

Onley Town Council Regular Monthly Meeting of April 1, 2019

VIRGINIA: At the Regular Monthly Meeting of the Onley Town Council held at the Onley Baptist Church, 25501 W. Main Street, on the 1st day of April, A.D., 2019:

Council Members Present: Matt Hart, Mayor
Ned Finney, Vice-Mayor
Billye D. Custis
Claudia Harmon
Rose Pierson
Susan Rillo
Woody Zember

Staff Present: Jamye Salazar, Town Manager
John Spivey, Chief of Police, OPD
Rachel Kellam, Town Attorney
Melissa Taylor, Clerk

Call to Order

Mayor Hart called the meeting to order at 6:30pm.

Invocation & Pledge of Allegiance

The invocation was given by Billye D. Custis and the Pledge of Allegiance was led by Ned Finney.

Adoption of Agenda

Motion: To adopt the agenda as written by Billye D. Custis and seconded by Rose Pierson.

Roll Call Vote: Zember-yes; Rillo-yes; Harmon-yes; Pierson-yes; Custis-yes; Finney-yes.

MOTION PASSED

Presentation – Offshore Drilling (Jay Ford)

Jay Ford of the Chesapeake Bay Foundation spoke to Council regarding Offshore Drilling. He stated that both Accomack and Northampton Counties have expressed opposition to Offshore Drilling for two reasons. The first reason being it could have a devastating impact on aqua farming and the second is the NASA Wallops-Navy rocket launches. He said that he has had the privilege of presenting to the Towns of Exmore, Cape Charles, and Chincoteague and all of these towns have passed resolutions opposing Offshore Drilling. Mr. Ford asked that the Onley Town Council consider adopting the same resolution opposing Offshore Drilling. Mr. Ford said that he could supply draft language if needed for the Town Attorney.

Presentation – Onancock Volunteer Fire Department (Chief Adam James)

Chief Adam James and Deputy Chief Jeremie Buyea of the Onancock Volunteer Fire Department appeared before the Council. Chief James provided the Council with year-end statistics and call data information supplied by the 911 center for emergency calls for the town. Chief James gave a summary of the current emergency apparatus in their fleet and the new emergency

apparatus, a brush truck, that he is hoping to have in service later this month. He noted they (OVFD) had begun the process of spec'ing out a new tanker. He also reviewed the policies Onancock Fire Department has in place for responding emergency apparatus to emergency calls. Chief James noted that they do several fundraisers throughout the year, a fund-drive, a golf tournament, and a Croaker Tournament to help offset the growing cost of operating the fire department. Chief James stated he would like to come before the Council several times a year to provide updates. Chief James thanked the Council for their time and also thanked the Council for the Aide to Locality Grant funding. Mayor Hart thanked Chief James for the updates and everything the Fire Department does to help the town.

Consideration of Minutes

Ms. Custis asked for clarification on the 2018 ORA donation payment of \$3,800.00. She stated the January 14, 2019, and the March 4, 2019 minutes are conflicting as to what year's budget this donation was dispersed from. Ms. Salazar clarified that the information on the January 14, 2019, minutes was incorrect. She noted the ORA donation payment was paid out of last year's budget.

Ms. Harmon asked for clarification on the minutes regarding the \$240.00 payment. Ms. Harmon stated "defense attorney fees at \$120.00 per charge and there were two charges was an error on the behalf of the J&DR Court". She said she didn't recall an error on the J&DR Court being explained. Ms. Salazar stated that she thought it was explained as an error between Chief Spivey and the J&DR Court. Ms. Salazar said we will confirm the recording and make any necessary changes.

Motion: To accept the March 4, 2019 Regular Monthly Meeting minutes with any corrections by Rose Pierson and seconded by Susan Rillo.

Roll Call Vote: Zember-yes; Rillo-yes; Harmon-yes; Pierson-yes; Custis-yes; Finney-yes.

MOTION PASSED

Ms. Pierson stated she has additional questions about the Hazardous Duty Supplement. Ms. Salazar said this would need to be discussed under the draft budget section on the agenda.

Motion: To accept the March 25, 2019 Budget Workshop minutes by Rose Pierson and seconded by Ned Finney.

Roll Call Vote: Zember-yes; Rillo-yes; Harmon-yes; Pierson-yes; Custis-yes; Finney-yes.

