

## Onancock Town Council Meeting

### AGENDA

August 22<sup>nd</sup>, 2016

7:00 p.m.

1. Call to Order and Roll Call
2. Pledge of Allegiance
3. Consideration and Approval of the Amended Minutes from the Regular Meeting on June 27<sup>th</sup>, 2016 and Approval of the Minutes from the Regular Meeting on July 25<sup>th</sup>, 2016.
5. Public Business
  - a. Accomack Community Band, Mr. Wayne Dize
  - b. Town Hall Historical Façade Update, Mrs. Janet Fosque
  - c. Consideration of Replacement Councilmember for Councilmember John Morgan, Mayor Russell Jones
  - d. Town of Onancock Committee Guidelines, Councilmember Catherine Krause
  - e. Drug and Alcohol Testing Policy Revision, Town Manager William Kerbin
  - f. VDOT Resolution, Town Manager William Kerbin
  - g. Appointments to the Waterfront Committee, Mr. T. Lee Byrd
6. Public Comment
7. Planning Commission Report – Fletcher Fosque
8. Personnel Committee Report
9. Holiday Committee - Catherine Krause
10. Mayor's Report
11. Town Manager's Report
12. Mayor and Town Council Comments
13. Closed Session (if needed)
14. Adjourn

Town of Onancock  
Town Council  
June 27, 2016  
7:00 PM

Call to Order and Roll Call:

Mayor Jones called the meeting order at 7:00 PM and roll was called. Mayor Russell Jones and Councilmembers T. Lee Byrd, Catherine Krause, Sandra Fox and Joshua Bundick were present. Councilmembers Fletcher Fosque and John Morgan were absent. A majority of members were present and a quorum was established.

The Pledge of Allegiance was recited.

Swearing In Ceremony:

Mayor Jones explained that the Accomack County Clerk of Circuit Court, Samuel Cooper, was present this evening to swear in the new members of council along with the re-elected members of council.

Mr. Cooper swore in Mayor Jones and Councilmembers Ray Burger and Robert Bloxom as well as presented them with their election certificates.

Mr. Cooper explained that Councilmember John Morgan would need to be sworn in before the next council meeting since he was recently re-elected.

Consideration and Approval of Minutes from the Regular Meeting on May 23<sup>rd</sup>, 2016 and the Special Meeting on May 31<sup>st</sup>, 2016:

Mayor Jones asked if there were any changes, corrections or additions to the minutes submitted for either meeting.

*With none, Councilmember Bundick made a motion to approve the May 23<sup>rd</sup>, 2016 and May 31<sup>st</sup>, 2016 meeting minutes as submitted. Councilmember Byrd seconded the motion. The motion passed by unanimous voice vote.*

Public Business:

- a. Public Hearing: Mayor Jones explained that this issue has been discussed for well over two years. Currently, the town bills locations quarterly this change would move that frequency to bi-monthly. Mayor Jones continued on to say that this change should help alleviate some of the financial burden our customers have with the quarterly billing. The rates were not changed just the minimums for water and sewer and the rates associated with those minimums. (Please note that as a point of clarification the minimum amounts billed for water and sewer were decreased, thus the rates were changed.)

Mayor Jones opened the Public Hearing at 7:13 PM.

Mrs. Fiege explained that the new minimum rates for water and sewer will be one-third less the current minimums. With that being said, the minimum usage was lowered from 5,000 gallons to 3,000 gallons. Trash will continued be billed at a rate of \$10.00 a month which means that a bi-monthly bill will have a trash rate of \$20.00. Also, the Virginia Department of Health fee which

was \$0.74 will now be \$0.50. Mrs. Fiege also shared that for some residents their first bill under the new system will be higher than normal. This is due to the fact that some locations will have three months on their first bi-monthly bill. This is a one-time scenario. The town is also preparing to send out a postcard to all active water and sewer customers letting them know of the change once it is approved by council.

Councilmember Byrd shared that he thought this change to be beneficial to the town's utility customers.

Councilmember Fox asked if the online pay option will be up and running by the time this plan goes into effect. Mayor Jones shared that may be few months before that is an option because the town is also looking into redoing its website.

