

Onley Town Council Minutes of November 7, 2016

VIRGINIA: At the Onley Town Council Public Hearing for the Appropriation of funds for the purpose of building a New Town Hall & Regular Monthly Meeting held at the Onley Baptist Church, 25501 West Main Street, on the 7th day of November 2016:

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

Staff Present: Jamye Salazar, Clerk/Treasurer
John Spivey, Chief, Onley Police Dept.
Rachel Kellam, Town Attorney

Regular Monthly Meeting

Call to Order

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

Invocation & Pledge of Allegiance

The invocation was given by Dawn Dize and the Pledge of Allegiance was led by Susan Rillo.

Adoption of Agenda

Motion: To adopt the agenda by Ned Finney and seconded by Ted Bliss. Roll Call Vote: Hart-yes; Rillo-yes; Dize-yes; Bliss-yes; Zember-yes; Finney-yes. MOTION PASSED

Town Council Public Hearing for Appropriation of Funds

Call to Order Public Hearing & Establishment Quorum

Mayor Pierson called the Public Hearing to order at 6:32pm and established that there was a quorum. Ms. Salazar read the Rules for Public Participation.

Mayor Pierson stated that Council would like to move \$500,000.00 from the General Fund into a Capital Fund Line item anticipating building a new town office. He stated that does not mean we are going to spend that much money but we want to be able to draw from this line item to start the building process.

Public Comments

Billye D. Custis of 25540 Caroline Avenue stated that the Town has been talking about a new building since John Kellam was the Mayor. She has heard as much as one million dollars being proposed. She stated that the notice for the public hearing upset her when she read that the \$500,000.00 proposed is only for the beginning of the process of building. The word beginning scares her. She recommended that the Council create a capital budget beginning with the Planning Commission and a CIP. She would like a capital budget drafted to show how the money will be spent. She feels that the ad implies a blank check is being written for Council to spend and she does not feel that is wise. Ms. Custis asked that a copy of her remarks be attached to the minutes.

Rose Pierson signed up to speak but did not wish to at this time.

Brian Corbin stated that Billye D. Custis covered most of his concerns. He then asked if Council knows what they are going to build and what the cost will be. He added that \$500,000.00 sounds like a lot of money and he wondered if it could be done any cheaper.

Mayor Pierson explained that Council is not necessarily going to spend that much money but because we don't have any idea of cost, it is a good starting point. Mr. Corbin said that he feels the Council should know what they want to build and how much it's going to cost before any money is appropriated. Ms. Kellam said that because the town actually has the appropriated funds and we don't have to get them from somewhere else, all that Council needs to do is amend the budget adding the new line item. The Virginia Code says that we have to have a public meeting to initiate the process to do this and that is what is happening tonight.

Charlie Williams stated that it doesn't sound like a lot of planning has been done at this point. He feels that Council needs to know what they are planning to build before any money is spent. He suggested that Council look at the possibility of converting the old fire house since it may be vacant soon.

Billye D. Custis said that the Virginia Code Book states that capital budget should include a list of project code numbers, titles and a brief description of the proposed expenditures and sources of financing for the coming year and it needs to be securing the revenue requested to support the capital budget. It's approved in the same manner as the operating budget. She asked when the capital budget is going to happen. Ms. Kellam stated that as soon as the hearing is held, which we are doing now, then the budget will be amended so there is an actual line item and then from there we will get into every dollar be accounted for. Ms. Custis stated that this is not a line item-it is a separate budget. Ms. Kellam said that she doesn't know that it needs to be a capital budget. She thinks that it could be a line item in the current budget. Ms. Salazar stated that David Foley suggested last month that we make it an amendment to our current budget and make it a line item.

