

TOWN COUNCIL MEETING  
MAY 14, 2013

**PRESENT**

Fred Janci, Mayor

Bonnie Munn, Vice-Mayor

Tres Atkinson

Stuart Bell

Selina Coulbourne

Aileen Joeckel

John Joeckel

Town Clerk, Diana Brown

**TOWN COUNCIL MEETING**

*I. Public Comments*

- A. Carol Burnham once again came to Council to address the condition of the Diamond property on Main Street. Her concern remains that someone will fall in the septic tank and human feces are still in the house and door is not secured. There are more children in Town which makes the danger worse. The Town needs to put pressure on Catholic Charities and the family to do something. There needs to be a planned attack to take care of it and be proactive before someone gets hurt. People are mowing the grass, but it is worse because the Town cannot charge the owners and make them responsible. Catholic Charities is willing to work on it but the family continues to say they want to fix up the house. Mrs. Burnham does not think that would or could be done due to its deteriorating condition.

Mayor Fred Janci stated that he has spoken to the Town Attorney who advises that the Town needs a Public Nuisance ordinance, which it has and then can ask the owners to at least board up the house and cover the septic tank. Mr. Janci will talk with attorney again and try to make progress on this issue.

- B. Bonnie Munn addressed the ongoing problem with her next door neighbors regarding the two pit bulls and garbage which continues to be strewn all over. Another neighbor, Linda Moist, also called about these same dogs and informed us they too got into the trash and attacked her border collie. She has called the Sheriff who has assigned a case number. Ms. Munn has spoken to the owner, Maureen Dooley, who did nothing but refer her to Irene Lewin, who manages the property, and who also has done nothing. Animal Control has been called but no action taken. Selina Coulbourne will call her contact at Animal Control. Neighbor contends dogs are not hers. There is concern that something bad will happen.
- C. Joann Cantamessa stated that she had not seen the notice about the Seaside Park Cleanup Day or she would have been glad to help. She thinks there needs to be other forms of disseminating information when there is a need for volunteers and other events. They will try to begin collecting e-mail addresses.
- D. Tom Nielsen from Nielsen Engineering Services introduced himself. He is representing the Wachapreague Marina LLC who is in the process of installing a new septic system. One requirement is a 10'x30' easement at the northeast corner of Main Street and Atlantic Avenue at the edge of Seaside Park to drill a 3' depth in order to cross Atlantic and Main Street. He has the permit from VDOT to cross State highways, but VDOT would not permit them to cross diagonally across Atlantic; it has to go at right angles. They will drill underneath but if any digging is necessary, the client will restore street affected by digging.

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Mr. Nielsen is requesting the Town Council grant the easement. He thinks it would be beneficial to the Town to have the Marina up and running. Discussion and questions followed. Mrs. Burnham reminded Council of the need to check the covenants with the Nature Conservancy. Councilman John Joeckel stated two problems: 1) Because it is public land, this may require a Public Hearing; and 2) the covenant with The Nature Conservancy specifically states "Septic tanks, septic fields and any other type of permanent waste treatment will not be allowed on or under the property". Town would need to consult Town Attorney and potentially the Nature Conservancy.

Randy Lewis stated that there was an access in the original system through the Island House when he sold the property. The Island House has refused the easement. Mr. Nielson replied that the 1988 deed does not allow an easement.

Mayor Janci will call the Town Attorney and inquire if a septic "pipe", not a waste system, would be allowed. Mr. Nielson confirmed that the Wachapreague Marina will pay attorney fees for the easement business.

*II. Call to Order*

Mayor Fred Janci called the Town Council Meeting to order at 7:40 p.m. Tuesday, May 14, 2013 in the Wachapreague Town Hall.

*III. Pledge of Allegiance – Mayor Janci opened the meeting by leading the Council and Public in the Pledge of Allegiance.*

*IV. Approval of Minutes*

- A. Mr. Joeckel made a correction on Page 2, VII. Old Business, A.3.c. to add "as well as Job Descriptions for all Town employees".
- B. John Joeckel made a motion to approve the revised Minutes for the April 9, 2013 Town Council Meeting as corrected. Councilman Bonnie Munn seconded the motion. There being no further discussion, the motion was voted upon and passed unanimously.