Mayor Jones asked if there was any public comment on this issue.

With none, Mayor Jones closed the Public Hearing at 7:16 PM.

*Councilmember Byrd made a motion to amendment Sec. 21-45, Amendment to Water and Sewer Ordinance, to allow the town's water and sewer billing to occur bi-monthly. Councilmember Krause seconded the motion. The motion passed by unanimous voice vote.*

- b. **Davis Disposal Contract:** Mayor Jones explained that the town's contract for garbage collection through Davis Disposal is up for renewal. Mayor Jones expressed his satisfaction with the service Davis Disposal has provided the town. There is an increase in the cost of the service which is to be expected but not much more than the town had been spending on the service. Mr. Alan Silverman suggested an amendment to the contract, change "in climate" to "inclement" which is under section seven of the contract.

Council and the public were asked for comments on this proposal.

*With none, Councilmember Krause made a motion to approve the amended Davis Disposal Contract effective July 1<sup>st</sup>, 2016 through June 30<sup>th</sup>, 2020. Councilmember Fox seconded the motion. The motion passed by unanimous voice vote.*

- c. **Zoning Administrator:** Mayor Jones explained that this motion was necessary to give the incoming town manager the tools he needs to hit the ground running when he takes his post July 18<sup>th</sup>, 2016.

*Councilmember Bundick made a motion to appoint the IN-Coming Town Manager, William Kerbin, Jr., as the Onancock Zoning Administrator effective July 18<sup>th</sup>, 2016. Councilmember Byrd seconded the motion. The passed by unanimous voice vote.*

- d. **Town Treasurer:** Mayor Jones reiterated the fact that this motion also enables the in-coming town manager to fulfill his duties as required.

*Councilmember Bundick made a motion to appoint the In-Coming Town Manager, William Kerbin, Jr., as the Onancock Town Treasurer effective July 18<sup>th</sup>, 2016. Councilmember Byrd seconded the motion. The motion passed by unanimous voice vote.*

- e. Discussion of Town Hall Façade: Councilmember Krause explained that once the bushes in front of Town Hall were removed it became glaringly obvious that the building is need of some attention. Mrs. Janet Fosque contacted a man that specializes in historical restorations, Mr. Paul Touart. Mr. Touart was kind enough to come out and examine the building and draft a proposal for needed repairs that would be period specific. Councilmember Krause suggested that council and staff look at the proposed scope of work and create a timeline for the different stages of the restoration project. Councilmember Krause also explained that once a decision is made on how to proceed with the building restoration then the proposal from the Tree Board regarding landscaping in front of Town Hall can commence.

Ms. Ann Nock, Market Street, thanked council for looking into this project. Ms. Nock also suggested that Mr. Touart be hired to work on the restoration.

Public Comment:

Ms. Ann Nock, Market Street, thanked the town staff and the Onancock Business and Civic Association for their hard work on fixing up the town gazebo.

Mr. Haydon Rochester, King Street, thanked Councilmembers Fox and Byrd for serving on town council. Mr. Rochester also thanked Mayor Jones for running for one more term. Mr. Rochester continued on to thank newly elected Councilmembers Ray Burger and Robert Bloxorn for stepping up to serve the town.

Planning Commission:

No meeting

Personnel Committee:

No meeting.

Waterfront Committee:

Councilmember Byrd shared that Harbormaster Melcher and her assistants were doing a great job at the marina this year. Councilmember Byrd reported that fuel sales are ahead of last year as are slip reservations. Councilmember Byrd commended the Onancock Business and Civic Association for the revolving listing of volunteer drivers for town's transient boating guests. Councilmember Byrd shared that the town was awarded \$200,000 in grant monies from the Virginia Port Authority to begin work on Phase 1 of the marina improvements which will begin with the installment of floating slips. Councilmember Byrd shared that the signage at the wharf has been mostly replaced with the appropriate signs and the parking lot has been restriped to assist with easier parking for trailers. Councilmember Byrd closed with thanking council and members of the public for allowing him to serve on Waterfront for the past four years.

