

TOWN OF WACHAPREAGUE TOWN COUNCIL MEETING

July, 8th 2021

COUNCIL PRESENT: Fred Janci Mayor, Sandie Puchalski, Vice Mayor; Robert Williams,
Robert Bilicki, Stephen Joseph
COUNCIL ABSENT: Glenn Schagelin, Margo Digan
TOWN CLERK: Charlie Gibble

I. Town Council Meeting

Meeting began at 7:00 PM

Council took a moment to have a silent prayer.
Pledge of Allegiance followed the prayer.

Mayor Janci asked if there were any public comments.

Aileen Joeckel suggested having the public comments after the HRSD presentation. Mayor Janci agreed.

II. Mayor Janci asked if everyone had a chance to review the minutes for June 10th.

Vice Mayor Sandie Puchalski motioned to approve the minutes. Councilman Bob Williams 2nd the motion. All agreed.

III. Review of Financial Report

Mayor Janci asked if everyone had a chance to review the Town Financials for June 2021. Mayor Janci said we have a tentative net gain of \$19,610.

Councilman Bob Bilicki thanked Blake Johnson and his management of the Island House. Councilman Bob Bilicki stated Blake has helped his restaurant and the town of Wachapreague.

Councilman Bob Bilicki made the motion to accept the town financials. Vice Mayor Sandie 2nd the motion. All agreed.

Mayor Janci stated the Port of Wachapreague has a net gain of \$12306.50. Councilman Bob Williams motioned to approve. Vice Mayor Sandie 2nd the motion. All agreed.

Mayor Fred Janci thanked VM Sandy Puchalski and all the Council for keeping the marina and town on target.

IV. HRSD Presentation

Mayor Fred Janci asked Rob Duma to introduce himself. Handouts were given to everyone present.

Rob Duma stated he was a civil engineer with Davis, Bowen and Friedel. Rob explained he was at the meeting to talk about sewer service with HRSD.

He stated that HRSD started approximately two years ago doing a study about sewer service on the eastern shore. Rob Duhma and his company are estimating the cost will be about \$20,000,000 running a line 20 mile line from Nassawadox, pick up the town of Exmore and run to Onancock where the sewer will be treated.

Rob Duma is not working for HRSD. He is hired by the town. HRSD agreed to bring the pipeline within two miles of the town of Wachapreague. They are looking at taking care of the waterfront businesses in the first phase. There are 3 alternatives that they are looking at. The first one is gravity, most efficient but most expensive. The 2nd is grinder pump, least expensive to install and it requires higher maintenance, it would need to be replaced approximately every 10 to 15 years. Operational cost is also higher. Third system is a vacuum which is in the middle of the gravity and grinder price to install.

The town's goal is to hand over as much of the maintenance to HRSD. He said it should be fairly easy to lay the pipes in the ditches along the roads. If roads are torn up they will take care of fixing them.

Rob Duma explained using the maps in the hand out lines on the maps to show where the pipes will run. He explained the green line is taking the sewer out of town. The green blip is the proposed pumping station that would serve the downtown, waterfront, and VIMS properties. Red lines are the town service and the green lines represent VIMS. Homes along the lines would be able to hook up to sewer as well.

Robert Duma asked Councilman Bob Bilicki to explain the map he had marked up. Duma handed the HRSD conversation over to Councilman Bob Bilicki.

Council man Bob Bilicki introduced himself as a council member since 2017. Councilman Bilicki stated he was employed by VIMS Eastern Shore as an independent consultant overseeing construction, supervision and inspection of contractor E.D. Dresher.

Councilman Bob Bilicki stated we have established boundaries for the town of Wachapreague. Councilman Bilicki said we must also think of the future. We do not want to be foolish and only design a system within our town boundaries. Councilman Bilicki stated we need to plan ahead 50 years. The projected area of growth are shown on the map that Councilman Bob Bilicki marked up.

Councilman Bob Bilicki stated we must be proactive and think of growth for the future. He said the size of the pump should accommodate the corporate limits use, and the future according to the projected areas of growth.

