

## Onley Town Council Minutes of June 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 4th day of June 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: Jamye Salazar, Town Manager  
Rachel Kellam, Town Attorney  
John Spivey, Chief of Police, OPD  
Melissa Taylor, Clerk

### **Call to Order**

Vice-Mayor Finney called the meeting to order at 6:30pm.

### **Invocation & Pledge of Allegiance**

The invocation was given by Dawn Dize and the Pledge of Allegiance was led by Woody Zember.

### **Adoption of Agenda**

**Motion: To adopt the agenda of June 4, 2018, Regular Monthly Meeting by Ted Bliss and seconded by Matt Hart.**

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

### **PUBLIC HEARING'S**

Mr. Finney noted that the rules would be read aloud once, but the rules will apply to both Public Hearings.

Ms. Salazar read aloud the Rules for Public Hearings.

### **Public Hearing for Proposed 2018-2019 Budget**

Called to Order at 6:32 pm

Ms. Salazar presented the proposed 2018-2019 before Council and the Public. A copy will be attached to the minutes.

### **Public Comments on the Proposed 2018-2019 Budget**

Billye D. Custis stated that she liked the fact that Council was able to shave the budget down from \$50,000.00 to \$21,000.00 being taken from the reserve account. She asked the question where the

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difference of \$1,000.00 between Public Safety and General Government. Ms. Salazar stated the difference could be the Litter Grant, couldn't say for sure without researching, but this difference has happened in the past. Ms. Custis noted that this year's budget is \$80,600.00 more this year than last year.

Freddie Gardner asked where the new building funds show on the current budget. Mr. Bliss and Mr. Finney stated that the new building has a separate budget and is not part of the operating budget. Mr. Gardner asked if the town has a cost of the new building as he heard \$850,000.00. Mr. Finney stated the price should be about \$800,000.00 and that at this time the only contract in place is with GMB and that there are no construction bids. Mr. Gardner wants to go on record once again stating he is totally against the new building and that he doesn't think many town residents are aware of the new building. Ms. Custis also noted she is against the construction of the new building. Mr. Finney responded the town residents need to attend the town meetings or read the minutes as this has been a discussion over the past year. Ms. Kellam and Ms. Salazar stated that there was a public hearing which was advertised in the newspaper for the initial building budget of \$500,000.00.

### **Adjourn**

**Motion: To adjourn at 6:40 pm 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**

### **Joint Public Hearing for Proposed Amendments to Zoning Ordinance**

Called to Order at 6:40 pm

The Hearing & Establishment of a Quorum for Onley Town Council & Planning Commission

\*\*\*Rules for Public Hearing read earlier\*\*\*

Ms. Pierson presented the Proposed Amendments to the Zoning Ordinance before Council and the Public. A copy will be attached to the minutes.

### **Public Comments on the Proposed Amendments to Zoning Ordinance:**

Billye D. Custis asked how the Town is going to enforce a violation of this ordinance and how will the existing businesses in town already in violation of this ordinance be implemented. Ms. Pierson stated they would have the Zoning Administrator issue an offense and that she isn't aware of any current violation. Mr. Finney noted that any business before this change is grandfathered.

At this time the Planning Commission will be excused to deliberate on the proposed amendment change before giving their recommendations. Planning Commission has a quorum - 6:44 pm

6:48 pm - Planning Commission returned to the Regular Monthly Meeting

### **Adjourn**

**Motion: To adjourn at 6:49 pm Planning Commission Hearing by Susan Rillo and seconded by John Kluis.**

**Motion: To adjourn at 6:49 pm Planning Commission Hearing by Ted Bliss and seconded by Matt Hart.**

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

## **Consideration of Minutes**

Ms. Salazar stated there were some question about the Public Comments between Mr. Finney and Mr. Hart. Ms. Salazar stated she included the conversation verbatim into these minutes.