*V. Review of Financial Report*

- A. Mr. Joeckel reported the first Meals Tax was above expectations. The second payment is due May 20<sup>th</sup> which is needed in order to give an indication for planning in the FY2014 Budget.
- B. The Transient Tax is \$1500 shy from last year. Town Clerk is working on collecting past due amounts.
- C. Payroll is down about \$3000 because of Town Council not taking compensation.
- D. Expenses are up due to cost of Annual Audit. This expense will be saved in the coming year.
- E. Net Income is up \$6000 due to reduction in compensation and addition of Meals Tax.
- F. Port of Wachapreague is ahead of budget by \$13,000.
- G. Town should be able to contribute approximately \$9000 and the Marina \$12,000 to the Capital Fund.
- H. The Town has approximately \$80,000 in Checking and the Marina \$96,000. Currently there is \$50,000 in a Money Market earning ½%. Mr. Joeckel recommends increasing the Money Market account and reducing Checking by adding an additional \$50,000 from the Town and, if allowed, \$50,000 from the Marina into one account. This would generate an additional \$1500 in interest. Aileen Joeckel made a motion to transfer these funds as allowed. Selina Coulbourne seconded the motion. There being no discussion, the motion was voted upon and passed unanimously.

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VI. *Old Business*

A. MARINA –

1. Dredging

- a. Mr. Joeckel advised that the letter of request has been sent to VPA changing the amount requested from \$25,000 to \$80,000 for repairs and dredging. We will not know until June if funds will be available.
- b. The VMRC permit expired in January. Mr. Badger advised they have all the information but the town will need to reapply for new permit. It will then be good for five years.
- c. Mr. Joeckel has spoken to Bruce MacMaster who will be available to assist in the dredging project ,as needed. His fee is \$25.00/Hour.
- d. Still waiting for responses from other Marinas whether or not they want to participate.
- e. Mr. Joeckel will send letters to contractors as available for proposals.
- f. The permit for the containment area expires in August. Town Clerk needs to renew and put on schedule to renew each year.

B. TOWN MAINTENANCE/GARBAGE –

1. Vehicles – Bonnie Munn reported that the Brush Truck has been repaired.

2. Mayor Janci asked about a Work Log for the Maintenance Crew in order to track work that is done. Ms. Munn will look into this.

C. TOWN HALL BEAUTIFICATION/MAINTENANCE – Tres Atkinson has not spoken to Chris Wardius yet. Discussion followed about when to have work done. Council concurred that monies already approved and to proceed with work when Mr. Wardius is available.

D. STREETS AND DRAINAGE–

1. Councilman Stuart Bell reported that a pothole at Finney and Main has been repaired. He was able to call VDOT in Richmond to obtain a work order and then contacted Mr. Marsh locally. The repair was completed the next day.

E. Councilman Aileen Joeckel reported that a local citizen relayed to her that VIMS has painted curbs yellow on their own causing a problem for parking of trucks and trailers. Council concurred that VDOT should decide where to limit parking and which curbs should be painted.

F. SAFETY/SECURITY

1. Councilman Selina Coulbourne has not heard of any more dogs being poisoned. She has spoken to Deputy Alex Tucker of the Sheriff Department's Animal Control. He has done some investigating and started a file, but there is not enough evidence to take action beyond that.

2. There are some citizen reports of break-ins on some properties, but not sure if reported to authorities.

3. Food, plants, brush, etc. are being thrown on the Diamond property.

G. 911 SYSTEM

1. Ms. Coulbourne will meet with Jeff Flournoy and Frieda of the County office next week for a conference call with MSAG to find out what the Town needs to do.

