodate that request because he does spray for other towns.

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

Zoning

Mayor Pierson stated that Mr. Engelhart will be leaving us at the end of the month and added that while he will be sorely missed, he has been offered a great opportunity in Maryland.

Mr. Engelhart thanked everyone for the support and cooperation over the years.

He stated that he has spoken with Mr. Lauer about the Nicolls property on Coastal Blvd and Mr. Lauer is unsure as to whether or not he wants accept the clean-up job there. He believes that Mr. Lauer wants to discuss this further with Mr. Finney before making a decision but did add that, in his opinion, Mr. Lauer will probably not accept the job. Mr. Finney agreed adding that he has not spoken with Mr. Lauer recently but he does not believe Mr. Lauer will be able to clean up the property.

Mr. Engelhart stated that Royal Farms would like to move the current sign on the property at Four Corners Plaza. The size of the sign will not change- only the location. He is looking into whether or not they will require another special use permit along with a hearing. However at this time, he has not even received the application. Ms. Burge asked if any of the setbacks will change. Mr. Engelhart stated that he is unsure but they shouldn't since they were done according to VDOT requirements.

Mr. Engelhart suggested that the building committee meet as soon as possible since we need to hold a pre-bid meeting. Mr. Finney asked if Mr. Engelhart will still be able to help with the building process. Mr. Engelhart stated that he is unsure about how much help he can offer since he will be moving to Berlin and commuting from Onley only occasionally until his house is sold. He added that he will help whenever he can. Mayor Pierson thanked Mr. Engelhart for his service.

Attorney's Report

Ms. Burge stated she has submitted a petition to the circuit court for recommendation of appointment for Burleigh Doughty and Billye D. Custis to the BZA.

She stated that she has taken a look at the Waste Management contract and the Town is now operating on the last one year term of that contract. She added that the rate may increase by 1.8% due to the consumer price index rate.

Lastly, she reminded Council about the VLDP that she spoke to them about several months ago. She explained that this program will be a requirement for any employees hired after January 2014. VRS is offering this program and should the Town choose to opt into this program with them, we can never opt out. VML is working on two options that may be comparable to the VRS program but they have not been able to finalize their rates at this time. Ms. Burge's recommendation is to ask for the extension from VRS allowing us the opportunity to compare VRS and VML rates. Council agreed to have Ms. Salazar do this via email to ZaeAnne Sferris at VRS.

Old Business

There was nothing new to report on the property at 25571 E. Main Street. The building committee agreed to meet again on August 12, 2013 at 6:30 at the fire house for further discussion.

There was no grant coordinator's report. Ms. Salazar stated that Ms. Finney has been in the office working on some things and the last quarter of highway safety grant has been submitted and the new hours for the upcoming quarter have been received.

Mayor Pierson stated that the Council has received letters from Wayne Byrum and Andy Hurst asking to be considered for the Planning Commission vacancies. Mayor Pierson stated that Mr. Byrum is here tonight but Mr. Hurst is not.

Motion: To appoint G. Wayne Byrum to replace J. Lance Eller on the Onley Planning Commission with a term expiring June 30, 2015 by Don Strautz and seconded by Dawn Dize. Vote: Chance-yes; Dize-yes; Finney-yes; Gardner-yes; Rillo-yes; Strautz-yes. MOTION PASSED

Ms. Salazar stated that the cost for two 5' Welcome to Onley signs is \$3,600.00. This amount does include a message on the back of the 5' signs but not the addition of a message to the 8' signs. Gary at Phillip's Sign Co. is concerned that the letters may not stick to the azak material on the 8' signs. He will be coming down to have a look at the current signs this week. Ms. Salazar also asked that Council make a decision about what message to put on the signs.

Motion: To purchase two 5' signs at a cost of \$3,600.00 from Phillip's Sign Co. by Ned Finney and seconded by Susan Rillo. Vote: Chance-yes; Dize-yes; Finney-yes; Gardner-yes; Rillo-yes; Strautz-yes. MOTION PASSED

New Business

The VLDP was discussed earlier in the night under the Attorney's Report.

Motion: To ask for an extension until November 1, 2013 from VRS before making a decision about the VLDP by email request by Ned Finney and seconded by Dawn Dize. Vote: Chance-yes; Dize-yes; Finney-yes; Gardner-yes; Rillo-yes; Strautz-yes. MOTION PASSED

Mayor Pierson stated that there is a need for a new zoning administrator and there is a person interested at this time. A copy of his resume is in the blue folders. Council agreed to ask this person to come to the recessed meeting on August 12th at 6:15 and meet with them. Ms. Burge reminded Council to review the personnel policy about filling existing positions before hiring anyone. She added that when someone is hired, that person needs to be willing to get the proper certification for the position. Mr. Gardner asked if anyone from Onley might be interested in this position. Billye D. Custis stated that in the past there were several interested people from Onley.