Adjourn Public Hearing

Motion: To adjourn the Public Hearing (at 6:43pm) by Ted Bliss and seconded by Susan Rillo. Roll Call

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

Regular Monthly Meeting (cont'd)

Council Discussion/Motion on Appropriation of Funds

Mr. Finney stated that he is in favor of appropriating the funds and he feels that we need to get the ball rolling on building this new town office. We have spent too much time talking about it without taking any action. Mr. Bliss stated that the firehouse is a wreck and would not be suitable for us to use. Mr. Zember explained that we are not saying that we are going to spend \$500,000.00. We are just creating a line item in our budget as a starting point. He feels that we have been working on this for six or seven years and the town needs a new building. Ms. Dize added that this Council was faced with figuring out what to do with the florist shop that was purchased without inspections and that left us with a \$350,000.00 vacant lot. She added that is part of the reason this process is taking so long since Council had to rectify that situation before they could continue with the building of a new town office. She stated that she is very conservative and she will not vote to spend money on frivolous things but the longer we wait to build- the more it will cost. Mr. Bliss stated that anyone who stops in the current town office when we are fully staffed will see that we have a great need for a new office adding that this line item will help us to track what we are spending. Ms. Rillo said that she agreed with what the other Council members have said. Mr. Hart said that when he was elected in 2014, he thought the agriculture

building had a lot of possibility and was sold for only \$22,000.00. He stated that it would have been a good option for the new town office and he thinks the Council should have considered that as a possibility. Mr. Corbin asked if \$500,000.00 will cover the cost of the building. Mr. Finney said that he is not sure. Mayor Pierson stated that Council is managing the money very well and he does not think that will change just because we need a new town office but we cannot give anyone an exact amount at this time. He added that residents should come to the town meetings more often so that they are better informed. Billye D. Custis stated that when the agriculture building went on the market, it was offered to the town for \$75,000.00. She felt that was a good option for us at that time but the Council did not agree.

Motion: To appropriate \$500,000.00 to a capital expense line item by Ned Finney and seconded by Woody Zember. Roll Call Vote: Hart-yes; Rillo-yes; Dize-yes; Bliss-yes; Zember-yes; Finney-yes.
MOTION PASSED

Consideration of Minutes

Motion: To accept the minutes of the October 3, 2016 Onley Town Council Public Hearing for RSMH Special Use Permit & Regular Monthly Meeting by Ned Finney seconded by Ted Bliss. Roll Call Vote: Hart-yes; Rillo-yes; Dize-yes; Bliss-yes; Zember-yes; Finney-yes. MOTION PASSED

Department Reports

Police Report & Schedule

Chief Spivey pointed out a change on the December schedule. He stated that the new SUV has been received and he is now in the process of having the vehicle equipped for use. He has received a lot of positive feedback from the Halloween patrol adding that several ACSO deputies complimented the department on how well Halloween was handled in town.

Motion: To approve the December 2016 schedule with the change by Susan Rillo and seconded by Dawn Dize. Roll Call Vote: Hart-yes; Rillo-yes; Dize-yes; Bliss-yes; Zember-yes; Finney-yes. MOTION PASSED

Treasurer's Report

Ms. Salazar gave her Treasurer's Report. Mr. Zember asked Ms. Salazar if we are behind on the amount of meals tax collected. Ms. Salazar replied that we are actually a head being that we are 46% of our goal at only three months into the fiscal year. Ms. Dize asked how much it was to repair the vehicle that was hit by our public works truck. Ms. Salazar responded that she was unsure of that amount since that matter was handled by our insurance provider, VML Insurance.

Motion: To Pay the October 2016 Payables by Ned Finney and seconded by Matt Hart. Roll Call Vote: Hart-yes; Rillo-yes; Dize-yes; Bliss-yes; Zember-yes; Finney-yes. MOTION PASSED

Ms. Salazar stated that she was on vacation the third week of October and she wanted Council to know that Joel Parks did a great job covering the office in her absence.

Attorney's Report

Ms. Kellam stated that she was able to get Cela Burge's old files and they date back to 2010 which has been very helpful to her. She has spoken with Judge Lewis's secretary and found that nothing has happened with making the polling place change as of yet. She added that the Virginia Code states that election issues shouldn't be brought up sixty days prior to a general election so she will be able to start that process after tomorrow. She has worked on the pump and haul agreement for Riptide Real Estate that will be discussed later tonight. Lastly, she has researched the procedure for appropriation of funds.