Holiday Committee:

No meeting.

**Mayor's Report:**

Mayor Jones thanked Councilmembers Byrd and Fox for their years of service. Mayor Jones handed out a gift from the town for both of them.

Mayor Jones shared that council is still continuing its work on drafting policy which would lay down the guidelines for town committees. Mayor Jones projected that once the guidelines are in place along with the new town manager and councilmembers the committees will be reconstituted probably in about a month.

Mayor Jones shared that the town was approached by an organization that audits companies' utility bills to make sure that they are paying for services they are actually using. Mayor Jones continued on to say that this is something that the town will be looking into to hopefully curtail unnecessary spending on its telephone and electric services.

Mayor Jones shared the reason for his desire to run again for Onancock Town Mayor. Due to the need for the town to hire a new town manager and with two members of council not seeking re-election, Mayor Jones felt it would be best for the town's continuity to stay on for one more term.

**Mayor and Town Council Comment:**

Councilmember Bundick thanked Councilmembers Byrd and Fox for their service on town council, sharing that they have both been great mentors to him over the past two years.

Councilmember Krause mimicked the sentiment as well as thanked Mayor Jones for staying on two more years.

Councilmember Byrd thanked council for all their hard work as well as their comradery.

Ms. Nock, Market Street, asked that council reach out to Lt. Governor Ralph Northam by inviting him to the Ice Cream Social up on by the Onancock Business and Civic Association.

**Closed Session, if needed:**

None.

**Adjourn:**

*Councilmember Byrd made a motion to adjourn. Councilmember Fox seconded the motion. The motion passed by unanimous voice vote.*

The meeting was adjourned at 7:48 PM.

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Russell Jones, Mayor

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Lisa Fiege, Deputy Clerk

Town of Onancock  
Town Council  
July 25, 2016  
7:00 PM

Call to Order and Roll Call:

Mayor Jones called the meeting to order at 7:00 PM and roll was called. Mayor Russell Jones and Councilmembers Robert Bloxom, Ray Burger, Joshua Bundick and Fletcher Fosque were present. Councilmembers Catherine Krause and John Morgan were absent. A majority of members were present and a quorum was established.

The Pledge of Allegiance was recited.

Welcome to New Town Manager:

Mayor Jones welcomed William H. Kerbin, Jr to the Town of Onancock. Mayor Jones shared that he has been working with Mr. Kerbin to get him acclimated to the pending needs of the town.

Mayor Jones also welcomed the two new councilmembers, Mr. Robert Bloxom and Mr. Ray Burger.

Mayor Jones explained that Councilmember Morgan has not been able to attend council recently due to health reasons.

Consideration and Approval of the Minutes from the Regular Meeting on June 27<sup>th</sup>, 2016:

Mayor Jones asked if there were any changes, corrections, or additions to the meeting minutes as submitted.

Mrs. Shirley Zamora, North Street, was concerned about the wording used to explain the new utility billing structure. The minutes state that there is no rate change but in fact there is a change in the minimum consumption amount as well as the fee for those minimums.

Mayor Jones stated that they would look into it but that to his knowledge the rates have not changed.

*Councilmember Bundick made a motion to approve the minutes as submitted. Councilmember Fosque seconded the motion. The motion passed by unanimous voice vote.*

Public Business:

- a. Tree Board Presentation: Postponed.
- b. Historical Society Request for Funds for an Exhibit at Hopkins Brother's Store: Councilmember Fosque presented the proposal from the Historical Society of the Eastern Shore of Virginia. Councilmember Fosque started with some background on the proposed project, the Historical Society of the Eastern Shore of Virginia was awarded some monies from the Onancock Business Civic Association (OBCA) from last year's Christmas Homes Tour proceeds. The Historical Society is looking to do an exhibit at the Hopkins Brother's Store highlighting Onancock's vast mercantile history. Unfortunately, the award from OBCA is not enough to fund the project. The Historical Society is asking the town to give them the left over Jamestown funds, totaling \$4,500.00, to assist with completing the exhibit. The Jamestown monies had been given to the

town on December 17<sup>th</sup>, 2007. The monies were left over from the Jamestown 2007 event. The suggestion was that the town use those dollars to educate visitors on Onancock's rich history.