**Motion: To accept the minutes of the April 2, 2018, Regular Monthly Meeting by Ted Bliss and seconded by Dawn Dize.**

**Roll Call Vote: Hart–no; Rillo-abstained, Dize-yes; Bliss-yes; Zember-yes; Finney-yes. MOTION PASSED**

**Motion: To accept the minutes of April 26, 2018, Special Meeting / Budget Workshop by Ted Bliss and seconded by Susan Rillo.**

**Roll Call Vote: Hart–no; Rillo-yes, Dize-yes; Bliss-yes; Zember-yes; Finney-yes. MOTION PASSED**

**Motion: To accept the minutes of May 7, 2018, Regular Monthly Meeting by Dawn Dize 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 May 17, 2018, Special Meeting by Susan Rillo and seconded by Ted Bliss.**

**Discussion: Mr. Zember stated the due to health issues he is unable to sit for longer than two hours, that is the reason he is up and down during the meetings.**

**Roll Call Vote: Hart–yes; Rillo-yes, Dize-abstained; Bliss-yes; Zember-yes; Finney-yes. MOTION PASSED**

## **Department Reports**

### **Police Report & Schedule**

Chief Spivey gave his report. Chief Spivey presented Council a copy of the crime statistics for the Town of Onley which has been compiled by the state that documents the level of activity in the town. He stated we have hired a new Police Officer, Luke Arnold. He comes to the town from the Accomack County Sheriff's Office and brings five years of experience. Chief Spivey noted he provided an amended June 2018 Police schedule adding Officer Arnold into the rotation. Mr. Zember asked Chief Spivey if the new hire has already been to the academy and certified, and he gave compliments to Chief Spivey, and Ms. Salazar on the hiring of the new Officer. Chief Spivey stated Mr. Arnold is already certified and that after a few weeks of training (familiarity with the town policies and demographics of the town) he will be on his own. Mr. Hart asked Chief Spivey for some clarification on an incident that involved one of his rental properties Lee Street late on the evening on May 26, 2018, a Saturday. Chief Spivey responded that he is aware of the case but is unable to discuss this matter as it is an open investigation. Mr. Hart stated he has concerns there was no officer on duty during this incident (around midnight). Mr. Hart also said he has some other concerns as he has been told the Police Officers are leaving their shifts early which is leaving the town without Police coverage. Chief Spivey stated he is not aware of this happening, as there are many checks and balances in place to prevent this from happening (time clock) and he would be notified immediately if this would become a problem. He said if Mr. Hart has any further concerns about the open case or Police coverage Mr. Hart is welcome to come by the office to discuss further with himself and Ms. Salazar. Mr. Zember asked if the town has 24-hour Police coverage. Mr. Spivey stated that the town does not have 24 hours coverage, and our coverage suffered substantially because the town has been short an officer for a while.

**Motion: To accept the Amended June 2018 and the July 2018 Police Schedule by Susan Rillo and seconded by Woody Zember.**

**Roll Call Vote: Hart-no; Dize-yes; Bliss-yes; Zember-yes; Finney-yes; Rillo-yes. MOTION PASSED**

#### **Treasurer's Report/Payables**

Ms. Salazar gave her report noting that there are some additional payables and interest that haven't been posted at this time. A copy will be attached to the minutes. Ms. Salazar gave an overview of the current budget. Ms. Salazar presented to Council a copy of the new town office budget which shows the payments that have been paid thus far to GMB and Bundick's Well and Pump. Mr. Zember asked if there is any way that Ms. Salazar could have access to a town credit card so that she doesn't have to use her own money for town purchases. Ms. Salazar stated she is working on getting herself added back to the account and that will be discussed later this evening.