H. POWELL MEMORIAL TOWN PARK

1. Ms. Munn has spoken to Mr. Burton who advises that Parks and Recreation is working on the Park. They are building a counter for a new sink, which may be available in Exmore, repairing the sign and doing maintenance except the tennis courts.

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2. Ms. Munn found out that the Tennis Court Grants would be matching grants.
3. Maintenance Crew was to have ordered parts to repair the fence. She will find out status.

I. SEASIDE PARK

1. Mayor Janci has a bid from Victor Santos for maintenance. He noted need to appropriate funds if the Park is to be maintained, as the work is way beyond the scope for the Town Maintenance Crew and volunteers. Mayor Janci is working on some areas; weeding, etc. and Vernon and Cathey Bell have adopted a section. Mr. Kellam is donating free mulch.
2. Ms. Joeckel reviewed the work that was done on the Cleanup day and expressed what an eye opening experience it was to realize how much work is needed.
3. Mayor Janci will meet with Virginia Witmer of DEQ from Richmond on May 15<sup>th</sup> to explore possibilities for assistance from the Master Gardeners or other organizations. Discussion followed. John Joeckel made a motion to authorize the Mayor to spend \$1000 for work on Seaside Park. Selina Coulbourne seconded the motion. There being no further discussion, a Roll Call Vote was taken and passed. The Motion and Roll Call Vote are attached hereto to these minutes.
4. Route 13 Sign – Mayor Janci reported that Lewis Landscaping was to have completed this week. He will check.

J. TOURISM

1. Tourism Working Group – Aileen Joeckel made a motion to establish the Town of Wachapreague Business and Tourism Advisory Board and adopt the Guidelines for this board. Bonnie Munn seconded the motion. A Roll Call Vote was taken and passed. The Motion, Roll Call Vote and Guidelines are attached hereto to these minutes.
2. Business & Tourism Board - Aileen Joeckel made a motion to approve the appointments of the following Board Members to serve a three year term: Aileen Joeckel, Wachapreague Town Council; Nikki Wardius, Wachapreague Inn; Blake Johnson, Island House & Marina; Katrina Neal, Charter Boat Captains; Joann Cantamessa, Town resident; Cathey Bell, Town Events; P.G. Ross, Virginia Institute of Marine Science. Bonnie Munn seconded the motion. A Roll Call Vote was taken and passed. The Motion and Roll Call Vote are attached hereto to these Minutes.
3. Ms. Joeckel reported on the Board's monthly meeting. Vera Zdravkovich will assist with the marketing and leverage grant. Joann Cantamessa and Cathey Bell will work on the Bike and Walking Route. She will ask Cathey Bell to meet with Kirk Mariner regarding the historic portion. Parks and Rec will install Bike Path signs. Trees are to be trimmed at Route 13 Highway sign. Chris Wardius will provide an estimate for a kiosk. Mark Luckenbach from VIMS will be transferring to Gloucester. P.G. Ross will be the Interim Director. Marine Science Day will be September 28<sup>th</sup> from 10a to 2p. The Board is brainstorming possible Town events: an old-time 4<sup>th</sup> of July Celebration from 2p to 6p.; an event for the ladies on the Chick Charter; Town Yard Sale in early September. They are working on obtaining e-mail links for everyone in Town.