MOTION PASSED

Ms. Salazar addressed the Council regarding the possibility of condensing the monthly minutes to reflect information required by law and all pertinent information. Mayor Hart responded he is in favor of this change as long as we abide by the law and that all motions and discussions are included. Mr. Bliss asked if condensing the minutes would cause a disparagement between the actual recording and the contents of the minutes per FOIA. Ms. Salazar responded through recent FOIA training; FOIA only requires certain items to be in the written minutes. Ms. Salazar

stated the recording of the meetings is always available. Mayor Hart polled the Council Members, and all were in favor of condensing the minutes.

Ms. Custis asked to have a cut-off day to add items to the agenda. Her recommendation was to make the cut-off the Monday before the meeting unless a time sensitive matter was to arise. Ms. Kellam said that on the night of the meeting a motion can be made to add something to the agenda. Ms. Salazar stated she emails the agenda to Mayor Hart the Wednesday before the meeting for his approval. She said the completed packets are available the Thursday before the meeting.

Department Reports

Police Report & Schedule (May 2019)

Chief Spivey provided Council a copy of the activity log totals and the May 2019 Police schedule. Chief Spivey spoke on the Police schedule. He noted that May 13, 2019 until May 31, 2019, has been assigned for Click It or Ticket. The state established these dates. Chief Spivey will be out of town from May 8, 2019 until May 12, 2019. During this time, Sergeant Bennett will be acting Chief. Chief Spivey explained the new policy instituted regarding the Pro Laser III radar calibration to ensure convictions from speeding violations. Chief Spivey said the Police Department has received one test .40 caliber carbine rifle and on Wednesday of this week, three officers will complete test exercises. Chief Spivey stated three officers have outfitted their firearms with flashlights. He said with the addition to their guns they will need to semi-qualify for proficiency. Ms. Custis said she would like to see more Police coverage on the weekends. Mayor Hart asked Chief Spivey to explain the schedule rotation. Chief Spivey responded the rotation is to allow for assigned court dates, training and the availability of leave time for the officers. Ms. Harmon asked if a Police Officer misses an assigned court date could that affect the revenue of the town? Chief Spivey responded "Yes Ma'am," and the judge could also issue a "Show Cause" to the officer for missing the court appearance. Chief Spivey explained the rotation of the Onley Police Department court schedule and noted this schedule is established and submitted to the General District Court before the beginning of the next calendar year. Chief Spivey pointed out for Circuit Court those dates are assigned by the Circuit Courts which could potentially affect the Police schedule. Ms. Salazar responded it is important to note that while multiple officers might not cover some shifts, each shift is covered with at least one officer. Chief Spivey said the town has a good rapport with the surrounding police agencies for additional police coverage or back-up assistance as need.

Motion: To approve the May 2019 Police schedule by Susan Rillo and seconded by Ned Finney.

Roll Call Vote: Zember-yes; Rillo-yes; Harmon-yes; Pierson-yes; Custis-yes; Finney-yes.

MOTION PASSED

Treasurer's Report

Ms. Salazar gave her report as of March 28, 2019, reporting the month wasn't over, and some of these figures are subject to change. A copy of the report will be attached to the minutes.

Ms. Custis inquired about the \$100.00 payment to William Ferguson from the Planning Commission. Ms. Salazar stated Mr. Ferguson had requested pay for the two meetings he had attended. Ms. Salazar received an email from Ms. Bliss, Chairman of the Planning Commission, authorizing the payment. Ms. Custis stated this is not the standard procedure, and Ms. Salazar agreed that this is not the usual process for paying Planning Commissioners. Ms. Custis addressed the VRS monthly payments as they vary from month to month. Ms. Salazar explained the variation is due to the monthly billing cycle, adding that the monthly snapshot and payment cannot be made until the month is over. She explained that since the month is rarely over when the packets are created, there is often lag time but the proper amount should show up on the mid-month bill report. Ms. Salazar stated the VRS process is very confusing to understand. Ms. Salazar said the agreement put in place with a business owner regarding delinquent meals tax has not been honored and she will need to proceed (along with Ms. Kellam) to take further action to collect the town's money. She noted only a \$200.00 payment has been made, they are now delinquent again by two months and haven't purchased a 2019 business license. She will contact Ms. Kellam on how to proceed with this matter.

Motion: To pay the payables by Rose Pierson and seconded by Billye D. Custis.

Roll Call Vote: Zember-yes; Rillo-yes; Harmon-yes; Pierson-yes; Custis-yes; Finney-yes.