Zoning Administrator's Report

In the absence of Mr. Pavlik, Ms. Salazar read his report into the minutes. A copy of his report will be attached to the minutes.

Public Works

Ms. Salazar informed Council that the mosquito truck was in a minor accident and incurred about \$1,700.00 in damage. There is a \$1,000.00 deductible but VML Insurance picked up the rest. The truck has been repaired and is back in our garage. She added that due to the accident, mosquito spraying was stopped one week earlier than planned. Our weekly public works employee has been picking up litter and cleaning storm drains. They are preparing for flags, banners and holiday lights to go up in the next couple of week. Mr. Finney asked how much Biomist we have left. Ms. Salazar stated that we have very little and we will need to order some in the spring. Mr. Hart stated that he thinks the Biomist needs to be sprayed while it is still dark and because it wasn't, he feels the mosquitoes were worse than normal this year. Ms. Salazar stated that once we hired a new employee to do the spraying, the mosquito problem improved tremendously. As far as when we spray, the issue was we have a resident with a self-pollinating garden and we do not wish to harm the bees and butterflies. We spoke to that resident and she advised us as to handle that matter appropriately. Mr. Hart asked if it is possible to have the town sprayed in the morning and not the evening when mosquito spraying continues in the spring. Ms. Salazar stated that if we take that route, we will need to find another employee with the proper license since Mr. Watson can only spray in the evening since he works full time for the Town of Chincoteague. She reminded Council that it is very hard to find someone with the proper license so we will want to weigh that decision heavily.

Planning Commission Report

Rose Pierson said that the Planning Commission is currently reviewing zoning regulations particularly recommendations made by the Zoning Administrator.

Old Business

Mayor Pierson stated that the Veterans Celebration is coming together nicely with the addition of the Accomack Community Band and George McMath. He stated that we have about twenty vendors that have donated door prizes for the veterans. He thanked Ms. Dize, Ms. Rillo and Mr. Zember for their contributions.

In the matter of the crosswalk proposal from VDOT, Ms. Salazar stated that Mr. Hart contacted her last week and asked that she print his request letter on letterhead and send it to VDOT. Ms. Salazar stated that she has taken care of that.

Mayor Pierson asked that Council make a decision about what kind of building they want to pursue for the town office. Mr. Bliss said that he would like something similar to the VVA building with a brick facade. Mr. Finney wants a stick building. Mr. Zember would like a stick building with a brick veneer. Ms. Rillo agreed adding that she wants to stay in the character of the homes and other buildings surrounding it. Mr. Zember would like to build something that can be added to later if there is a need. Mr. Hart stated that he is opposed to a concrete slab due to drainage issues as well as global warming. He added that it will also make it easier to move plumbing or heat and air in the future.

Mayor Pierson said that we still are not certain what the plans are at the OVFD so he asked that Council consider using the money to purchase smoke alarms and fire extinguishers for the residents. Mr. Bliss liked the idea. Mr. Finney said that he would like to split the money between Tasley and Onancock since they are who will be serving the Town of Onley now that OVFD does not have fire services. Ms. Dize said that she would like for the Town to give the grant money to the OVFD before the end of December. She added that she has said all along that we need to give them this money and she feels we do not

have the right to hold it. Mr. Hart agreed with Ms. Dize. Ms. Rillo said that she likes the idea of purchasing fire extinguishers and alarms. Mr. Finney stated that the Onancock & Tasley Fire Companies will be handling fire protection for our town and that is why he would like to support them. Mr. Zember asked how long we can hold the money. Ms. Salazar stated that once she turns in the Accounting Report for the grant stating that we are still holding the funds, the Dept. of Fire Programs will direct us from there.