**Motion: To Pay the May 2018 Payables and additional payables 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**

#### **Town Manager's Report**

Ms. Salazar opened by saying she created all the proper ads for the Zoning Administrator vacancy, RFP for Public Works, sealed bids for the lawn mower and all ads advertised in the ES Post. Ms. Salazar heard back from the Railroad, and they will permit the town to spray around the tracks. Ms. Salazar received notification that the Railroad will be closing their doors, and there is some concern the town leased the train station, and in return, the town has an MOU with SPOTS. Ms. Salazar made Ms. Kellam aware of this situation, and she will research, but at this time Ms. Salazar has no official answers. Ms. Salazar stated they (Ms. Salazar & Chief Spivey) have hired a certified officer, Luke Arnold, and everything is working out great. She says the Aide to Locality Grant has been submitted and received by the State and the grant funds should be available around July 25, 2018 and will be added to the August 2018 Council Meeting Agenda. She states she had an issue with Davis Disposal picking up a resident's trash as tree limbs blocked the lane. Simpson trimmed the trees, and the problem was resolved. Ms. Salazar spoke with a VDOT representative, and they stated the potholes in town have been repaired one specifically is on East Main Street near Councilman Finney residence. She said that VDOT reported he would be back to complete the curb repair near McDonald's several weeks ago, and at this time it hasn't been repaired, Ms. Salazar will follow up. Ms. Salazar stated she has provided Council Members with letters to take to the Clerk's Office to get re-sworn in for the additional Council Terms of July 1, 2018 - December 31, 2018, since the elections dates changed. Ms. Salazar stated the deadline to have paperwork turned in to run in the upcoming election is June 12, 2018. She states the Rainy-Day Fund will be discussed in the next month's meeting.

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

Ms. Salazar stated she issued two chicken ordinance violations and the chickens are now gone, and she has explained the chicken ordinance with a town resident. Ms. Salazar has received numerous grass complaints. Ms. Salazar and Vice Mayor Finney rode around town taking notice of yards in violation and Ms. Salazar sent out about twenty letters (one reason why the petty cash was so high) notifying the residents that were in violation. Ms. Salazar said she has spent some time this month familiarizing herself with the town zoning ordinances. She states some the permits request she has received; demo permit, swimming pool permit, two construction permits (one approved and one deemed not required), two sign permits (one was approved, and one was not - specific to an off-sight sign). She was in contact with Walmart about requirements for an ATM Kiosk and removal and replacement of some freezers

within the store, and it turned out not being in town limits. Ms. Salazar approved one permit for an accessory building. Ms. Salazar stated she had a conversation with a Lakewood Development resident about zoning and usage designations for the nine acres within that development.

### **Public Works**

Ms. Salazar stated she had the flower pots planted and moved to the intersection of Coastal Blvd. and E. & W. Main Streets. Ms. Salazar spoke with Ms. Gordy about the ditch project, and Ms. Gordy referred her to Stuart Hall with Accomack County Public Works. She left a message for him. The beautification project, Ms. Salazar recommends planting some knock out rose bushes in the town's flower bed located on the corner of Pennsylvania Avenue. Ms. Salazar noted the flower beds would be re-mulched this week. She states the flags were hung for Memorial Day and have been taken back down. Ms. Salazar states work continues around town; litter pickup, storm drains, and grass cutting. She noted that a clean-up of the streets in the Lakeview development was completed and she has received several compliments. Ms. Salazar stated Mr. Watson, the mosquito sprayer, will not be able to spray for us this year due to health issues, but she contacted Michael Scott and he will use our truck and chemicals and spray the town two times a week as requested.

Mr. Zember asked if Ms. Salazar has received any complaints about the flowers pots. Ms. Salazar responded no, no sir no complaints at all. Mr. Zember stated the flower pots are off of VDOT right-of-way. Mr. Zember also said (and Mr. Bliss recommended) having something in writing giving the Town permission to place the containers on private property with the three landowners' (Lighthouse Ministries, Matt Hart, and Onley Baptist). Ms. Salazar stated that she would work with Ms. Kellam and compose a legal document. Mr. Zember and Mr. Hart gave Ms. Salazar compliments on how well the flower pots look back on the corners. Mr. Hart noted there is a lot of grass and weeds coming through the cracks in the sidewalks in the downtown area. Ms. Salazar responded the sidewalks got sprayed this past Sunday. Mr. Hart also noted that on East Main Street there is a section of sidewalk that's completely covered with tree branches and that the sidewalk is not passable and down near McDonalds he has noticed quite a bit of trash. Ms. Salazar stated that Bruce is no longer working for Simpson's and we have a new guy that started last week. Hayvon will be assuming the town clean up role and that there might be a little learning curve. Mr. Hart stated that Bruce would be missed. Ms. Salazar will see that the trees branches get trimmed on East Main Street. Mr. Finney noted the pothole in front of his house got repaired, but he still has a long section of standing water when it rains, and he feels it is going to cause an accident. Ms. Salazar will note the concerns of the standing water areas around town.