MOTION PASSED

Town Manager's Report/ Zoning Administrator's Report / Public Works Report

Town Manager's Report / Zoning Report

Ms. Salazar reported the following:

Ms. Salazar provided an answer to the question regarding the VRS 15.34%, and if that percentage included the percent the employees pay. Ms. Salazar stated the 15.34% is the town's rate which does not include the 5% the employee pays.

Ms. Salazar said at Mayor Hart's request she contacted ANEC about converting to LED bulbs in the streetlights. Ms. Salazar stated, per Patsy Goard at ANEC, all bulbs will be switched from mercury vapor to LED bulbs as the bulbs need to be replaced. Ms. Goard said the bulbs could be replaced town wide at a cost of \$75.00 per light. Ms. Salazar stated that switching to LED bulbs might lower the monthly bill, but it wouldn't be a significant amount.

Ms. Salazar contacted Crystal Griffin with VML regarding liability insurance on the park property. Ms. Salazar read aloud the email from Ms. Griffin. While the lot is vacant, there is no increase in premium for the coverage. It will be covered with liability insurance automatically once it becomes town owned property. Once there are physical items on the property, an assessment of those items will be made to determine the value and a quote can be provided.

Ms. Salazar asked the Council Members to sign the model of excellence receipt in their packets and return to Ms. Salazar at their convenience.

Ms. Salazar attended FOIA training on March 26, 2019. Ms. Salazar provided the Council with upcoming changes that will affect the Council Members. She noted as of July 1, 2019, all elected officials are required to complete FOIA training. This training is necessary and needs to be completed by September 1, 2019. The Council will have to recertify every two years after that. Ms. Salazar said she would contact VML as to their availability to complete with this training. Ms. Kellam noted to include other towns in this training to make more of an incentive for VML to come over and complete the required training. Ms. Salazar addressed the new requirements for going into Closed Session for personnel matters. She noted as of July 1, 2019, discussion of personnel matters could only be discussed in Closed Session for employees of the Council. She said the employees of the Council are employees that Council has appointed, i.e., the Town Manager and the Chief of Police. Ms. Salazar said all other employee disciplinary actions would have to be addressed by their immediate supervisor. Ms. Salazar will notify the Council individually of any actions.

Ms. Salazar reported additional changes to FIOA. (1-A.) The State has implemented additional penalties for intentionally altering or destroying reports with the intent to avoid FOIA. (1-B.) The State has implemented additional penalties if a Public Body votes, with the Attorney's knowledge, to certify a Closed Session, but the certification pertains false information. (2.) If something is not Foiable and the Town chooses to release the information (to one person), at that time, that information becomes Foiable to everyone.

Ms. Salazar submitted the ATL grant paperwork after receiving the information from Tasley and Onancock's Fire Departments. It is being processed.

Tyler Marsh from VDOT contacted Ms. Salazar last week to let me know that the curb that they destroyed on West Main Street has been repaired.

Ms. Salazar submitted an application to VDOT to acquire the permits to clean the median and possible grass cutting along Route 13. VDOT has waived the application fee. VDOT approved the permits and dates have been scheduled in coordination with Chief Spivey and Mr. Simpson.

Ms. Salazar stated Mr. Simpson is still working on the numbers for additional town maintenance (park property).

Ms. Salazar spoke with a property owner about the possibility of new construction on a lot in the Lakewood Development. She has answered questions for the property owner and even offered to work along with them and Accomack County. She explained that the County handles building code/inspections etc. Ms. Salazar reported that this matter has been resolved.

Ms. Salazar noted the computer that was shipped for repair on February 20, 2019, had been lost by the Lenovo plant. Ms. Salazar is working with Bobby Umphlett, our IT specialist to resolve this issue.

Ms. Salazar will possibly need to meet with a Stewart Hall from Accomack County about the preliminary site work/drainage for the new bank that may be coming to Town.

Ms. Salazar stated the BZA applicant is unable to fill the vacancy. She will continue to advertise to fill this position.

Ms. Salazar reports decal sales began March 15, 2019.

Ms. Salazar contacted Robinson Farmer & Cox to press them on a date for the 2017-2018 audit. As of today, she has had no response.