Rob Duma said he needs to pin down critical numbers from HRSD to finish the study and come back to council with a completed report. The completed report will have a recommendation and cost associated with it. That report can be used to implement the next phase to procure design and construction of sewer proposal, or to decide that it sounds great, but it is a lot of money and wait until more funds are available. The town will have the report and they can decide to act upon or not act upon.

Rob Duma stated this a good opportunity for the town to get sewer. HRSD is essentially subsidizing the eastern shore from their large revenues from Virginia Beach. They have the health of the bay in mind.

Rob Duma opened the meeting up for questions. Vice Mayor Sandie asked what commercial properties they were planning to cover. Rob Duma said it is covering commercial on Atlantic and Brooklyn. They would also put stub connections at vacant lots. Councilman Bob Bilicki stated that the sewer line is coming down Brooklyn instead of Atlantic because Brooklyn is a high mark. Atlantic is prone to flooding. Rob Duma stated we are at Phase 1 where commercial properties would be hooking up to sewer. Phase 2 may or may not require incorporated residential properties to hook up.

Mayor Fred Janci stated HRSD is now willing to extend the distance to within 2 miles of town.

Dr. Snyder stated the VIMS is prepared to donate the lot for the pump and haul station.

Councilman Bob Williams said before we can do anything we need to have the study completed in order to have the data to know how much money is required before we apply for a grant.

Ashely Mill from A-NPCD stated that they are looking into what is needed to fund the study. Ashley also talked about the survey regarding sewer.

Councilman Bob Bilicki recommended the survey be posted on the website.

Rob Duma stated our water table is high, septic systems are old, and the guidelines for septic are becoming more stringent. He stated that a centralized public sewer system is a good box to have checked for development.

A gentlemen from the audience stated that in today's age none of the homes in Wachapreague would pass current requirements. He asked the towns people "how close is your current sewer system to your well?" He reported where he lives it has to be at least 100 feet apart. He stated that it is time for this town to get up to speed on their infrastructure.

Councilman Bob Bilicki stated this is a onetime offer from HRSD. VIMS, Island House, and the motel need to be a part of this.

He went on to say the town sewer project has the backing of Congresswoman Elaine Luria, Senator Lynwood Lewis, & Delegate Robert Bloxom.

Mayor Fred Janci stated we have asked VIMS for help.

Dr. Steve Snyder commented that his commitment still stands. He will provide his personal services to help bring the sewer to town. He will assist personally with grant writing.

Rob Duma introduced Steve Johnsen, who stated he had started three years ago to bring sewer to the Eastern Shore. He explained that Nassawadox, and Exmore gave up their facilities. He reported that Onancock was turning their facility over to HRSD. HRSD has taken over Onancock.

This facility will take care of the waste needs of Nassawadox, Exmore, & Onancock. HRSD hopes to hook up other communities as well. A contract is being negotiated with the Rails to Trails affiliates to run the pipeline along the trail. Johnsen said HRSD is not requiring the residence of the towns to hook up. That decision will be made by the town.

Elaine Meil from the Executive Director of the Accomack-Northampton Planning District spoke next. She stated that the Chesapeake Bay Foundation sued the town of Onancock in order to make the Commonwealth of Virginia force Onancock into regulating their sewage. The Onancock sewage system is too large for their town. She discussed that the state of Virginia's goal is to have the entire Eastern Shore hooked up to public sewer. The tactics to enforce public sewer, will be to charge astronomical prices to put a new septic systems in. Another tactic would be deed restrictions that will require hook up or new septic system when a property is sold or inherited.

Elaine Meil replied that USDA does funding to help towns. She said the town needs to write a letter requesting money and help with obtaining the grant needed.

Ilene Joeckel stated there are no towns like there were one hundred years ago. She was concerned that anybody currently living here will not be able to afford the cost. She is afraid the town will become like Cape Charles where people are moving in from other areas saying how inexpensive it is to live here.