K. CHANNEL DREDGING

1. Mr. Joeckel reported that the dredge is in place in Wachapreague Channel .

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- L. *DELINQUENT REAL ESTATE TAXES AND TOWN TAGS/DECALS*
  - 1. Mayor and Town Clerk reported that Darryl Lilliston has promised to make a payment toward his delinquent taxes, but has not done so thus far. Stuart Bell has not been able to contact David Grimes. No one knows where he is but house has a For Sale sign. Town Clerk has contacted the County Treasurer regarding the Evans property. They have paid taxes on other properties in the County except for Wachapreague. She will have attorney, hired by County, contact them. There are two other properties to address, Riahi and grass cutting invoice for SunTrust Bank (Dobler property).
- M. *PLANNING COMMISSION & BZA APPOINTMENTS*
  - 1. Ms. Joeckel reported that Pete Hodgson will serve. She needs to identify one more member.
- N. *BZA Appointments –*
  - 1. Ms. Joeckel has a couple of leads and will follow up as soon as Planning Commission is complete.
- O. *Golf Cart Ordinance*
  - 1. Mr. Joeckel reported that there are no new updates. Waiting for responses to letters. Once responses, need to move on placing signs.
- P. *Mosquito Control*
  - 1. Ms. Coulbourne waited a long time for Ehrlich's contact. The representative thought he could find a better, more comprehensive plan as there was a pilot program for magnets. However, the Town would not qualify as it is for residences. They have nothing to offer that is within the Town's budget. Since it is the beginning of mosquito season, need to decide on plan. Discussion followed about expense of using a company from Delaware to place dunks. Most Towns have someone in Town certified to do this. Ms. Cantamessa recommended a local business, Turf-N-Termite Management, Michael Scott. Ms. Coulbourne will follow up with him.
  - 2. Mr. Joeckel has information regarding the Virginia Mosquito Control Association. The membership is \$15.75/year. He recommends that the Town become a member. Town Clerk will follow up on this.
- Q. *FY2014 Budget*
  - 1. Mayor Janci and Mr. Joeckel will meet with Sandy Russell to work on draft budget.
  - 2. The following is the schedule of meetings: Work Session, Tuesday, May 28, 2013 7:00 p.m.; Advertise Proposed FY2014 Budget May 29- June 1; Public Hearing at regular monthly Town Council Meeting Tuesday, June 11, 2013 7:00 p.m.; Special Town Council Meeting to vote on Budget Tuesday, June 18, 2013 7:00 p.m.
- VII. *New Business - None*
- VIII. *Announcements*
  - A. Mayor Janci announced that the Wachapreague Volunteer Fire Company has sent a Thank You note for the Town's recent donation.
  - B. Dan Bilicki was concerned about helicopters landing on Seaside Park and has contacted ANEC to install devices on power lines to warn them and ANEC will do it..
  - C. Mayor Janci attended FEMA Workshop. He distributed information on the improvement in the Floodplain. In the future, the Town will need an ordinance so that people will not lose their insurance.

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- D. Mr. Joeckel announced that the National Flood Insurance Program has passed the Biggert-Waters Flood Insurance Reform and Modernization Act that will result in large increases in flood insurance premiums. Current flood insurance holders will pay an additional 20-30% each year for the next several years to refund the NFIP.
- E. Mayor Janci has received comments from several citizens to change zoning on Main Street to make it consistent and be zoned Commercial and Residential. Mr. Joeckel stated the need for the Planning Commission to look at Zoning in general, especially the Waterfront, as it develops the Comprehensive Plan.
- IX. Adoption of Motion for Closed Session
  - A. Bonnie Munn made a motion for Council to move into closed session to discuss hiring of new Town Clerk. Tres Atkinson seconded the motion. A Roll Call Vote was taken and passed. The Motion and Roll Call Vote are attached hereto to these minutes.
- X. Resolution to Reconvene Open Meeting
  - A. Bonnie Munn made a motion to reconvene open meeting. Tres Atkinson seconded the motion. A Roll Call vote was taken and passed. The Motion and Roll Call Vote are attached hereto to these Minutes.
- XI. Hiring of New Town Clerk
  - A. Aileen Joeckel made a motion to hire Carolyn Weeks as the new Town Clerk for the Town of Wachapreague at a starting salary of \$11.00/Hour to be reviewed in three (3) months. Tres Atkinson seconded the motion. A Roll Call Vote was taken and passed. The Motion and Roll Call Vote are attached hereto to these Minutes. Diana Brown will assist Lynn in orientation and training.
- XII. *Adjournment*
  - Tres Atkinson made a motion to adjourn the meeting. Bonnie Munn seconded the motion. The motion was voted upon and passed unanimously. The meeting was adjourned at 9:55 p.m.

DFB  
05/18/2013

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MAYOR

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CLERK