Ms. Salazar is working with Ms. Kellam on the Special Use Permit application to run a tax preparation business out of a resident's home. We want to make sure that we are following proper procedure, as well as whether or not a Special Use Permit is required or even an option. Ms. Salazar said this might need a joint hearing with the Planning Commission. This hearing could take place during the May 2019 Regular Monthly Meeting, if a hearing is necessary. Ms. Salazar said she would provide the Planning Commission all the documentation.

Ms. Salazar prepared and completed the draft spreadsheets for the Budget Workshop Meeting.

Ms. Salazar met with the owner of the property on Onley Road to discuss the issues that we have with the property. She (owner) has assured Ms. Salazar that she will have the problems resolved within the next 30 days. We met on March 8, 2019, and addressed the issues that would need to be resolved by April 8th, or we will need to proceed with legal action. Ms. Salazar reported the property shows signs of being cleaned up. Ms. Salazar spoke with the property owner of an adjacent property on Onley Road that has two inoperable vehicles. He explained that they did not belong to him, but the tenant across the street has placed them on his property. Ms. Salazar explained the problem with that and how it affects him as the property owner. Ms. Salazar reported that one of those vehicles has already been moved.

Ms. Salazar met with the owner of the property on Caroline Avenue as well as the owner of the unlicensed/inoperable vehicle. They have assured her that the problem will be resolved before April 1st. Ms. Salazar explained to them that if it is not, we will proceed with legal action. Ms. Salazar reported this issue had been resolved.

Ms. Salazar submitted paperwork (last week) to VDOT to arrange for permission to clean and re-dig the clogged ditches around town.

Ms. Salazar stated the town newsletter was mailed out to the town property owners. She noted she included information on how to prevent mosquitos breeding, and also included bilingual brochures to effectively communicate with towns non-English speaking population.

Ms. Salazar contacted Clara Vaughn (ANPDC) for an update on the sidewalk project. She said the Transportation Economical Advisory Committee is still finalizing scoring at this time. They will be seeking out information from the towns as needed in the future.

Public Works

Ms. Salazar received a complaint today regarding the spraying of weed killer on the town sidewalks. The claim was that the weed killer made contact with a property owners' yard. Ms. Salazar said she is investigating who completed the spraying. She has received conflicting information as to the color of the truck that was completing the spraying. Mayor Hart stated he witnessed Michael Scott spraying last week. Ms. Salazar will inquire further to ensure this doesn't happen in the future.

Ms. Salazar noted that today's Shore Good News segment featured Hayvon, who is an employee for Simpson's, on the outstanding job he does keeping the Town of Onley beautiful.

Ms. Salazar noted Hayvon continues to work on litter pick up and street cleaning.

Discussion of a Town of Onley Weekly Police Report

Mayor Hart added this topic to the agenda in hopes of gaining further information (i.e., a burglary, changes on the approved police schedule) about the town weekly, instead of monthly. Mayor Hart said this information is essential to the leaders of the town to be informed, so they can answer any questions if approached by a citizen. Mayor Hart said this report could be combined in with the Town Manager's weekly report. He would like for the report to include any changes in the approved Police schedule, burglaries or anything that may arise, such as the recent flyers promoting a white supremacist group found in driveways. Ms. Rillo inquired on a privacy issue with supplying information and noted that if such information is in writing that document could become foiable. Ms. Rillo said as long as the Town Manager is aware and keeps the Council informed of any pertinent information, she doesn't see the need of adding another document. Ms. Harmon stated it is asking a lot of the Chief to notify the Council of every schedule change as emergencies happen. She feels as long as the shifts are covered and there isn't an abuse of the call out policy it should be handled between the Chief and the Town Manager. Chief Spivey noted there have been rare occasions that a shift wasn't covered due to a call out but reiterated that it is rare. Chief Spivey stated due to law enforcement regulations, the information that is provided to the Council now is all that he can give. Chief Spivey said it is illegal to give any information on an open case or pending investigation. He said if there were a situation that occurred in town, he would follow the chain of command and notify the Council as directed by the Town Manager. Chief Spivey stated he had a private conversation with Mayor Hart. He was unable to meet Mayor Harts request for information. Chief Spivey said that from an officer's safety standpoint, that no one should know their exact schedule. He said special operations, checkpoints, or Task Force assistance could arise and Chief Spivey noted he would change the schedule to accommodate those operations. That would be information that Chief Spivey is unable to disclose to the Council. Mr. Finney asked Chief Spivey if any other agencies provide a copy of the police schedule to the Council. Chief Spivey responded that he does not know of any that do and he has spoken with various agencies regarding this matter.

