

## Onley Town Council Minutes of November 14, 2012

VIRGINIA: At a Recessed Meeting of the Onley Town Council held at the Onley Fire & Rescue Building on the 14th day of November, A.D., 2012:

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

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

### Call to Order

The Recessed Town Council meeting was called to order by Vice-Mayor Pierson at 6:30pm. The invocation was given by Ned Finney. The Pledge of Allegiance to the Flag was led by Jack 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; Pierson-yes; Strautz-yes. MOTION PASSED

### Discussion of filling the position of Mayor

Mr. Pierson asked for Council's input. Mr. Strautz asked if anyone has come forward and asked to fill the position. Mr. Pierson said that no one has contacted him. No one on Council responded. Ms. Burge asked Ms. Salazar how much the Mayor is compensated. Ms. Salazar responded \$3600.00 per year. Mr. Finney made the motion to appoint Jack Pierson as Mayor. Mr. Pierson asked when the election will be. Ms. Burge asked that Mr. Finney hold off on his motion while she goes over the proper procedure for appointing a Mayor. She stated that there is a procedure in the Code of Virginia for filling vacancies. First, she explained that although Mr. Pierson is presiding over the meeting tonight, he is still sitting as a Council member. She then added that the Council should appoint a Mayor within 45 days. This appointment may be from a person on Council or a person in the community at large. She will prepare a petition to the Circuit Court to ask for a special election. She added that the Board of Elections may be very busy at this time so she is unsure as to how long it will take to have the special election. The important thing to note is that if Mr. Pierson or any other Council member is appointed Mayor, there will then be a vacancy of a Council seat as well as the vacancy of the Mayor. Mr. Strautz stated that he believed that in the past when there has been a Council vacancy a notice has been posted asking that anyone interested submit a letter of interest to the Council. Mr. Gardner asked Mr. Pierson if he wants to serve as Mayor. Mr. Pierson stated that he is willing to serve until the election but he is concerned about losing his current Council seat. Ms. Burge stated that he could re-run for his Council seat if he decides that he does not want to run for Mayor.

**Motion: To appoint Jack Pierson to the position of Mayor by Ned Finney and seconded by Don Strautz. Voice Vote:** Chance-yes; Dize-yes; Finney-yes; Gardner-yes; Pierson-yes; Strautz-yes. MOTION PASSED

Mr. Pierson thanked everyone and stated that he is very interested in what is going on in Town and he is willing to help as long as he can.

Ms. Burge stated that Council will now need to appoint someone to fill Mr. Pierson's seat. She asked if Council would like her to do the writ of election for both vacancies. Council agreed and decided to

appoint someone to fill the Council vacancy at the December meeting. Ms. Salazar asked if Council wants her to post a notice on the message board and around Town. Council agreed that this was a good idea.

**Building at 25571 East Main Street**

Mayor Pierson stated that Council has asked for and received public input on the building and now it's time for Council to make some decisions and move forward. Mr. Finney introduced Joe Hill & Mike Higgins to discuss the building. Mr. Hill stated that he is a professional member of the AIBD and has done some work on a few local buildings. Mr. Finney stated that he would like Mr. Hill and Mr. Higgins to get together and make some recommendations for combining the two building plans. He would also like to have Mr. Hill come up with some preliminary cost figures for both buildings as well as a combination of the two. Ms. Dize remembered that there was some concern about the price difference for the hallways and the meeting rooms on the two plans. She personally felt that there is not a need for so many porches and that safety is a concern as well since there seem to be a lot of entrances. Mr. Engelhart stated that the fire code may require a certain number of entrances. Mr. Finney asked if Council still wants a meeting room in the Mayor's office. Ms. Dize stated that there is a need for a smaller meeting room and she thought that initially it was going to be part of the hallway. Mr. Gardner does not feel that we need all of the windows. Mr. Hill reminded Council that this building will be here for a long time and you want it designate what Onley represents- where the Town is headed and its history as well. Mr. Strautz stated that an example of removing windows to cut costs is the new courthouse in Accomac – he thinks that it looks half finished. Mr. Finney agreed stating that what Council does now is forever. Mr. Gardner stated that he is into saving taxpayers as much as possible. Ms. Dize stated that she would like as much as we can get for as little as possible. Mr. Strautz asked that Mayor Pierson ask for public comment. Ms. Burge explained that there is no public comment at a recessed meeting since a recessed meeting is actually just a continuation of the regular meeting and that means public comments have already been accepted. That explains why there is no public comment on tonight's agenda as well as no need to adopt the agenda.

Mr. Finney stated that he has been asked by the Fire Department to have a meeting with the Town Council about some issues that they are having. Ms. Burge stated that since that item is not on the agenda, a discussion about when or whether to meet with them will need to be discussed at the next meeting. She added that if Council wishes to have a special called meeting, a notice will need to go out and three days notice would be best. She also stated that since she is unaware of the issue, she cannot say whether or not it can be done in a Closed Session.

Mr. Strautz stated that while he feels it is important to proceed with the building, he feels that no decisions should be made until there is a full Council. He feels that this will also allow Mr. Hill & Mr. Higgins to gather the information that Council has asked them to present.

**Adjourn/Recess**

**Motion: To adjourn at 7:10pm by Don Strautz and seconded by Fred Gardner. Vote:** Chance-yes; Dize-yes; Finney-yes; Gardner-yes; Pierson-yes; Strautz-yes. MOTION PASSED

---

Jamye Salazar, Treasurer

---

Jack Pierson, Mayor