

Onley Town Council Minutes of January 8, 2018 **(Postponed from January 4, 2018)**

VIRGINIA: At a Regular Monthly Meeting of the Onley Town Council held at the Onley Baptist Church, 25501 W. Main Street, on the 8th day of January, A.D., 2018:

Council Members Present: Ned Finney, Vice-Mayor  
Ted Bliss  
Dawn Dize  
Matt Hart  
Susan Rillo  
Woody Zember

Council Members Absent: Jack Pierson, Mayor

Staff Present: John Spivey, Chief of Police  
Rachel Kellam, Town Attorney

**Call to Order**

Vice-Mayor Finney called the meeting to order at 6:30pm. Mr. Finney thanked the citizens and everyone for coming to the meeting and enduring the weather. He said that the town and everyone else are doing the best that they can with the current weather/snow situation. He added that Mayor Pierson is in the hospital with some serious medical problems and we wish him all the best.

**Invocation & Pledge of Allegiance**

The invocation was given by Dawn Dize and the Pledge of Allegiance was led by Matt Hart.

**Adoption of Agenda**

**Motion: To move item #8 New Business to before item #6 by Ted Bliss and seconded by Susan Rillo.**

**Roll Call Vote:** Hart=yes; Rillo=yes; Dize=yes; Bliss=yes; Zember=yes; Finney=yes. MOTION PASSED

**Consideration of Minutes**

**Motion: To accept the minutes of the December 4, 2017 Regular Monthly Meeting by Susan Rillo and seconded by Ted Bliss. Roll Call Vote:** Hart=yes; Rillo=yes; Dize=yes; Bliss=yes; Zember=yes; Finney=yes.

MOTION PASSED

**Motion: To accept the minutes of the December 21, 2017 Special Meeting by Susan Rillo and seconded by Ted Bliss. Roll Call Vote:** Hart=yes; Rillo=yes; Dize=yes; Bliss=yes; Zember=yes; Finney=yes. MOTION PASSED

PASSED

**Motion: To adopt the agenda with the change adopted earlier by Ted Bliss and seconded by Susan Rillo. Roll Call Vote:** Hart=yes; Rillo=yes; Dize=yes; Bliss=yes; Zember=yes; Finney=yes. MOTION PASSED

PASSED

**New Business**

**Motion: To accept the resignation of Joel Parks from the Clerk position by Ted Bliss and seconded by Woody Zember. Roll Call Vote:** Hart=yes; Rillo=yes; Dize=yes; Bliss=yes; Zember=yes; Finney=yes. MOTION PASSED

**Motion: To appoint Jamye Salazar to the position of Town Manager with an annual salary of \$55,000.00 by Susan Rillo and seconded by Ted Bliss.**

At this time, Mr. Hart said that he would like to speak before the vote is taken. He said that he is concerned that the Town Charter does not allow for a Town Manager. Ms. Kellam said that should the Town decide to hire a Town Manager, then the Mayor steps into an advisory role. Mr. Hart said that

there is no Town Manager in the operating roles of the charter. Mr. Finney said he believes that we adopted a resolution until we can send the charter change to the General Assembly. Ms. Kellam agreed that a resolution is sufficient.

**At this time a vote was taken on the previous motion: Roll Call Vote: Hart-no; Rillo-yes; Dize-yes; Bliss-yes; Zember-yes; Finney-yes. MOTION PASSED**

## **Department Reports**

### **Police Report & Schedule**

Chief Spivey stated that there is a week in February that he and Officer Long will attend CIT training. It will serve as their in-service training for two years as well. In the matter of the recent snow storm, he said that he has never had a more difficult time since he has lived on the Shore. He and Officer Coulter worked continuously with himself working a 26.5-hour shift. He and Officer Coulter spent a lot of time carrying stranded people home or getting them to the store for food. He commended Esther from Royal Farms for keeping the store open and offering services to a lot of people in need. Officer Long assisted one resident (for four days) who has medical issues and their home health provider was unable to get to them. There were numerous welfare checks provided by all of the officers. He said that he is interested in starting a registry for residents that want to be checked on in times of need. Walmart was the only other place open and they checked on them repeatedly throughout the day. Ms. Dize said that she was checked on twice and it was very reassuring. Mr. Finney said that he has had positive feedback about the department in the snow. Mr. Zember agreed adding that they were helpful to his family as well.