Chief Spivey noted that he is always available and would encourage any Council Member to contact him via a phone call with any questions or concerns. Ms. Salazar stated if an emergency situation arises the Council will be notified immediately, either by a phone call or face to face visit. Chief Spivey asked the Council to consider removing the Councils approval of the Police schedule. Ms. Harmon stated she doesn't know of a reason she would need a copy of the Police schedule. She said if approached by a resident about an emergency she would direct them to call the Sheriff's Office. Ms. Salazar said in the event of an emergency, everyone should dial 911. She then said that the best course of action for non-emergencies is to advise a resident to call the Sheriff's Office who can immediately dispatch the officer on duty. Mr. Finney suggested adding this discussion to next month's agenda to give the Council Members time to think about the best course of action. Ms. Custis asked for Ms. Salazar's opinion about being responsible for the police schedule. Ms. Salazar said that she approves all changes to the police schedule. Ms. Salazar noted the main concern is that all shifts are covered. The Council was polled regarding the weekly police report: Zember-yes; Rillo-no; Harmon-no; Pierson-yes; Custis- I don't care; Finney-no. Ms. Custis responded to her vote, "simply because you have heard what you are going to get and we are not going to do the schedule anymore so, what are we going to get?" Ms. Salazar asked for clarification about adding the police schedule discussion to next month's agenda. Mayor Hart stated on tonight's agenda was the discussion of the weekly police report. He did not mean for it to be a discussion of removing the police schedule. Mayor Hart stated, "I'm asking for more information and you guys are trying to remove more information". Ms. Salazar said that she is not trying to take anything away – only getting clarification for next month's agenda. Chief Spivey began to speak and Mayor Hart interrupted him stating that we are moving on; there would be no further discussion of this matter. Ms. Custis stated that she has more questions of Ms. Salazar about the Manager's Report. Ms. Custis went on record stating "we might have to go to Charlottesville for this audit because this is getting ridiculous and the audit has to be done before July 1, 2019 for us to go forward". Ms. Salazar said she explained that to Tammy Dyer of Robinson Farmer & Cox Accounting Firm during a recent phone conversation.

Attorney's Report

Ms. Kellam gave her report stating she spoke with Ms. Byam and they are ready to begin the process of gifting the land to the town. Ms. Kellam gave Ms. Byam an overview of the Park Committee. The committee is working on fact-finding and determining the cost of the equipment, landscaping, and architecture. Ms. Kellam explained the park would be completed in phases. Ms. Kellam stated that they (Beth & Ginny) were not requesting specific items for the park, but would like the park to be beautiful, respectful, and tasteful to honor their father. Ms. Kellam asked that the Park Committee send periodic updates to the McMath daughters on the Park process to keep a positive relationship. Ms. Kellam mentioned (from conversations with Ms. Byam) that the park property does not perk, and she was quoted a price of \$22,000.00 for potable water and restrooms. Ms. Kellam reported the Governor has signed and enrolled the new Town Charter, and it will go into effect on July 1, 2019. Mayor Hart asked if the town falls under the old Charter until that time? Ms. Kellam answered that it does but to remember that the State Code makes the Town Manager the CAO, if one has been appointed. The changes reiterate what is already in place with the State code. Ms. Kellam answered some

questions regarding the BZA.

Planning Commission Report

Ms. Pierson reported the Planning Commission would like to change the start time of their meetings from 6:30 pm to 6:00 pm. She stated the members of the Commission were all in agreement with the change. Ms. Salazar will advertise this change in various locations.

Old Business

Property at 25571 East Main Street / New Town Office / Committee Report

John Dennis was appointed Chairman of the Building Committee.

Chairman Dennis read aloud the Building Committee Minutes from March 3, 2019. Copy of the Building Committee minutes will be attached to the Regular Monthly Council minutes.

Chairman Dennis read aloud the Committee Minutes from March 27, 2019. Copy of the Building Committee minutes will be attached to the Regular Monthly Council minutes.

Additional discussion from Building Committee Members:

Mr. Dennis reported:

- Mr. Dennis pointed out some layout changes made to the plans provided to the Council in the Building Committee packet.
- Beracah Homes can draw up a set of building plans for \$3,000.00. If the town proceeds with a Beracah Homes the \$3,000.00 is included in the overall total price, which means the set of plans would be no charge.
- The building plans can be used by any contractor to build the building if the Council decides on other options.
- There is a November 2019 deadline on the septic system plans with Bundick Well and Pump.
- Mr. Dennis will be the point of contact with VDOT and Storm Water Management.