### **Attorney's Report**

Ms. Kellam stated she researched the Charter Changes and revised the draft Charter that will be discussed later down on the agenda. She studied and reviewed the town's grass ordinance and its violations, that will be addressed later down on the agenda. Ms. Salazar made Council aware that she had signed off for the Lighthouse Ministries lot lines to be vacated. She noted that Mr. Pavlick and Mr. John Custis had already started the legwork and she just signed off as Acting Zoning Administrator.

**Planning Commission Report**

Ms. Pierson spoke on behalf of the Planning Commission recommending the proposed changes to the Zoning Ordinance as discussed earlier on the agenda.

**Old Business**

**New Town Office – 25571 East Main Street**

Ms. Salazar stated the town has received the permit from the Health Department. She noted two items recently discussed with GMB is where the IT equipment/room will be located on the floor plan and a change on the outside back door; it will now be a six-panel door instead of a steel door. Mr. Hart asked if it will be six-panel wood or fiberglass. Mr. Finney stated it should be a six-panel metal door to pass the code and fire rated. Mr. Finney asked Ms. Salazar will confirm with GMB on the style of the door. Ms. Salazar will report the findings in her weekly Manager's report.

**RFP for Public Works Contract / Open Bids**

Ms. Salazar stated two bids were received. Ms. Salazar stated the first bid was received on May 31, 2018 and was received timely and sealed and was secured. She stated Advantage Lawn Care and Landscaping submitted it with a total contract price is \$2,500.00 per month (\$30,000.00 per year), on-call emergency service \$100.00 per hour. Ms. Salazar stated the second bid was received on June 1, 2018 and received timely and sealed and was secured. She stated Simpson's Tree and Bobcat Services, LLC with a total contract price of \$29,000.00 per year, on-call emergency service is \$30.00 per hour. Ms. Salazar stated these were the only two bids received. She also noted the current Public Works Contract expires on June 30, 2018. Mr. Bliss recommended staying with Simpson's for his known performance. Ms. Rillo stated she also feels Simpson's would be the better choice. She feels Simpson's contract is lower and a lot cheaper on the hourly emergency calls rate and that the town already has a record with Simpson's for excellent service and excellent performance. Mr. Finney stated he would also like to see Simpson's continue providing service to the town. Mr. Finney states he has completed services and didn't charge the town extra, has the equipment to complete town projects, and Simpson's already has a rapport with the town and staff.

**Motion: To accept the Public Work Contract bid from Simpson's Tree and Bobcat Services, LLC 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**

**Sale of Ferris Lawn Mower/Open Bids**

Ms. Salazar stated three bids were received. Ms. Salazar noted that she contacted Lloyd Evans (mower mechanic) and he valued the mower around \$3,000.00. Ms. Salazar stated the first bid was received on May 16, 2018, and was received timely, was sealed and was secured. She stated bid one submitted by Jesse Beck for \$650.00. Ms. Salazar stated the second bid was received on May 24, 2018, and was received timely, was sealed and was secured. She stated bid two was submitted by David Zimmerman for \$876.68. Ms. Salazar stated the third bid was received on May 31, 2018, and was received timely, was sealed and was secured. She stated bid three was submitted by Shields Bridge Lawn Service for \$1,000.00. Ms. Dize asked if the town sell the mower if the bids were well below the mowers value. Ms. Salazar stated the mower is a 2009 Ferris and the purchase price was around \$5,600.00, per Fairdale Farms. After much discussion Council decided to re-advertise the mower for sale for \$1,900.00.