Mr. Caleb Fowler, President of the Historical Society of the Eastern Shore of Virginia's Board, spoke about the vision of the project. The Historical Society would like to create a mini-museum down stairs at the Hopkins Brothers Store. The exhibit will have huge displays, visual montages, artifacts as well as a history of Onancock. It is estimated that about 20,000 people visit Mallard's at the Wharf each year. Mr. Fowler shared that they have a captive audience and believes that this exhibit will be well received and a huge benefit to the town in the way of tourism.

Mayor Jones asked what the timeframe was to start work on the project. Mr. Fowler said they are ready to begin immediately.

*Councilmember Fosque made a motion to appropriate \$4,500.00 to the Historical Society of the Eastern Shore of Virginia from the left over proceeds from the Jamestown 2007 event. Councilmember Burger seconded the motion. The motion passed by unanimous voice vote.*

Public Comment:

None.

Planning Commission Report:

Councilmember Fosque shared that the Planning Commission reviewed the timeline for the revisions to the Comprehensive Plan as well as possible regulations to Airbnbs. The new Town Manager, Mr. Kerbin, was in attendance.

The Virginia General Assembly reviewed legislation last session that would restrict what localities can regulate pertaining to Airbnbs. The Virginia Municipal League (VML) heavily opposed the legislation, feeling that localities should be able to regulate these issues on their own without state intervention. Currently, the bill was tabled and has an approval date of 2017. The state is reviewing the subject matter via a study which will review possible rules governing how localities can proceed with regulating Airbnbs. Councilmember Fosque shared that VML is encouraging localities to adopt regulations before the state can pass this legislation proving that localities can handle this issue on their own without state intervention. Councilmember Fosque shared that they discussed requiring Airbnbs to obtain a Special Use Permit prior to operating as an Airbnb as well possibly only allowing them to have no more than six people renting the home that is owner occupied.

Mayor Jones asked about those individuals who have summer homes in Onancock and rent their homes out at other times, how would this affect them. Councilmember Fosque shared that the goal is not to outlaw them but to restrict them.

Mayor Jones asked when Council can expect to have a proposal from the Planning Commission. Councilmember Fosque said within sixty days.

Councilmember Fosque explained that he wanted to take a preemptive stance on this issue as oppose to reacting to problems that may arise in the future.

Mayor Jones shared that there has been an effort to get feet on the street and those that vacation in town shop and dine here as well. Also, empty homes with for sale signs are not as appealing. Councilmember Fosque stated that people in residential districts deserve to have their rights protected.

Personnel Committee Report:

None.

Harbormaster's Report:

Mr. Kerbin shared Harbormaster Melcher's report with council. Gas sales are up as is transient slip rentals. The additional security cameras have arrived and town staff will be installing them shortly. The wharf staff have also been changing the door code regularly to cut down on non-slip renter usage of the facilities.

Mayor Jones shared that the wharf is getting great reviews on the web.

Holiday Committee Report:

Councilmember Krause was absent so Councilmember Fosque shared that there was no meeting but that the additional holiday banners came in and Mrs. Fosque is in the process of making sure they are all correct.

Councilmember Burger asked if there was any update on the historical banners that will go up after the holiday banners come down. Councilmember Fosque shared that the artist is still working on the design.

Mayor's Report:

Mayor Jones shared that Mr. Lawton and family were in town over the weekend to drop the girls off at Camp Occohannock. Mr. Lawton's health has substantially improved since the transplants. He is still weak but definitely on the mend.

Mayor Jones also shared that Councilmember Morgan has been having reoccurring liver problems which run in his family. Currently, the family is looking into liver transplant options. Mayor Jones continued to share that Councilmember Morgan has yet to swear in for his new council term and he suspects that council will need to look at potential candidates to fill Councilmember Morgan's post.

Town Manager's Report:

Mr. Kerbin thanked everyone for the opportunity to be part of the Onancock team. Mr. Kerbin shared that staff has done a great job during his transition and he looks forward to working with council and the public as well.