Mayor Hart reported:

- The Building Committee provided the Beracah Home representative with various copies of previous building plans including the most recent copy from GMB. The Beracah Home representative gave an estimated cost of around \$500,000.00 to build the building that is equivalent to the GMB plans.
- The building timeline will be four months from start to finish once a contract has been signed.
- The crawl space will be conditioned and sealed with a dehumidifier and a sump pump to help with moisture and flooding.
- The preliminary sketch provided to the Council is a building size of 48x48, a total of three

sections, and has additional space on the second floor measuring 700 square feet. The Berecah Home total square footage is equivalent to the GMB square footage building plans. The Berecah Home plans can be changed or altered.

- Berecah Homes can oversee all sub-contractors for an additional ten percent cost and will acquire all permits needed.
- Mayor Hart recommends spending the \$3,000.00 towards the plans from Berecah Homes.

Ms. Pierson reported:

She said she was very impressed with the Berecah Homes presentation. She noted it is a very professional looking building that will suit the needs of the town. Ms. Pierson recommends the Council support a formal proposal from Berecah Homes for \$3,000.00. It is her opinion; this is the best way to proceed with the new town office.

Mr. Corbin reported:

The Building Committee considered several building options and the Berecah Homes seem to be the best way to go. He noted some logical points:

- It will take four months to have the building up and in place on the lot.
- The building will be completed before the beginning of the rainy season.
- Berecah Homes will oversee all the sub-contractors.
- The Berecah Home option is the best alternative with the expiring (November 2019) septic permit with Bundick Well & Pump.

Mr. Tatum reported:

He said he wants to make the best use of the taxpayers' money. In his opinion, the Berecah Home option is the best choice. He explained the Berecah Home plan presented tonight to the Council is a solid proposal. It will fit the needs of the town, and the estimated cost is in the budget range. He said when the building is completed it will be a turnkey guaranteed building.

Mr. Bliss stated he likes what he has seen and heard and agrees the Berecah Homes option is the best way to proceed. He recommends beginning construction before the septic tank permit expires because there are new DEQ requirements.

Ms. Carol Moran owner of the Agriculture Building spoke before the Council. She asked if the Building Committee explored the option of acquiring the Ag Building on Front Street. Mayor Hart responded the Agriculture Building was discussed during the early phases. He said between the cost of the building at \$150,000.00 and the repairs needed to the building; the Building Committee thought it would put the town over the allotted budget. There was a discussion about the water supply and ownership of the well house that supplies the Ag Building. Ms. Custis noted that the water supply agreement expired years ago and the Town of Onley owns the well house. Mayor Hart thanked Ms. Moran for attending tonight's meeting and responding to the Town's letter of interest.