**Motion: To decline the three offers and put the mower up for sale for \$1,900.00 by Matt Hart and seconded by Ted Bliss.**

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

#### **Adoption of 2017-2018 Audit**

**Motion: To adopt the 2017-2018 Audit 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**

#### **Charter Changes**

Ms. Kellam stated she had sent the Council Members a copy of the updated Charter with the changes highlighted and italicized. Ms. Kellam recommends, and if Council agrees with the changes, she advises advertising to the public for a Public Hearing, then Council vote on the changes, then vote to send to Lynwood Lewis to be changed in the General Assembly. Ms. Kellam stated by adding the Chief Administrative Officer in the Charter you will forever have to have a Town Manager. Ms. Salazar will add to the July 2018 Council Meeting Agenda.

**Motion: To have a Public Hearing on Charter Changes 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**

#### **New Business**

##### **Proposed Amendments to Zoning Ordinance**

Mr. Finney stated that the Planning Commission has made a recommendation to change the Zoning Ordinance discussed previously.

**Motion: To adopt the Zoning Ordinance changes 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**

##### **Purchase of Bio mist**

**Motion: To buy the Bio mist in the amount of \$1,848.00 by Woody Zember and seconded by Ted Bliss.**

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

##### **CD Maturing at SunTrust Bank (\$203,632.55)**

Mr. Finney stated that Ms. Salazar had provided Council with different rates options from local banks. Mr. Bliss asked what the return was on this existing CD. Ms. Salazar stated the current CD is a 24 month with a rate of 0.90%. She said that if the CD is rolled over into another 24-month CD, the rate will be at 1.75% (almost double the rate as of now). She noted that she was unable to get rates from Xenith Bank due to phone issues, and PNC offered a rate for a 12-month CD at 0.45%. Mr. Salazar recommended transferring funds out of the regular checking account since some large deposit has come in, and that account earns very little interest. Mr. Zember asked what amount she would suggest transferring. Mr. Salazar recommended transferring \$200,000.00, as that account only earns 0.10% interest. She stated that moving funds to the money market will earn a better rate than in the regular checking account. The current CD matures on June 7, 2018, so a decision will need to be made tonight. Mr. Finney stated he would like to combine the CD and checking account money and put into a SunTrust CD with the 1.75% interest rate. Ms. Rillo stated that Xenith and Union bank are running a Money Market Special with an account and a deposit of \$25,000.00 the interest rate will be over 1%. Council decided to roll the current CD over to a 24 month at SunTrust.

**Motion: Roll the existing CD at SunTrust into another 24-Month CD at 1.75% 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**

#### **Set Meeting Date to Adopt 2018-2019 Budget**

Date set for June 12, 2018 at 6:30 pm

Ms. Salazar stated she will also add on the agenda transferring funds from the regular checking account. She will also add the Police Department Pay Scale since it falls in with the budget.

#### **Employee Insurance Renewal**

Ms. Salazar provided Council a copy of the Health Insurance Renewal documents with a price list and stated the current plan had an increase of seven percent. She noted the town has the option to renew the current policy, or there are two optional plans to choose from. After Council discussion, they decided to renew the current plan - Anthem Gold policy.

**Motion: To renew the Anthem Gold PPO Health Insurance Policy for another year by Woody Zember and seconded by Susan Rillo.**

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

#### **Bank Signature Resolution**

Ms. Salazar stated Council has a copy of the Bank Signature Resolution adopted on March 5, 2018, but never enacted upon due to Mayor Pierson unable to get to the bank to sign an updated signature card. Ms. Kellam will contact the bank and see if she can facilitate getting the bank signature card signed. In the event, the bank will not allow the Mayor to sign the signature card off premises; Council decided that the three signers will be Vice Mayor Finney, Councilman Bliss, and Ms. Salazar. Ms. Salazar will have an updated Resolution at the June 12, 2018 meeting.

#### **Litter Grant**

Ms. Salazar noted the town received \$1,006.00 in Litter Grant Funds this year and that will need to spend by June 30, 2018. Ms. Salazar stated she would purchase additional pet waste stations (as requested), litter grabbers (per Residents request), trash bags. After these purchases, the town will have an out of pocket expense of \$61.98. Mr. Zember requested to purchase some trash cans that could to be placed in town. Ms. Salazar stated the town already has some of the trash cans in the garage.

