

Onley Town Council Minutes of December 14, 2015

VIRGINIA: At a Regular Monthly Meeting of the Onley Town Council held at the VVA Building, 25534 East Main Street, on the 14th day of December, A.D., 2015:

Members Present: Jack Pierson, Mayor
Ned Finney, Vice-Mayor
Matt Hart
Susan Rillo
Don Strautz

Members Absent: John Dennis
Dawn Dize

Staff Present: John Spivey, Chief of Police
Jamy Salazar, Treasurer
Cela Burge, Town Attorney
John Pavlik, Zoning Administrator

Call to Order

Mayor Pierson called the meeting to order at 6:31pm.

Invocation & Pledge of Allegiance

The invocation was given by Matt Hart and the Pledge of Allegiance was led by Don Strautz.

Adoption of Agenda

At this time, Mayor Pierson introduced Debbie Bliss as the new Treasurer for the OVFD.

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

Roll Call Vote: Hart=yes; Rillo=yes; Dize=absent; Dennis=absent; Strautz=yes; Finney=yes. MOTION PASSED

Consideration of Minutes

Ms. Salazar stated that Council has a new draft of the November 2, 2015 minutes with a highlighted change to those minutes.

Motion: To adopt the Minutes of the November 2, 2015 Recessed Monthly Meeting with the change by Don Strautz and seconded by Susan Rillo. Roll Call Vote: Hart=yes; Rillo=yes; Dize=absent; Dennis=absent; Strautz=yes; Finney=yes. MOTION PASSED

Motion: To adopt the minutes of the November 9, 2015 Regular Monthly Meeting by Ned Finney and seconded by Matt Hart. Roll Call Vote: Hart=yes; Rillo=yes; Dize=absent; Dennis=absent; Strautz=yes; Finney=yes. MOTION PASSED

Motion: To adopt the minutes of the November 17, 2015 Recessed Meeting/Workshop by Don Strautz and seconded by Ned Finney. Roll Call Vote: Hart=yes; Rillo=yes; Dize=absent; Dennis=absent; Strautz=yes; Finney=yes. MOTION PASSED

Department Reports

Police Report & Schedule

Chief Spivey asked Council to ratify the approval made earlier in the month via a poll of Council to repair the radiator in the 2012 Charger in the amount of \$550.00. He added, that in addition to that, the lower ball joints in the front end, brake discs and brake pads all need to be replaced, and possibly the struts, at a cost of \$1,247.00 for everything except the struts. The struts will be an additional \$495.00 if necessary.

Council asked Ms. Salazar to contact USDA to ask if the loan for the 2012 Charger can be paid off early as well as the payoff amount.

Motion: To approve the repair of the 2012 Charger at a cost of up to \$2,292.00 by Ned Finney and seconded by Susan Rillo. Roll Call Vote: Hart-yes; Rillo-yes; Dize-absent; Dennis-absent; Strautz-yes; Finney-yes. MOTION PASSED

In reference to the schedule, Chief Spivey stated that things will go back to normal starting in January.

Motion: To approve the January 2016 schedule by Ned Finney and seconded by Don Strautz. Roll Call Vote: Hart-yes; Rillo-yes; Dize-absent; Dennis-absent; Strautz-yes; Finney-yes. MOTION PASSED
Mr. Finney asked if Officer Turner has been laser certified. Chief Spivey stated that he has.

Treasurer's Report

Ms. Salazar stated that she does not have anything unusual to report. She stated that taxes, as of today, are at about 95% of Real Estate collected and 104% Personal Property collected. At this time, she gave an overview of the budget.

Motion: To Pay the November 2015 Payables by Don Strautz and seconded by Susan Rillo. Roll Call Vote: Hart-yes; Rillo-yes; Dize-absent; Dennis-absent; Strautz-yes; Finney-yes. MOTION PASSED

Zoning Administrator's Report

Mr. Pavlik read his report into the minutes. A copy of this report will be attached. There were some questions in reference to the last issue in the report in the matter of the Snyder & Nicolls' properties. Mr. Strautz asked how the zoning of the property affects the ordinance violation. Ms. Burge stated that it has no effect. She further added that she has instructed Mr. Pavlik to take pictures of the property and notify Mr. Snyder and the Nicolls family so that there is documentation. Lastly, she stated that once the Town is aware that there is an ordinance violation, they have a duty to enforce it and there is a procedure to follow in the ordinance.

Attorney's Report

Ms. Burge stated that she has worked with Mr. Pavlik this month on the matter that was just discussed. She has spoken with Ms. Salazar in reference to a letter that was received pertaining to the building that we are using to meet. She will further discuss this matter as it is reached on the agenda but she did state that she does not recommend signing the lease that was enclosed. Lastly, she reminded Council that the official zoning map for Onley is the big one at the Town Office – not the map that was created a couple of years ago by Mr. Brockenbrough at Accomack County. Mr. Pavlik stated that there are no lot lines changes on either of our maps. He gave the example of the Royal Farms at Four Corner Plaza. Ms. Burge explained that our map is for zoning purposes only. The other information, such as property line location, should be done through Accomack County and their maps will reflect that.