Ms. Rillo asked if the plans provided by Beracah are commercial plans and OSHA approved? Mayor Hart responded "Yes". Ms. Rillo inquired if the quote of \$500,000.00 includes the basic finishing. Mr. Dennis responded the quote consists of the standard finishing but you can make upgrades. Ms. Kellam emphasized the plans will need to be sent out on bid. Mr. Finney asked if the Building Committee had considered making any changes to the GMB building plans. He noted there was a discussion among the Council that the GMB plans would be discussed and considered and that discussion is documented in the minutes. Mayor Hart responded the other building is outside the budget range. Mr. Finney replied there were no budget figures discussed. The discussion was the average amount that each member was willing to spend. Mr. Finney inquired if the building contractor would oversee VDOT, well and septic and the building sitework. The Building Committee Members answered Beracah Homes would assume the responsibility, and they will manage everything. Ms. Harmon stated that the Council Members have only received one proposal from one company. Ms. Custis noted the \$3,000.00 is for a set of blueprints that any contractor can bid on whether it be Beracah Homes, another modular home company or a stick-built contractor. Ms. Kellam stated there are two-steps in the bid process. She explained the steps. The first step is getting the plans and the cost. The second step is picking the contractor. Mr. Hart stated the plans from Beracha Homes are engineered stamped plans, and they will handle all the building permits. Ms. Harmon said her impression was that the Building Committee was going to provide the Council Member more than one option. She noted other options that were mentioned that the committee would look into were steel buildings. Mr. Tatum gave a summary of the different options the Building Committee had researched. He said the committee had looked into modular, stick built and metal building. Mr. Tatum spoke on steel buildings noting they are usually installed on a concrete slab, and without the proper grading, the building will flood. He commented that a metal building would require individual contractors (electrician, plumbers, foundation, etc.) to finish the construction of the building. Mr. Tatum said a metal building would need inspectors to handle all the building operations. Mr. Bliss said to make any structural changes to the metal building in the future would be very costly. Mr. Corbin stated during the first Building Committee meeting all options were explored, and it was decided to only present to the Council the committee's recommendation. Ms. Rillo inquired on the life span of a modular building versus a stick-built structure. Mr. Tatum responded that all the floors are glued and nailed, each section is wired directly to the panel, and there is a paper barrier seal. He can't provide a life span of the building but said he had seen many of these styles structures that were well made. Ms. Rillo asked if Beracah Homes will be able to provide the proper wiring ahead of time based on the town's needs in the specifications. Mr. Bliss stated that would be based on the contingencies. Mr. Zember asked if there was a motion recently to put the GMB building plans back out on for bid. Ms. Salazar responded "No," it was discussed, but no motion was made. Mr. Finney commented that Beracah Homes couldn't provide a baseline price, because the specs haven't been determined. Mr. Hart stated that we have to meet the budget. Mr. Finney said that there isn't a budget. Mr. Bliss responded that two years ago the Council set aside \$500,000.00 to start the building process. Ms. Harmon asked if Beracha Homes presented any commercial building they had completed? Several Building Committee Members responded they could provide pictures of the Town of Willard's town office and a bank in Salisbury. The Beracah representative extended an invitation to come to the plant to observe

the building process. Ms. Harmon asked if these buildings were on concrete slabs? Multiple people responded "no."

Motion: Pending Attorney approval Ms. Pierson made the motion to allow Berecah Homes to submit a set of professional drawings and specifications for a town building at a cost of \$3,000.00 by Rose Pierson and seconded by Billye D. Custis.

Mr. Zember exited the meeting at 8:32 pm and returned at 8:35 pm.

8:32 pm - Mr. Zember was absent from the meeting when the motion was made. Mayor Hart stated they would wait for Mr. Zember to return to the meeting to carry out the vote.

8:35 pm - Mr. Zember returned asking for clarification on the motion.

Mayor Hart repeated the motion on the table.

There was an additional explanation about the motion.

At this time, the following vote was taken on the above motion:

Roll Call Vote: Zember-yes; Rillo-yes; Harmon-no; Pierson-yes; Custis-yes; Finney-no.

MOTION PASSED

Recessed at 8:37 pm

Reconvened at 8:39 pm

George N. McMath Park / Committee Report

Billye D. Custis was appointed Chairman of the Park Committee.

Chairman Custis read aloud the Park Committee Minutes from March 12, 2019.

Copy of the Park Committee minutes will be attached to the Regular Monthly Council minutes.

Ms. Rillo inquired on the plans for parking. Ms. Custis responded along the back part of the property not to take away from any of the land designated for the park. Chief Spivey inquired on the specification of the fencing. Ms. Custis responded a four feet tall metal fence, not chain-linked fencing. Ms. Custis will be compiling a Park budget once she receives all the figures. Mr. Hart would like to promote the George N. McMath Park in its beginning phases. He would like two high-quality signs for the property corners, advertising the "future home of the George N. McMath Park."

Beautification / Committee Report

Copy of the Beautification Committee minutes from March 12, 2019, will be attached to the Regular Monthly Council minutes.

Discussion from the Beautification Committee Members:

- Continue with the planting and mulching throughout the beautification locations in town. The locations are the Town Office, corner of Pennsylvania Ave, the four flower pots on the corners of Coastal & Main Street and all town signs.
- Meeting scheduled for late April with Joel Mosca from Mosca Designs regarding banners and new hardware.
- Purchase of Holiday trees.
- Waste containers around town.

Ms. Rillo suggested doing more of the large flower pots throughout the town. She noted the flower pots looked good on the corners and it would be a great asset to the appearance of the town to add some additional containers. Ms. Salazar noted the Committee could discuss the possibility of adding flower pots and the pot placement at the next beautification meeting.