Mayor and Council Comments:

Councilmember Fosque shared that he was glad to have Mr. Kerbin on board.

Councilmember Bloxom shared that the wharf has greatly improved its customer service this years. Staff is doing an excellent job.



Closed Session, if needed:  
None.

Adjourn:

*Councilmember Burger made a motion to adjourn. Councilmember Bundick seconded the motion. The motion passed by unanimous voice vote.*

The meeting adjourned at 7:45 PM.

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Russell Jones, Mayor

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Lisa Fiege, Deputy Clerk

**SUGGESTED MOTION:** Mr. Mayor, I move to approve a variance for the Accomack Community Band to operate a haunted house on October 14-15, October 21-22, and October 28-29.

**AGENDA**                      **TOWN COUNCIL**                      **August 22, 2016**

**SUBJECT:** Granting a variance to the Halloween ordinance to allow a haunted house to be held on nights other than October 31.

**RECOMMENDATION:** Staff recommends approval of the proposed action.

**TIMING:** October 14-15, October 21-22, and October 28-29

**DISCUSSION:** The Accomack Community Band has held a haunted house for 5 years. The Town's Halloween ordinance restricts activities celebrating Halloween to the night of October 31. This requested variance would allow the operation of the haunted house on nights other than October 31.

**Staff:** Bill Kerbin  
Town Manager

**Attachment:** N/A

**Copy:**

**SUGGESTED MOTION:** Mr. Mayor, I move to appoint T. Lee Byrd to the Onancock Town Council to fill a vacancy left by John Morgan.

**AGENDA**                      **TOWN COUNCIL**                      **August 22, 2016**

**SUBJECT:** Appointment of T. Lee Byrd to the Onancock Town Council

**RECOMMENDATION:** N/A

**TIMING:** Current

**DISCUSSION:** John Morgan has not been sworn in due to health concerns. The Onancock Town Code allows the mayor to appoint a successor to this vacancy within this time period.

**Staff:** Bill Kerbin  
Town Manager

**Attachment:** N/A

**Copy:**

**SUGGESTED MOTION:** Mr. Mayor, I move to adopt the Town of Onancock Committee Guidelines and apply these guidelines to all existing Town Council appointed committees.

**AGENDA**                      **TOWN COUNCIL**                      **August 22, 2016**

**SUBJECT:** Adoption of Town of Onancock Committee Guidelines

**RECOMMENDATION:** Staff recommends approval of the committee guidelines.

**TIMING:** Current

**DISCUSSION:** The current Town Council appointed committees do not have uniform guidelines. The proposed guidelines will provide a framework for committee membership and selection. These guidelines would apply to the Planning Commission, Tree Board, Waterfront Committee, Marketing Committee, Personnel Committee, Holiday Committee and any other council appointed ad hoc committee.

**Staff:** Bill Kerbin  
Town Manager

**Attachment:** Committee Guidelines

**Copy:**

Town of Onancock Virginia  
Committee Guidelines

**Purpose**

- Committees will be appointed by the Mayor subject to the approval of the Town Council
- The Town Council will establish the committee's role, membership and leadership.
- Committees are advisory in nature and exist solely for the purpose of fulfilling the role and direction authorized by the Town Council.

**Definitions**

Committee: A committee in the Town of Onancock is a body of at least 3 persons appointed to consider, study, investigate and/or take action on assigned matters. Committees are established to fulfill a specific purpose or serve in an advisory role to the Town Council as well as allowing greater citizen participation.

**Types of Committees**

Mandated Committees: Those committees in continuous existence as mandated by State Law and/or Town Code. (See attachments).

- Planning Commission.
  - The Planning Commission must have at least one town council member that serves as either chairman or active member.
- Tree Board
  - The Tree Board is a citizen committee that reports directly to the Town Manager.

Standing Committees: Ongoing committees as recommended and approved by the Town Council. A standing committee must have at least one town council member that serves as either chairman or active member.