Public Works

As a follow up from last month's meeting, Ms. Salazar stated that she has contacted VDOT about the sidewalk repairs stemming from the work done by ANEC over the summer. She spoke with Brooke at VDOT and a work order has been submitted for consideration of repair. Ms. Salazar stated that Simpson's performance is still satisfactory and we have a man every Monday for whatever needs to be done. The old bridge across the ditch behind the town office has been removed, the flags were put up and taken down, and the holiday lights and banners are up as well. There were also very few issues with the timers this year. They plan to start cleaning the leaves from the side of the roads in the next few weeks. Mr. Finney asked that they cut the pampas grass back from around the town signs. Ada Jo Amadeo asked that they remember W. Main Street over by her house.

Planning Commission Report

Mr. Whitaker stated that they are still reviewing zoning ordinances. He expects that they will be finished soon.

Old Business

Ms. Salazar stated that the Veterans Day Celebration Car Show was a success with about 40 participants. She is concerned that there were not as many Veterans in attendance. She added that the celebration itself was a success but there was not enough help on the day of the event. She added that she did have help with planning it this year but there were very few people to help the day of the event. She stated that if Council wishes to continue with this event next year, there needs to be more volunteers or perhaps we can hire some people. She further added that without the help of two paid workers and two trucks from Simpson, we would have been in a real bind.

Billye D. Custis stated that it was a great celebration and she felt there were more Veterans than we realized.

New Business

Mayor Pierson stated that we have received two resumes in response to the letter of interest for the attorney vacancy. We are still waiting on a third. He asked that Council wait to make a decision until the third person has responded. Mr. Finney asked if Ms. Burge will be able to sit in on the interviews. She stated that she would.

Mayor Pierson asked that Council consider moving the monthly meeting to the first Monday of the month. Mr. Finney stated that the benefit to having the meeting on the second Monday is that Ms. Salazar and Chief Spivey are able to give us a complete report. That is not always possible when we meet the first Monday. Mr. Strautz suggested that we wait to make a decision on this matter until all Council members are present. Council agreed.

Chief Spivey presented Council with a letter from Chief Davis from the OVFD requesting that we donate the 2003 Ford Crown Victoria to their Department. A copy of the letter will be attached. Chief Spivey stated that he has explained to Chief Davis that the car is in need of some serious repairs but he still wants it. He added that if they are unable to drive the car, they may decide to use it for training purposes meaning that it could be cut up/dismantled. At this time, Debbie Bliss asked to speak. She stated that she is the Treasurer for the OVFD and she asked if the car will be donated to the Fire Department or the Board of Directors of the Fire Department. She stated that it does make a difference. Chief Spivey asked what the difference is. Ms. Bliss stated that if it is donated to the Fire Department, he can ask that the Board fix it. Ms. Burge asked Ms. Bliss if the Board of Directors is a different entity than the Fire Department. Ms. Bliss stated that they are a separate entity. Ms. Bliss asked that Council hold off on making a decision on this matter until the Board meets in January. She stated that she will explain her decision to ask you to wait on this matter to Chief Davis. Council agreed to wait.

Mayor Pierson read a letter of resignation from Joel Parks into the minutes. A copy will be attached.

Motion: To accept the letter of resignation from Joel Parks by Don Strautz and seconded by Susan Rillo. Roll Call Vote: Hart-yes; Rillo-yes; Dize-absent; Dennis-absent; Strautz-yes; Finney-yes. MOTION PASSED

Mayor Pierson stated that Council has received a letter from Ann Bonniwell, the owner of the VVA building where Council currently meets. A copy of the letter will be attached to the minutes. He asked that Council decide if they wish to continue meeting at the VVA building and paying Ms. Bonniwell the \$300.00 rent per month that she has requested or if they want to pursue other options – one being the Woman's Club. Ms. Burge stated that she does not recommend that Council sign anything that has been provided at this point, but, if they wish to continue to use the current building, an agreement with Ms. Bonniwell needs to be reached. She further added that there has been some miscommunication since

the letter states that we are renting from the VVA – we have only been offering a donation for the use of the building. Mr. Finney would like to speak with Ms. Bonniwell before taking any action on this matter. Council agreed that they need more information before making a decision. Billye D. Custis stated that she has spoken with Ms. Bonniwell and her issue is not with the Town of Onley but with the VVA. She added that Ms. Bonniwell has said that the VVA has repeatedly rented or allowed others to use this building without her permission. Ms. Bonniwell wants to be fair and when she thinks she has been reimbursed for the last nine months use of the building, she will share a portion of the monthly \$300.00 with the VVA to cover utilities. Laura Belle Gordy stated that she wishes the meetings would be held at a nicer location. At this time, Council decided to talk with the Woman's Club to use their building.