Motion: To donate \$11,000.00 of the ATL grant to the Onley Volunteer Fire Dept. by Matt Hart and seconded by Dawn Dize. Roll Call Vote: Hart=yes; Rillo=no; Dize=yes; Bliss=no; Zember=no; Finney=no. MOTION FAILED

New Business

At this time, Councilman Hart stepped down from the Council table. Ms. Kellam stated that Mr. Hart is the owner of Riptide Real Estate LLC and has asked that Council consider entering into a Pump and Haul agreement with the town for his property located at 25514 East Main Street. A copy of the agreement will be attached to the minutes. Mr. Finney asked Mr. Hart if he has checked in to alternative systems. Mr. Hart stated that Jimmy Bundick has said that the only system that may be able to go in will take up the entire parking lot which will make the whole corner unsafe. Mr. Finney expressed concern because our ordinance states that the only way a pump and haul is usable is if there are no other options for a septic system and it sounds like a septic system is possible. Mr. Hart stated that Mr. Bundick is unsure of that. Ms. Kellam asked that Council decide if they want a surety bond or an escrow if they decide to enter into this agreement. Council agreed to a surety bond. Mr. Finney added that the ordinance also reads that this type of agreement is only for existing businesses. Ms. Kellam said that because it was once a church, she thinks it is okay.

Motion: To enter into a Pump & Haul agreement with Riptide Real Estate LLC by Susan Rillo and seconded by Woody Zember. Roll Call Vote: Hart=abstain; Rillo=yes; Dize=no; Bliss=yes; Zember=yes; Finney=no. MOTION PASSED

Ms. Salazar stated that it is our practice to write-off tax bills that are \$2.00 and under and not combined with other bills. She stated that we have 39 tax bills totaling \$45.81 and asked for Council's approval to do the write-off.

Motion: To write-off the 39 tax bills in the amount of \$45.81 by Ted Bliss and seconded by Susan Rillo. Roll Call Vote: Hart=yes; Rillo=yes; Dize=yes; Bliss=yes; Zember=yes; Finney=yes. MOTION PASSED

Public Comments

Billye D. Custis stated that the last newsletter on our website is from March 2, 2016. She added that there was no information about the Fall Clean-up or trick-or-treating in town. Ms. Salazar apologized and said that she will check into it since that information was sent to our webmaster.

Rose Pierson signed up to speak but did not wish to at this time.

Laura Belle Gordy stated that she has never had mosquitoes so bad but she has seen the sprayer come by religiously so she is unsure what the problem is. She also reminded everyone about the change of precincts since the General Election is tomorrow. She asked if the Town has taken care of moving their local elections. Ms. Kellam explained that we are working on it but nothing can be done until after the General Election tomorrow.

Council Comments

Mr. Finney said that he is glad we have the new car. He thanked the new attorney for her help and added that he is eager to get the new town office built. He thanked all of the employees for what they do.

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Mr. Zember stated that he is happy that there are some residents here interested in the process of building the new town office. He thanked the Police Department for an excellent job on Halloween. He said that the office staff is great and he has yet to have a question that they can't answer.

Mr. Bliss thanked Chief Spivey and the Police Department for doing such a great job with Halloween. He wished everyone well for the upcoming holidays adding that he will not be here for the December meeting.

Ms. Dize thanked everyone for coming. She said that she is disappointed that there was nothing on the agenda about the drainage situation in town. She had asked that it be put on the agenda since we need to go through VDOT.

Ms. Rillo agreed that Halloween was a great success and thanked the Police Department as well as Jamye and Joel in the office. She welcomed Ms. Kellam and added that she is going to be a nice addition.

Mr. Hart said that he looks forward to working with the Council on the new building. He is happy that the crosswalk letter has been sent to VDOT. He thanked Chief Spivey for walking the trick-or-treaters across Coastal on Halloween and thought what a help the crosswalk will be. He thanked the town employees, Ms. Kellam and Mayor Pierson.

Adjourn/Recess

Motion: To adjourn at 7:59pm by Ned Finney and seconded by Ted Bliss. Roll Call Vote: Hart-yes; Rillo-yes; Dize-yes; Bliss-yes; Zember-yes; Finney-yes. MOTION PASSED

Respectfully submitted by,

Jamye Salazar
Clerk/Treasurer

Jack Pierson
Mayor