**Motion: Approve the purchase with the Litter Grant Funds with a out of pocket town expense of \$61.98 for a total of \$1,067.98 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**

#### **Stand up Sulky Lawnmower & Two Weed Eaters**

Mr. Zember stated these should be advertised with the Ferris and sell for a flat fee and as a package deal. Ms. Salazar noted that she contacted Lloyd Evans (mower mechanic) and he valued the mower around \$1,000.00. After Council discussion, they decided to sell the lawnmower and two weed eaters as a package deal for a \$950.00.

**Motion: To sell the Sulky Lawnmower and two weed eaters for \$950.00 (package deal) 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**

**Ordinance #004-06 – Ordinance Regulating the Accumulations of Trash, Garbage, etc; Grass, Weeds & Other Foreign Growth**

Ms. Salazar stated this is the Town Ordinance that is used to notify Town Residence that violate the grass ordinance height. Mr. Finney says that he has concerns that some town residents are only cutting their grass once they receive a notice from the town that they are violating this ordinance. He would like to see a fine established for habitual offenders. Ms. Rillo stated this had been a topic of conversation during a Planning Commission meeting on how to enforce and collect a Zoning Ordinance Violation. Mr. Bliss recommended getting a judgment against the offender to ensure the violation will be satisfied. Mr. Zember recommends charging the residents double the cost each time the town has to provide lawn services after they receive a notice from the Town. Ms. Kellam explained the Town Ordinance. She said both the homeowner and the person living in the home (rental property) would have to receive notices that the property is in violation. Ms. Salazar stated she sends the notification to the property owner, and on occasions, she has also sent a violation to the persons living in the home. Mr. Finney stated that he would like to see the residents receive two notices and after that, residents will be charged for the violation. Ms. Rillo said she would like to add in the violation notice that if the residents receive two notifications within a twelve-month period, then a fine will apply for violation of any town ordinances. Ms. Kellam read aloud code 15.2-901, (town ordinance adopted in 2004) the town will provide one written notice per growing season to the owner of a record shall be a feasible notice. She noted that after the resident receives violation notice the resident is subject to a civil penalty not to exceed \$50.00 for the first violation (violations arise from the same operative facts), then a civil penalty for a subsequent violation not arising from the same set of operative facts within twelve months of the first violation shall not exceed \$200.00 and in a whole growing season cannot exceed \$3,000.00. Ms. Kellam will research the code on the time allotment allowed to have to have their fines paid for violations. She noted that the violation is a civil penalty and not a criminal issue, and if the residents don't pay, the town can file a lien against the property the same way we would do if the taxes go unpaid. Mr. Zember and Ms. Rillo commented they would like to have Simpson's Lawn Service cut the yards in violation and the residents receive and bill for service with a penalty added. Ms. Rillo noted a correction needed to be made to the agenda, under New Business, I - Ordinance #004-16 should be #004-06. Ms. Salazar stated that Simpson's Lawn Care had cut town yards in the past and the residents were billed for that service. Ms. Custis inquired on an Ordinance on blowing yard debris towards the street. Ms. Kellam responded that a Property Maintenance Ordinance had been implemented. Ms. Salazar responded there is an Ordinance about blowing debris into the street. Ms. Custis said years past only one letter of violation was sent out.

**RFP – 2017-2018 Audit**

Ms. Salazar stated that it is coming up to end of the year fiscal. The town will need to send out an RFP to accounting firms that are GASB 34 approved for bids to perform the town's audit for the fiscal year ending June 30, 2018.

**Motion: To submit an RFP for the 2017-2018 Audit 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**

**Transparency: Video recording meeting for public view**

Mr. Hart added this item to the agenda. Mr. Hart stated he feels the town residents are not aware of what is going on in the town meetings, mainly the money being spent on the new town building. Mr. Hart stated by recording the town meetings it will bring a more professional reflection of the Council Members. He noted that town residents have commented they don't like to attend the town meetings, as they are quite frankly boring and long. Mr. Hart said by taping the meeting as others on the Shore do;