Motion: To talk with the Woman's Club to see if it is a suitable meeting place for our monthly meetings by Ned Finney and seconded by Susan Rillo. Roll Call Vote: Hart-yes; Rillo-yes; Dize-absent; Dennis-absent; Strautz-yes; Finney-yes. MOTION PASSED

Ms. Salazar asked if Council wished to pay Ms. Bonniwell the \$300.00 for tonight's meeting. Council agreed.

For Review

Mayor Pierson asked if Council had looked at the building and the floor plan that he presented to them at the last meeting. He added that he is having coffee tomorrow with the developer of the property south of the VA State Police Barracks. He will ask his thoughts on our project. Mr. Strautz asked if Mayor Pierson can have his contact come and meet with the Council. Mayor Pierson agreed.

Mayor Pierson stated that he and Vice-Mayor Finney met with Ted and Debbie Bliss from the OVFD. He said that it was a good meeting and they would like for Council to rescind the original motion to split up the ATL grant and hold it until further notice. At this time, Ms. Salazar read a note from Councilman Dennis asking what needs to happen with the ATL grant money motion that was made at a previous meeting since the money has not been distributed.

Motion: To rescind the motion to split the ATL grant money between Onley, Onancock and Tasley and to table the matter until a later time by Ned Finney. At this time, Ms. Burge stated that Mr. Finney may want to make separate motions on this matter.

Motion: To rescind the motion to split the ATL grant money between Onley, Onancock and Tasley by Ned Finney and seconded by Matt Hart. Roll Call Vote: Hart-yes; Rillo-yes; Dize-absent; Dennis-absent; Strautz-yes; Finney-yes. MOTION PASSED

Motion: To table the matter of the ATL grant money until further notice by Ned Finney and seconded by Susan Rillo. Roll Call Vote: Hart-yes; Rillo-yes; Dize-absent; Dennis-absent; Strautz-yes; Finney-yes. MOTION PASSED

Mayor Pierson stated that he has been considering asking Council to drop the town vehicle tax but he has recently learned that if the Town does so, then Accomack County can come in and assess the tax to our residents. Ms. Burge agreed that this was a possibility. Council decided to leave things as they are.

Public Comments

Mayor Pierson asked Ms. Bliss if she wished to speak at this time. Ms. Bliss spoke of her background and qualifications to be the Treasurer of the OVFD. She stated that her husband is the Secretary, adding that they are both used to dealing with people in authority and they are committed to bringing about changes and addressing the animosity that exists between the OVFD and the Onley Town Council. Billye D. Custis signed up to speak. She stated that she no longer wished to speak.

Council Comments

Mr. Hart thanked Ms. Bliss and stated that he feels the OVFD needs some guidance. He is happy that the motion to split the ATL grant money was rescinded. He stated that the Veterans Celebration was great and thanked everyone for their help. He concluded by thanking the employees.

Ms. Rillo thanked everyone and wished everyone Merry Christmas and Happy New Year.

Mr. Strautz thanked everyone for coming to the meeting. He thanked Ms. Bliss and wished her well. He thanked Ms. Burge and wished her well.

Mr. Finney thanked everyone for coming to the meeting. He thanked his fellow Council Members and wished Ms. Dize a speedy recovery. He wished Ms. Burge well at her new position. Lastly, he thanked the town employees and stated that something will definitely need to be done regarding organization, etc., for next year's celebration.

Closed Session

Motion: To go into Closed Session at 8:27pm 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 & General Government, specifically related to holiday bonuses by Don Strautz and seconded by Ned Finney. Roll Call Vote: Hart=yes; Rillo=yes; Dize-absent; Dennis-absent; Strautz=yes; Finney=yes. MOTION PASSED

Open Session & Certification of Closed Session

Motion: To return to Open Session at 8:53 by Ned Finney and seconded by Matt Hart. Roll Call Vote: Hart=yes; Rillo=yes; Dize-absent; Dennis-absent; Strautz=yes; Finney=yes. 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; Dennis-absent; Dize-absent; Finney=yes; Hart=yes; Rillo=yes; Strautz=yes.

Motion: To give the following holiday bonuses: Chief John Spivey - \$600.00, Sgt. George Bennett - \$400.00, Officer Jess Long, Officer Joel Addison and Officer Aaron Turner - \$300.00, Jamye Salazar - two weeks pay, Ada Jo Amadeo - \$125.00 and John Pavlik - \$200.00 by Ned Finney and seconded by Matt Hart. Roll Call Vote: Hart=yes; Rillo=yes; Dize-absent; Dennis-absent; Strautz=yes; Finney=yes. MOTION PASSED

Adjourn/Recess

Motion: To adjourn at 8:55pm by Ned Finney and seconded by Matt Hart. Roll Call Vote: Hart=yes; Rillo=yes; Dize-absent; Dennis-absent; Strautz=yes; Finney=yes. MOTION PASSED

Respectfully submitted by,

Jamye Salazar
Treasurer

Jack Pierson
Mayor