Mayor Pierson asked if Council would consider asking Royal Farms for a donation to help cover the cost of the additional time that the police department is spending there. He added that we have changed the police schedule to accommodate Royal Farms. Ms. Burge stated that while we can certainly explain to them that a bulk of police hours are being generated to their business, she does not recommend asking for a donation. Mr. Finney added that we are collecting food tax from them. Council agreed to drop this issue.

Ms. Salazar asked Council to decide when they would like to hold the Veteran's Day Celebration. She stated that Jim White has agreed to help again this year. She added that anyone else that would like to help should contact her since there is much work to be done.

Motion: To have the Veteran's Day Celebration on November 9th, 2013 by Dawn Dize and seconded by Ned Finney. Vote: Chance-yes; Dize-yes; Finney-yes; Gardner-yes; Rillo-yes; Strautz-yes. MOTION PASSED

The Waste Management contract was discussed earlier in the night under the Attorney's Report.

Motion: To accept the last one year extension to the current Waste Management contract by Ned Finney and seconded by Fred Gardner. 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 would like to. Jan Siglin stated that only about a third of the railroad property grass is being cut. Mr. Pierson explained that they can only cut so close to certain things. She stated that they are not cutting it at all. Billye D. Custis stated that she feels the grass should not be cut on Monday – it should be cut closer to the weekend. Mayor Pierson asked Ms. Salazar to have Adam Simpson come into the office for a meeting. She stated that she will but that he is cutting the grass according to the contract. Ms. Siglin asked if he is aware how far the railroad property extends. Ms. Salazar stated that he may not since she was the one that showed him around and she may not have been aware of all of the property. Ms. Dize stated that the dead grass needs to be cleaned from the sidewalks. S. P. Custis stated that the grass needs to be cut more often – it piles up really bad because it is so long when it is cut. Billye D. Custis stated that he is also not cutting in front of Dennis Shirmer’s house. Ms. Salazar stated that he was not told to cut the grass there. Ms. Dize complained about the grass at the property on Monroe Street owned by Mr. Mears. There have been numerous complaints about that grass.

Betty Chance asked that Council consider reimbursing her for the time and money that she spent on the property that she leased from the town. Ms. Burge explained that this matter was discussed at the April 2013 meeting and Council did decide not to reimburse her. Ms. Chance questioned whether or not she should have been leased the land. Ms. Burge explained that it was fine for the Town to lease the land. There have been no documents brought forward proving a claim or easement against the property. Billye D. Custis stated that she is concerned that Mr. Rice has filled in the ditch to create what he says is his right-of-way. Ms. Burge suggested that Council put this issue on an upcoming agenda if they want look into this matter. Ms. Dize and other members of Council stated that they are just hearing this information.

Council Comments

Mr. Chance thanked everyone for coming.

Mr. Strautz stated that he doesn’t know what the answer is to the grass issues. The Town does not have a public works employee to stay on top of these issues. He added that a contractor is only going to do what they are contracted for and that when creating the contract we can’t always foresee certain needs. He added that any suggestions on how to make things work better would be appreciated.

Mr. Finney stated that he feels someone should meet with Adam Simpson and just re-iterate what needs to be done. He feels that we are still in a lot better shape this year than we were last year. He thanked Mr. Byrum for agreeing to serve on the Planning Commission. He thanked Mr. Engelhart for his service and wished him well.

Ms. Dize thanked Mr. Engelhart and wished him well adding that he will be missed. She also thanked Mr. Byrum for agreeing to serve on the Planning Commission. She feels that the grass issues are relatively minor and will be straightened out.

Mr. Gardner agreed stating that grass grows and with it being cut every two weeks it’s not going to look perfect all of the time. He added that we can’t kill every mosquito either. He thanked Mr. Engelhart for his service and added that he thinks the entire Council is doing a pretty good job.

Ms. Rillo asked that if there are concerns, please contact the Mayor or any of the Council members so things can be taken care of as soon as possible.

Adjourn/Recess

Motion: To recess at 7:47pm until August 12, 2013 at 6:15pm by Ned Finney and seconded by Don Strautz. Vote: Chance-yes; Dize-yes; Finney-yes; Gardner-yes; Rillo-yes; Strautz-yes MOTION PASSED

Jamye Salazar, Treasurer

Jack Pierson, Mayor