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it will prove the image to the public but also let the public know what is going on. Mr. Hart also stated he feels by video recording will also help with the accuracy of the typed-up minutes. Mr. Hart states that videoing the meetings will also help with the accuracy of the minutes. He noted that the minutes being typed up there is no way that in three pages everything that was discussed is included the minutes when the meeting takes three hours. He would like to find a software that has voice recognition that will spell out the minutes word for word and upload the full minutes to the website. Mr. Hart stated, but with the video, the public can go to a specific section (following the agenda posted on the web page) of the meeting to watch instead of watching the entire session. He noted with recording the meeting he feels it will be a more professional meeting and the name calling would stop. Mr. Hart stated with the meeting being recorded that the meetings will be open to all the public instead of the few that attend the monthly meeting (appreciates the ones that attending the meetings). He stated to provide full transparency to the public, recording the meetings will make the Public more aware, a lot of discussions is how taxpayers money is being spent. Mr. Hart offered his recorder to record the minutes and the Clerk - Melissa (if willing) to record the meeting to catch each Council Members comments. Mr. Bliss asked Mr. Hart if the recording will be posted on the Town's website. Mr. Hart responded he wants the recording to come from and uploaded to the Town's website also to the Town's Facebook page. Mr. Hart stated that other towns on the shore video record their monthly meetings. He noted that Exmore is one of the towns that currently record their monthly meetings. Mr. Bliss says he doesn't have a problem as long as it posted to the town's website, any other use of the recording leads to whether it is intentional or accidental if something were to get left out. Mr. Hart is proposing recording the meeting from start to finish, so then all Council Members will be held to a higher standard and it will allow the public to view in hopes of getting more output from the public. Mr. Hart stated the video would also hold the Council Member accountable for what they said and how they voted on town business, and once again would provide more accurate minutes. Ms. Rillo is more for purchasing the software that will translate the recording to minutes format, and against posting on Facebook. Mr. Bliss stated it would be tough for the software to recognize all the different voices to produce accurate minutes. Chief Spivey noted the best recommendation would be to video record the meetings, place the original file on the Town's website, and if there were any tampering with the file, the Town would have proof of the original file. Mr. Spivey stated if you were to upload the file to Facebook with Facebook's terms of services, Facebook would have ownership over the file. Chief Spivey says that video recording is a great idea, it will hold everyone accountable for their actions and statements, and there will be no ambiguity as the video will provide proof. Mr. Spivey states the best time to implement this process will be with the new town office that will be equipped with high definition equipment (audio/video). Ms. Kellam reminded Council that there could be tampering anywhere the file is uploaded. Mr. Zember and Mr. Bliss noted they are fine with video recording the meetings as long as the source document is on the Town's website. Ms. Rillo states it should be the Town's own proprietary equipment, so the town has total control over the process. Mr. Zember stated he would check with D&D Computing to see if they will be able to assist in any way with this process. Mr. Hart said we should reach out to other shore towns as to their process and types of equipment. Mr. Hart noted again it will hold the Council Members more accountable, more transparent, and more accurate minutes, so if something is left out the video will provide clarity. Mr. Hart appreciates Council for being more acceptable to this proposal than he had anticipated, and stated he is working and looking out for the town's best interest. Mr. Hart and Mr. Bliss stated a good idea is a good idea. Mr. Zember noted that he would like to start pursuing this process and researching all of the details. Mr. Bliss responded it is not illegal to record, anyone attending the meeting can record, the legal issue might be the audience might not want to be recorded. Ms. Kellam responded if it is a public meeting they have to be recorded. Mr. Hart stated on record this is no political charge in proposing this process. Mr. Hart stated the elections are upcoming so it would be nice if the public was able to see where the Council stands on issues that do come up.

**Motion: To have the Town Attorney, Ms. Kellam look into how other Towns video record their meetings and what platform is used to upload and the legality of video recording the Town Meetings by Matt Hart and seconded by Woody Zember.**

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

### **July 2018 Meeting Date**

Ms. Salazar noted it had been the practice in the past for Council to set the July meeting date, as it starts the next fiscal year, and at the first July meeting, Council will adopt the meeting schedule for the upcoming year. July's meeting date is set for July 9, 2018, at 6:30 pm.

### **Public Comments**

Billye D. Custis – No comment at this time.