- Waterfront committee
- Marketing committee
- Personnel committee

Ad Hoc Committee: A committee established for a specific need or purpose; generally on a short-term basis. An ad hoc committee is a citizen based committee and reports directly to the Town Council.

- Holiday committee

**Membership**

- The Mayor with Town Council confirmation will appoint the committee chairperson.
- The committee chairperson may recommend potential committee members and present their nominations to the Mayor.
- Appointed committee members will serve for two years.
  - Committee membership/appointment will be reviewed by the Mayor, with the approval of Council, at the start of his/her term of office.
  - Preference will be given to Town residents. If a vacancy occurs and there is not a town resident interested in serving on a committee, the Mayor may appoint a nonresident to serve on a committee with Town Council approval.

Town of Onancock Virginia  
Committee Guidelines

- If a new committee member is needed during a term the chairperson may recommend a replacement and submit the nomination to the Mayor. The Mayor with Town Council approval may appoint the new committee member.
- There will be at least three but not more than seven committee members on any committee, unless otherwise defined by town code or state law.
- The following will apply to all committee members
  - Some knowledge and/or experience in the field is preferred for all committee members.
  - Individuals interested in serving on committees should express their interest to the Onancock Town Manager's Office.
  - Those interested in serving on a committee may be asked to write a brief summary explaining their interest and experience.
  - A list of interested individuals will be provided to the Mayor, Town Council and Committee Chairperson for consideration.
  - Interested persons should be aware that on some occasions there are not enough vacancies to accommodate all who are interested in particular Committee assignments.
  - Continued nonattendance at scheduled meetings may be cause for a member to not be reappointed.

**Agenda**

- To observe the Freedom of Information Act (FOIA) requirements an agenda must be established for each meeting and published by the town clerk. Agendas are normally published at least 7 days in advance of a meeting.

**Meetings**

- Committees will establish written goals and revise those goals annually.
- A written report will be submitted to the Town Council on an annual basis.
- Standing committees must meet at least twice annually or it may be that the purpose of the committee has expired.
- A record of the meeting will be made in kept in the town files.
  - Meeting minutes will be a factual record of the actions of the committee.

**SUGGESTED MOTION:** Mr. Mayor, I move to approve the drug and alcohol testing policy revision effective October 1 2016; and to make it effective for all employees; and to incorporate this policy revision into the Town of Onancock personnel manual.

**AGENDA**                      **TOWN COUNCIL**                      **August 22, 2016**

**SUBJECT:** Revision and implementation of Drug and Alcohol Testing Policy

**RECOMMENDATION:** Staff recommends approval of the policy revision

**TIMING:** October 1, 2016

**DISCUSSION:** The Town has a drug and alcohol testing policy for its safety sensitive employees as part of its personnel manual; however, this policy has not been followed. I have revised this policy to include all employees in order to make the policy uniform throughout the organization. If approved by Council, the policy will become effective October 1, 2016.

**Staff:** Bill Kerbin  
Town Manager

**Attachment:** Revised Drug and Alcohol Testing Policy

**Copy:**

## MEMORANDUM

TO: Mayor and Town Council for the Town of Onancock  
FROM: Bill Kerbin, Town Manager  
SUBJECT: Revised Drug and Alcohol Testing Policy  
DATE: August 22, 2016

The town has a drug and alcohol testing policy for its safety sensitive employees as part of its personnel manual; however, this policy has not been followed. The policy applied to safety sensitive positions only. I have revised this policy to include all employees in order to make the policy uniform throughout the organization. If approved by Council, the policy will become effective October 1, 2016.



## **XI. ALCOHOL AND DRUG FREE WORKPLACE**

### **A. Employee Responsibilities**

1. No employee shall unlawfully manufacture, dispense, possess, use, or distribute any controlled substance, medication, or alcohol.
2. Any employee convicted under a federal or state statute regulating controlled substances shall notify their supervisor and the manager within five days after the conviction.
3. No employee shall consume alcoholic beverages immediately before work, during work hours, or while at work during breaks or lunches.
4. No employee shall be impaired by alcoholic beverages immediately before work, during work hours, or while at work during breaks or lunches.
5. No employee shall represent the Member in an official capacity while impaired by alcohol, illegal drugs, or medication.
6. No employee, using medication that may impair performance, shall operate a motor vehicle or engage in safety sensitive functions while on duty for the Member.
7. If an employee is using a prescription or non-prescription medication that may impair performance of duties; the employee shall report that fact to his or her supervisor.
8. An employee who has reason to believe that the performance of another employee is impaired by alcohol, illegal drugs, and/or medication shall immediately notify the supervisor or manager.