Mayor Janci stated that people in town like the fact when they flush the toilet there is no expense incurred. Maybe in five years they will change their minds.

Mayor Fred Janci also stated if we could get VIMS to help with the funds it would make it easier to get the money needed.

Elaine Meil stated that A-NPDC would help best they can. Mayor Fred Janci asked the town if they wanted to proceed with A-NPDC to ask for help in getting grants to do the sewer project.

Vice Mayor Sandie Puchalski said if we can get help for funding, we should go for it.

Elaine Meil stated she needs a letter from the town requesting their grant writing assistance. She will coordinate with DR. Snyder on writing a grant.

Eileen Joeckel asked if this will be put to a town vote if we receive the funding.

Mayor Fred Janci stated it would be.

Mayor Janci thanked everyone that spoke regarding the HRSD project.

I Public Comments – Mayor Janci asked if there was any other business that we need to attend to.

- Vice Mayor Sandy stated there will be a softball tournament at Powell Park for the Coast guard either the 11th or the 13th of July.
- Councilman Bob Williams stated that he filled out the application for land permit at VDOT for solar sign on Main St. The \$100.00 application fee was paid for. Once that is returned Councilman Bob Williams stated that we can move forward on the sign.
- Chris Wardius stated that it was called to his attention within the past week or so that Glenn Schagelin has been running an air B&B out of his house. Chris introduced Jennifer and Deane Honeycutt as the owners of the home on High St. He went on to say that they had been shut down for running an Air B&B last fall. Chris stated that Glenn is located in a residential area and the Honeycutts are located in a residential area. Wardius reported the Honeycutts were told to apply for a variance.
- Jennifer Honeycutt stated they wanted to run an air B&B to help pay for the house. She said they applied for a business license. Jennifer said the check was cashed and we heard nothing from the town so they believed they were ok to proceed. Then they received a letter that said the license had been denied and they should apply for a variance. Jennifer said they sent a check for \$175.00 to apply for a variance, it was cashed and they heard nothing. She stated that this was around March or beginning of April of this year.
- Vice Mayor Sandie Puchalski asked about the process for obtaining a variance. Mayor Janci stated that it has to go before the zoning board of appeals.
- Jennifer stated that she was told it would go immediately to the zoning officer and then to the appeals board. She said she had been informed that they would be told when to go to a town council meeting for the appeal.
- Mayor Fred Janci stated that it does not go to town council. It is a separate zoning board of appeals meeting.
- Jessica Honeycutt stated that they have heard nothing.
- Mayor Fred Janci apologized he said there is no reason why that meeting was not scheduled that he knows of. He said a meeting should have been scheduled. Mayor Fred Janci stated that Charlie is our new town clerk and I will have her get in touch with Eileen Joeckel to schedule a meeting. Eileen will get her group together, set a meeting and you will be notified. Mayor Fred Janci stated that the \$175.00 check is for the zoning board appeals to meet with Eileen and make a decision.
- Councilman Bob Bilicki asked, “Does the decision for zoning come to council for final approval?”