John Dennis noted that a house in town that is in violation of the Grass Ordinance also has three cars in the yard that are not tagged. Ms. Salazar responded that issue would fall under Zoning. Ms. Salazar asked Mr. Dennis to stop by the office so she could get more information and she will address the complaint.

Ms. Salazar stated the Zoning Administrator position ran in two editions of the ES Post and at this time there has been no interest.

Freddie Gardner said the IT room in the new building should be a dedicated room just for the server. Chief Spivey and Mr. Finney noted that the server would be located in the old building and two legs will be run to the new building and will tie into the network. Mr. Gardner stated he is not in favor of the town buying the Onley Pool he thought he read in previous minutes about purchasing. Council responded that were not going to purchase the Onley Pool.

Billy Ferguson recommended if the town is concerning videoing the Town meeting to research all in more recording device, one that will have audio and visual at a high quality.

### **Council Comments**

Mr. Hart thanked Mr. Ferguson for providing the new set up and the microphone system used tonight which provided a more professional setting. He stated tonight's meeting went well, no rambling and a lot of stuff got accomplished. He said that he is opposed to the new Town Office building, stating he has concerns about the overall cost and he feels many of the town residents will feel the same. He says we need to be mindful of our taxpayers and not overindulge. He said he hopes that Council will consider other options, as several empty buildings could be purchased for a fraction of what the price would be for a new building. Mr. Hart thanks Council and Vice Mayor for agreeing to look into possibilities of video recording the Town Meetings to improve transparency and putting on a platform for the public to view. Mr. Hart noted that videoing the meetings will allow residents who own property in town but not living here full-time the opportunities to see what is going on with town affairs. Mr. Hart stated there are many, many reasons why he feels this is a good idea and Council knows what there are. He noted the town looks great and he feels the things are moving in the right direction.

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Ms. Rillo thanked the public for attending and stated it was nice having some new faces in attendance tonight. She thanked all the town employees and Rachel the Town Attorney and said she had met the new Police Officer Luke Arnold, he is very nice, and she thinks he will bring a lot to the Police Department. She thanked fellow Council Members and she stated she knows everyone can be civil to one another and it's better when Council can work together. She asked for prayers for Mayor Pierson.

Mr. Zember thanked all town employees and thanked the public for attending and thanked his fellow Council Members. Mr. Zember stated he has heard (around town - i.e., post office) that many town residents are against the new town building (not sure if statements are true or not). Mr. Zember noted that the town is in need of a new office with the rate at which the town is growing. Mr. Zember says the public is what is important and he wishes more would attend the monthly meetings to voice their opinions or thoughts on how to make the town a better place. He says he is very very very pleased with how smoothly this meeting went, due to the size of the agenda and a lot was accomplished. God bless everyone.

Ms. Dize stated that the Town of Onley is very fortunate to have the employee's that they do, any of them are always willing to help. She said she is proud of all the Council Members as this meeting was kept very professional. She thanked the public for coming out tonight, and special thanks to Billye D. and John Dennis for being faithful to the town.

Mr. Bliss opened by thanking Billy Ferguson for his efforts for supplying audio for tonight's meeting. He thanked the town employees and Council. He stated that a lot of issues were covered tonight and a lot of right decisions were made. Mr. Bliss thanked the regular town residents for attending and would like to see more of a turnout from the public. He said the more people (public) that attend they could offer more input and that will help the Council make better decisions.

Mr. Finney thanked Billye D. Custis and all of the town employees. Mr. Finney stated the town office is functioning great, Ms. Salazar and Ms. Taylor are working wonderfully with one another. Mr. Finney reported there were no bids on the new building five years ago. He noted the new building cost was estimated at \$150.00 per sq. ft and total footage was 3,000 sq. ft with a total cost of \$450,000.00. Mr. Finney thanked his fellow Council Members and said we need to continue to work together as we did tonight to have 100% transparency all the way around.

**Adjourn**

**Motion: To adjourn at 8:48 pm 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**

Respectfully submitted,

Melissa Taylor  
Clerk

Henry E. Finney  
Vice Mayor