**Disciplinary Action.** Because of the serious nature of illegal use or abuse of alcohol, controlled substances, and/or non-prescribed use of medication, appropriate employee disciplinary action will be taken, up to and including termination.

### **B. Drug & Alcohol Testing**

In order to achieve a drug-free work place, all employees and applicants for employment shall be required to participate in all of the following alcohol and controlled substances testing:

1. When an applicant for a position has been extended a conditional offer of employment but before beginning work.

2. When there is a reasonable suspicion to believe that the employee is in an impaired state.
3. When the employee has been involved in an on duty accident or has endangered others in the workplace.
4. On a random basis.
5. As a condition for return to duty after testing positive for controlled substances or alcohol.
6. As part of follow-up procedures to return-to-duty related drug or alcohol violations.

**SUGGESTED MOTION:** Mr. Mayor, I move to adopt the Town of Onancock VDOT Resolution that will relieve the Town of the obligation of securing a surety bond each time a land use permit is submitted for work on public works and public utilities' projects on Commonwealth of Virginia highway systems.

**AGENDA**                      **TOWN COUNCIL**                      **August 22, 2016**

**SUBJECT:** Adoption of Town of Onancock VDOT Resolution related to securing surety bonds

**RECOMMENDATION:** Staff recommends approval of the VDOT Resolution.

**TIMING:** Current

**DISCUSSION:** This resolution will relieve the duty of the Town to secure a surety bond each time a permit is secured for public works and public utilities' projects involving Commonwealth of Virginia highway systems. The Town is required to continue to carry liability insurance, specified in the resolution, to cover personal injuries or property damages that arise from the work.

**Staff:** Bill Kerbin  
Town Manager

**Attachment:** Town of Onancock VDOT Resolution

**Copy:**



## TOWN OF ONANCOCK

15 North Street  
Onancock, VA 23417

### RESOLUTION

**WHEREAS**, it becomes necessary from time to time for the Town of Onancock of Onancock Virginia to obtain land use permits from the Virginia Department of Transportation to install, construct, maintain and operate certain public works and public utilities projects along, across over and upon highway systems of the Commonwealth of Virginia; and,

**WHEREAS**, expense, damage or injury may be sustained by the Commonwealth of Virginia growing out of granting to the Town of Onancock of Onancock, Virginia by the Virginia Department of Transportation of said permits for the work aforesaid;

**NOW, THEREFORE, BE IT RESOLVED** by the Town of Onancock this 22<sup>nd</sup> day of August, 2016:

**Section 1:** That in accordance with the provisions of Section 24VAC30-151-720 of the Land Use Permit Regulations of the Virginia Department of Transportation, the Town of Onancock of Onancock, Virginia does hereby grant assurances to the Virginia Department of Transportation (VDOT) that it shall in all respects comply with all of the conditions of the permit or permits that have been, or will be, granted to the Town of Onancock of Onancock, Virginia and that said jurisdiction does hereby certify that it will carry liability insurance for personal injury and property damages that may arise from the work performed under permit and/or from the operation of the permitted activity as follows: up to one-million dollars (\$1,000,000.00) each occurrence to protect the Commonwealth Transportation Board members and the Virginia Department of Transportation's agents or employees; seventy-five thousand dollars (\$75,000.00) each occurrence to protect the Commonwealth Transportation Board, the Virginia Department of Transportation or the Commonwealth of Virginia in an event of suit.

**Section 2:** That the Town Manager, or their designee, be, and hereby is authorized to execute on behalf of the Town of Onancock of Onancock, Virginia all land use permits and related documents of the Virginia Department of Transportation.