**Motion: To accept the February 2018 Police Schedule by Susan Rillo and seconded by Dawn Dize. Roll Call Vote: Hart-no; Rillo-yes; Dize-yes; Bliss-yes; Zember-yes; Finney-yes. MOTION PASSED**

### **Financial Report/Payables**

Ms. Salazar said that the October 2017 meeting minutes were completed before she left but she has been unable to find them. She was made aware of an issue with the computers at the office while she was gone and she is still hoping to restore the missing minutes, otherwise they will have to be re-done. Ms. Salazar gave the financial report at this time. She pointed out a \$10.00 shortage in the Petty Cash. She will put that amount to miscellaneous expense. She noted that the Anthem/BCBS bill looks odd since Joel Parks will no longer be covered as of January 1<sup>st</sup> and now that she is back in the employ of the town, she will need to reimburse the town for her daughter's dependent health insurance which will happen this week.

**Motion: To Pay the December 2017 Payables and additional payables by Ted Bliss and seconded by Susan Rillo. Roll Call Vote: Hart-yes; Rillo-yes; Dize-yes; Bliss-yes; Zember-yes; Finney-yes. MOTION PASSED**

### **Attorney's Report**

Ms. Kellam said that she worked on the BZA appointments made at last month's meeting. She asked that Council take another look at the motion to appoint Ms. Bliss and Ms. Mitchell when it is reached on the agenda.

### **Zoning Administrator's Report**

Mr. Pavlik was unable to make the meeting due to the weather.

### **Planning Commission Report**

Ms. Pierson was unable to make the meeting but called Ms. Salazar and said that there was nothing new to report.

### Old Business

Mr. Finney stated that the borings have been done on the property at 25571 E. Main Street. He has spoken with Jimmy Bundick and Mr. Bundick has made contact with GMB and their contractors and things are progressing.

Mr. Bliss stated that it appears there was a conflict with his motion to appoint BZA members at last month's meeting.

**Motion: To rescind the motion to appoint Deborah Bliss and Carolyn Mitchell to the BZA by Ted Bliss and seconded by Susan Rillo. Roll Call Vote:** Hart-yes; Rillo-yes; Dize-yes; Bliss-yes; Zember-yes; Finney-yes. MOTION PASSED

**Motion: To appoint Deborah Bliss and Carolyn Mitchell to the BZA by Susan Rillo and seconded by Dawn Dize. Roll Call Vote:** Hart-yes; Rillo-yes; Dize-yes; Bliss-yes; Zember-yes; Finney-yes. MOTION PASSED

### Public Comments

Billye D. Custis said that the Police Department has done a good job during the storm.

### Council Comments

Mr. Hart asked to make a few notes for the record. He asked that someone verify that the recorder is on. He stated that he is disappointed with Council after learning about a \$25,000.00 under the table offer that was made to the person that is now our Town Manager. He stated that the fact that he is not included in the under the table deals is disheartening and he does not think that it is fair to him or to the Public. He added that Chief Spivey made a visit to his office after Ms. Salazar resigned and made the comment that he (Mr. Hart) should make Jamye an offer that she can't refuse. Mr. Hart found that to be distasteful since Chief Spivey was her subordinate. Mr. Hart stated that he recently witnessed Officer Long sit for over three hours at the Police Station. He added that he has witnessed him several times sit there for hours. He called Chief Spivey because we are under a state of emergency. He further added that due to the location of his house, he can't help but notice how long the police officers "just sit". He stated that it is rather discouraging to see this and he can't imagine what they are doing in the office for three hours. He said that there was a car stuck on Pennsylvania Avenue while he was on the phone with Chief Spivey. Mr. Hart said that within ten minutes of speaking with the Chief, Officer Long left the office but drove past the stranded car. Mr. Hart said he and another town resident walked over to help push them out; he noted that Officer Long did not help at all. Mr. Hart said that he set an email to Council to try to get some help with plowing the streets. He thought it was a good idea since VDOT was tied up. He received no reply from any one. He said that if Council wants to play this game that is fine but he will make sure that the public knows what is happening. He added that a lot of people in this town are upset about what's going on. He stated that people were messaging him on Facebook asking when the town was going to be cleared. He said that the VDOT truck did not come through side streets until this morning. He spoke with Adam Simpson and Mr. Simpson said he could have cleared the roads on Saturday morning. He thinks it would have been in the best interest of the town to have done that. Mr. Hart said that all Council cares about is building the new town office and he thinks to put that above the safety of town residents is distasteful and embarrassing.