- Mayor Fred Janci said no, that is the zoning appeals decision, just as is was with VIMS. Mayor Fred Janci said to set a date. The Honeycutts need to be aware of that date well in advance. Mayor Janci went on to report the hearing will be here at either town hall or the fire hall. Fred Janci said I can only act in what is in the zoning ordinance. That's why I acted the way I did. The procedure is, just because I say no doesn't mean it is necessarily no. I am bound by what is on that paper. It will go to 5 members of the zoning board. It will be their decision.
- Jennifer Honeycutt said to be fair we never got a response.
- Vice Mayor Sandie Puchalski stated that part of the problem was we were in the mist of looking for a new town clerk. She said we really didn't have a town clerk, February, March and started interviewing in April. She said the end of April we hired Charlie and she is just learning everything now. Vice Mayor Sandi said she apologized for that. Vice Mayor Puchalski said it probably got lost in the gist of things Mayor Janci stated we are not making excuses. It's been paid for well in advance, and they are due their hearing in front of the board. Vice Mayor Sandie Puchalski asked, "Wouldn't Cash Rourke of gotten a permit before Glen and Susan?" The permit just carried over.
- Jennifer Honeycutt was talking loudly in the background saying that there obviously some people who don't follow the rules.
- Mayor Fred Janci stated that situation has nothing to do with this case. Mayor Janci said to the Honeycutts that you will go to the board, state your case and it will be up to them.
- Chris Wardius stated that Glen and Susan Schagelin are running an Air B&B, it is on the computer.
- Mayor Janci said we will have to look and see when it became a rental unit.
- Chris Wardius stated this was brought up before.
- Councilman Bilicki stated he brought it up and Councilman Glen Schagelin was told to take the sign down.
- Mayor Janci asked when Glen and Sue's apartment became a rental.
- Vice Mayor Sandie Puchalski stated this was a rental when Susan and Glen owned the home. She stated she knows because she used to clean for Cash O'Rourke, the previous owner. Mayor Sandie thought that O'Rourke had a permit and the Schagelin continued. Vice Mayor Sandie had no idea if they had a variance.
- Chris Wardius stated he didn't think it should be grandfather in.
- Councilman Bob Bilicki stated it shouldn't convey. Councilman Bob Bilicki stated it was hurting the Wardius business and it is a violation.
- Vice Mayor Sandie Puchalski said she wasn't disagreeing with what they were saying.
- Councilman Bob Bilicki stated he wanted this on the record that when Mayor Janci said remove the sign. Councilman Glen Schagelin said he shouldn't have put that sign up. Councilman Bob Bilicki stated the sign is down but Councilman Glen continues to rent it as an Air B&B. Councilman Bob Bilicki stated Glen and Susan Schagelin have no business license.

- Mayor Sandie Puchalski stated they do.
- Councilman Bob Bilicki state why was this granted without any of us knowing this. Mayor Fred Janci stated it has been granted for years.
- Councilman Bob Bilicki said to Mayor Janci you took a sworn oath to up hold the ordinances and the laws of the state and he is ignoring it.
- Mayor Janci asked Councilman Bob Bilicki what is your argument here. Are we talking on the problem, or sworn oath?
- Mayor Janci asked if he Councilman Bob Bilicki wanted to bring it up as new business at the next meeting. Mayor Janci stated you can bring it up as new business in the next meeting.
- Mayor Janci said to the Honeycutts that they are going to have their hearing.
- Mayor Janci stated we will have to check is it legal, does Schagelin have a business license? Mayor Janci stated I don't know sitting here if he has one. Does he have a zoning variance? I will have to check into it.
- Chris Wardius asked is this something everyone else knew about and I just became privy to it?

Chris Wardius stated the town of Onancock owns the Marina and the Historical Society Mallards Restaurant. Cape Charles owns the marina and they rent to different entities. Could the town of Wachapreague buy the eye sore of a marina, get a grant and do something with it?

Vice Mayor Sandy said the town couldn't afford it.

Mayor Fred Janci said even with grant money the town would have to come up with additional funds.

Mayor Fred Janci responded to Wardius, Do your homework and bring it to a town hall meeting.

Councilman Bob Bilicki showed a map and paperwork regarding a lawsuit. He stated the town maybe sued by the owners of the Birds property.

Councilman Bob Bilicki stated we should put more money in the budget for legal fees.

Vice Mayor Sandie stated that the Birds are saying the town of Wachapreague is over stepping their boundaries. She stated that the boundaries were surveyed. They were supposed to be sent to the Birds.

Many different conversations ensued.

Mayor Janci stated that Eric of the Timmons Group did the survey of the property. Attorney David Rowen has not spoken to the Timmons group yet. Mayor Janci has updated the town clerk, Charlie, and informed her that the Timmons group and Attorney Rowen will be discussing this subject.

XII. Adjournment

Motion was made by Councilman Bob Williams and 2nd by Vice Mayor Sandie Puchalski. All approved.

MAYOR

TOWN CLERK

8/12/2021