**Section 3:** That this shall be a continuing resolution and shall not be revoked unless and until sixty (60) days written notice of any proposed revocation be submitted to the Virginia Department of Transportation.

**Section 4:** That the Town of Onancock of Onancock, Virginia shall, if requested by the Virginia Department of Transportation, provide a letter that commits using the surety provided by its contractor or to have the contractor execute a dual obligation rider that adds the Virginia Department of Transportation as an additional obligee to the surety bond provided to the locality, with either of these

options guaranteeing the work performed within state maintained right-of-way under the terms of the land use permit for that purpose.

**BE IT STILL FURTHER RESOLVED** that the Town Manager, or their designee, be, and hereby is authorized and directed to procure insurance required by Section 1 herein.

The foregoing Resolution was adopted by the Town of Onancock Town Council at its regular meeting held on August 22<sup>nd</sup>, 2016 in Onancock, Virginia.

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Town of Onancock

**SUGGESTED MOTION:** Mr. Mayor, I move to appoint the following individuals to the Town of Onancock Waterfront Committee: Bill Bagwell; Council Member Bob Bloxom; T. Lee Byrd; Council Member Fletcher Fosque; Steve Johnsen; John Krolling, consultant; Mayor Russell Jones; and Town Manager Bill Kerbin.

**AGENDA**                      **TOWN COUNCIL**                      **August 22, 2016**

**SUBJECT:** Appointment of Town of Onancock Waterfront Committee Members

**RECOMMENDATION:** Staff recommends approval of the appointments.

**TIMING:** Current

**DISCUSSION:** The attached list of individuals is a recommendation for the Town of Onancock Waterfront Committee.

**Staff:** Bill Kerbin  
Town Manager

**Attachment:** List of Proposed Waterfront Committee Members

**Copy:**

Proposed Waterfront Committee Members  
August 22, 2016

Bill Bagwell

Bob Bloxom - Councilmember

T. Lee Byrd

Fletcher Fosque - Councilmember

Steve Johnsen

John Krolling \*

\* consultant

Russell Jones-- Mayor

Bill Kerbin-- Town Manager

Town Manager's Report  
August 22, 2016

Community Outreach

I have reached out to downtown business owners, local government officials and other leaders of the community to find out current concerns and issues. I attended the Onancock Business Civic Association meeting on August 9 and will continue to attend these meetings on a regular basis.

I365 Cloud Support

We are waiting for a quote from Cards Technology regarding I365 Cloud Support. The town will have 3 generic accounts, Wastewater, Police and wharf and 3 specific accounts, 3 work stations at town hall. The system will allow departments to share documents with one another.

Utility Audit

I have been working with Troy and Banks, a utility and telecommunications consulting firm, regarding performing a utility audit. This firm will review our utility bills and look for savings. The firm will receive a percentage of the savings as a form of payment and will not charge the town any other fees for this service. I will review and plan to sign the contract for this audit next week.

Website Update

I have received 3 proposals from website design companies to upgrade our existing Town website. I am awaiting more information from one of the vendors regarding pricing and clarification of annual services included after the website is installed. Once received we will select a vendor. A summary of the proposals is in the packet.

Onancock Police Department July Report

A summary of police activities for July 2016 is found in your packet.

Harbormaster Report

For slip rentals, business has been steady averaging around 3 to 4 boats on a daily basis. The Fishing Bay Yacht Club will be here on Saturday August 13. The Indian Creek Yacht club will be here between September 30 and October 2 with approximately 14 boats. The Wicomico Club is returning to the Onancock Wharf this fall and has been providing good feedback on our facility. Gasoline sales have increased. The harbormaster would like to extend special thanks to T.Lee Byrd and Bill Bagwell for their help with price setting; advice on fueling up and cost/price comparisons; and maintenance. The Wharf has sold 36 seasonal stickers to non-Onancock residents. Daily ramp sales have been steady. Staff has developed a list of Onancock residents



who do not have trailer stickers. The list is shared with the Town Office weekly. Staff continues to encourage Onancock residents to visit the Town Office to register their trailers.