Ms. Rillo said that she does not know what Mr. Hart is referring to concerning the \$25,000.00. Mr. Hart said that she was a part of that meeting and she does know what he means. Ms. Rillo disagreed and further stated that in the meeting they were merely having a discussion about bringing our Town Manager's salary in line with other Town Manager's salaries. She said that nothing was done "under the table". Mr. Hart stated again that Council was trying to do something "under the table". Ms. Rillo again stated that they were not, it was just a discussion and she asked Mr. Hart to allow her the floor since it is now her turn to speak. She then said that no one came to her and suggested that Council make Jamye

Onley Town Council Minutes of January 8, 2018 (Postponed from January 4, 2018)

an offer she can't refuse so she feels that Mr. Hart took that the wrong way. She said that she takes issue with his comments "what we do to you". She feels that he is taking everything personally adding that no one is doing anything to Mr. Hart or to anyone else. In the matter of the roads, she said that if the matter was so important, he should have called her on the phone. She said that she is not able to constantly check her email throughout the day. Mr. Hart agreed and said that he will do that next time. Mr. Finney asked that Mr. Hart not call him. She said that it is discouraging to her that Mr. Hart is so down on his fellow Council Members. She feels that the police officers are doing a good job. She said that while Mr. Hart says a lot of people contacted him to complain, she did not have one person contact her with a complaint.

Mr. Bliss addressed the issue of the \$25,000.00 under the table comment. He stated that it was part of a discussion to determine if a salary increase would keep Ms. Salazar from leaving our employment. He stressed that no offers and no promises were made. He then asked Ms. Salazar to confirm that. Ms. Salazar confirmed that Mr. Bliss was correct. Mr. Bliss then said that Ms. Salazar told him that money was not the issue. He added that Ms. Salazar did tell him part of the issue but since he was told that in confidence, he would not be sharing that information. He will let Chief Spivey speak on the matter with Officer Long. As far as the roads are concerned, the roads belong to VDOT and they do not want anyone arbitrarily scraping roads. Mr. Bliss said that he has an issue of Mr. Hart offering up Simpson's crew to clean the roads. He stated that Mr. Hart is not authorized to spend money without the rest of Council's approval. Mr. Hart stated that he did not approve the expense – he just wanted to know if they could do it. Mr. Bliss stated that there is some confusion here because as he understands it Mr. Simpson was preparing to come on Saturday and clean the roads until Mr. Finney was contacted. Mr. Bliss said that his biggest concern is the disclosing of information that was handled in closed session. Mr. Bliss added that what is said in closed session is private. Mr. Hart said that is was not supposed to be discussed anyway since it did not pertain to what the closed session was about. Mr. Bliss said that it did pertain to a personnel matter which was the reason for the Closed Session. Mr. Hart said "you slipped up and you know it". Mr. Finney said he will speak to that when it is his turn. He said he has all of Mr. Hart's post from social media disclosing closed session information.

Ms. Dize reminded everyone that she does not have a computer or an email so she was not aware of any of these matters. She resents things being put on social media and she would never put this town in jeopardy. She does not like being accused of doing anything under the table. She added that there was a discussion of a raise in the amount of \$20,000.00 and she was not in favor of that. She felt the \$10,000.00 was more appropriate. She said that the problem with this Council is that everyone is at each other's throat and some are very distrustful. She said that she was born in the town and no one can feel about it like she does because it has always been her home. Lastly, she said that if you're not happy with things on Council, you should resign.

Mr. Zember thanked everyone for coming. He thanked the police officers for doing such a good job during a state of emergency. He feels that things were done as well as they could have been considering the situation. He stated that VDOT has been working 12 hour shifts for the last six days. He would like the town to send a letter commending them for all that they have done. Lastly, he said he wants to see this Council start getting along better and communicating more. He stated that he did not have any complaints or calls throughout the last few days either.

Mr. Finney said that he spoke with Chris Isdell from VDOT about the matter of the town cleaning the streets. Mr. Finney added that Mr. Isdell stated that he would like to have the help from the town but in doing so, the town would be accepting the liability if anything goes wrong. He did not feel that we could make the town liable if something is torn up or broken. Mr. Finney said that he received a phone call from Mr. Hart asking what the Council was going to do about cleaning the streets. Mr. Finney said that he explained to Mr. Hart that we cannot do anything since VDOT owns the roads and the town cannot accept the liability should something go wrong. Mr. Finney said that at this point in the telephone

Onley Town Council Minutes of January 8, 2018 (Postponed from January 4, 2018)

conversation, Mr. Hart began to curse at him, and he in return cursed at Mr. Hart. At this time, Mr. Finney apologized to Mr. Hart adding that he was just very upset because he has never been spoken to in such a manner over the telephone. Mr. Hart began to speak and Mr. Finney asked that he be allowed to speak since he had the floor. Mr. Hart continued to speak stating that you (Mr. Finney) run your mouth to everybody and it comes back to me. Mr. Finney said that we are all supposed to be professional and behaving like this is not professional. Mr. Hart said because he doesn't support Mr. Finney's building, Mr. Finney runs him down everywhere. Mr. Finney read a social media post from Mr. Hart's Facebook page where Mr. Hart wrote that he "ripped Mr. Finney like a drill sergeant". Mr. Hart stated that he did say that because he was upset. Mr. Bliss said that everyone on Council has issue with Mr. Hart's character and now we can't trust him with confidential information. Mr. Hart said he doesn't trust Mr. Bliss for making deals under the table. Mr. Bliss reiterated that there was nothing under the table – it was just a discussion to try and hold on to a good employee. Mr. Hart asked why he wasn't included in that discussion. He added that he knows Mr. Zember feels the same way because they have discussed it. Mr. Bliss said that Mr. Hart has criticized Ms. Salazar, Chief Spivey and Mr. Finney repeatedly. Mr. Finney said that Mr. Hart has criticized everyone that has worked for the town at one point or another. Mr. Hart denied that. Mr. Finney asked Mr. Hart where his bumper stickers are stating "Make Onley Great Again". He added that he thinks Onley is pretty great already. Ms. Dize said that everyone needs to put their differences aside for the sake of the town. She would like to come up with ways to replenish the treasury after we spend the money to build the building. She thinks all of the criticism needs to stop. She asked Council to let the Town Manager do her job. She thanked Chief Spivey for stepping up and covering things over the last few weeks.

Mr. Finney proposed that starting tonight we stop the bickering, stay off of social media and focus on the best interest of the town. Mr. Hart asked if Mr. Finney agreed to stop bad mouthing people. Mr. Finney agreed. Mr. Hart agreed also.

Chief Spivey asked to speak. He stated that he wants to make a point of order – he is not interested in politics. He urged everyone to understand that if it's not covered under FOIA, it cannot be posted on social media. He noted that personnel matters are not covered under FOIA. He explained the meaning of liable and slander. Ms. Salazar asked to add that personnel matters means all personnel – current and former employees. She believes that some things were recently put on social media about her and that person may have thought it was okay because she was a former employee – it was not. While it was upsetting to her, more importantly to the town, it was a FOIA violation.

Billy Ferguson said that he plans to start attending meetings because he cares about Onley. It is his home. He thanked the Police Department adding that he feels they are one of the best on the Shore. He said that he was interested in filling the Town Manager vacancy but feels that whatever the Council had to do to keep Ms. Salazar was the right decision. He thinks he could have done a good job but definitely not as good as she does every day. In the matter of the fire company, he said the needs are being met by the neighboring companies and he feels the OVFD was too far gone to be rehabilitated.

**Adjourn**

**Motion: To adjourn at 7:35pm by Susan Rillo and seconded by Ted Bliss. Roll Call Vote:** Hart-yes; Rillo-yes; Dize-yes; Bliss-yes; Zember-yes; Finney-yes. MOTION PASSED

Respectfully submitted by,

Jamye Salazar  
Town Manager

Henry Finney  
Vice-Mayor