Discussion of Grants

Ms. Salazar spoke with Kristie Finney concerning completing some additional Grant writing/applications for some upcoming projects. Ms. Finney has time constraints and is unable to complete any new Grant applications at this time. Ms. Salazar said she spoke with Karen Emerson, who is a Grant Writer, and she expressed an interest in providing her services to the town. Ms. Salazar said if the Council is interested in exploring Ms. Emerson's services. Adjustments will need to be made on the budget. Ms. Pierson mentioned there is a meeting scheduled with Curt Smith of the ANDPC on April 4, 2019, to obtain knowledge of grants that could be available to the town.

Review of Ordinance 005-010 Regarding Local Vehicle Tax

Ms. Salazar contacted Accomack County to inquire on the County's decal policy for volunteer fire departments. She stated that the county gives one free decal per household. The member has to provide membership documentation, and the member's taxes have to be current to qualify.

Onley Recreation Association Agreement

Mayor Hart stated a copy of the Agreement was provided in the Council packets. Ms. Salazar said at the request of several Council members this topic was added to the agenda. Ms. Salazar reported that the 2017-2018 ORA contract discount is offered to property owners, residents, business owners, and town employees. Ms. Harmon offered the Council an apology for her strong support to continue with the ORA agreement this year. She stated she did not know all of the terms of the ORA agreement. Ms. Harmon said she still is in favor of the deal because the pool is an excellent experience for the kids. She would like for the contract terms be reviewed in the coming years as to who is eligible for the discount. Ms. Custis noted she didn't vote in favor of supporting the ORA because she hadn't read the agreement. There was a lengthy discussion among the Council regarding who would be eligible for the discount. Ms. Custis stated the agreement reads the ORA is a non-stock organization. However, there are still stockholders. Ms. Kellam replied the ORA provided documentation from the IRS saying the ORA was a non-profit corporation. They are an entity in which the town can donate. Ms. Kellam noted that the 2019 contract hasn't been completed. Ms. Rillo recommended leaving the agreement as written. Mr. Finney stated at present there is no issue and wants to keep the agreement as written. Ms. Salazar clarified the 2019 ORA agreement would be the same as the 2017 and 2018 agreements with no changes. Ms. Kellam answered the same as 2018 agreement because changes were made to the 2017 agreement. The Council asked Ms. Kellam to amend the 2019 ORA agreement stating that to be eligible for the ORA discount, you have to be current with all town taxes.

Motion: To add to the ORA / Town of Onley agreement that the discount only applies to the taxpayers in good standing by Billye D. Custis and seconded by Susan Rillo.

Roll Call Vote: Zember-yes; Rillo-yes; Harmon-yes; Pierson-yes; Custis-yes; Finney-yes.

MOTION PASSED

New Business

Security Cameras

Mr. Finney asked for this to be added to the agenda. His thoughts are that the town office which houses the Police Department should have a surveillance system. He would like to install cameras on the inside of the building and the outside to oversee the parking lot. Mayor Hart and Ms. Rillo agreed with Vice Mayor Finney. Chief Spivey stated a camera couldn't be installed in the back office where the Police Department operates. Chief Spivey recommends a five-camera system for the town office property (inside and out). Mayor Hart researched a surveillance system that includes eight cameras for \$297.00 from Amazon. Chief Spivey stated the office's networking system has the capability of accommodating an IP based security camera system. He noted the system is high quality as well as high Definition with zooming capability. Mr. Tatum asked if the camera system can be accessed remotely and is there a chance the system could be hacked? Chief Spivey responded "yes." The system would be an internet-based system. So, there is a chance it could be hacked, but the network has an infrastructure built in to prevent such activity. The Council requested Ms. Salazar gather information from Bobby Umphlett, our IT specialist, and bring an information packet to next month's meeting. Mr. Dennis asked if the IP based camera system will support the new office building. Chief Spivey and Ms. Salazar responded "Yes". Ms. Salazar responded this camera system could also allow monitoring at the park. Chief Spivey stated it could accommodate an abundance of cameras.

Purchase Biomist (\$1,848.00)

Motion: To purchase the Biomist by Billye D. Custis seconded by Woody Zember

Roll Call Vote: Zember-yes; Rillo-yes; Harmon-yes; Pierson-yes; Custis-yes; Finney-yes.

MOTION PASSED

Discussion of Town Yard Sale

Mayor Hart would like to explore the option of having a town-wide yard sale event like what was done in the past. Ms. Custis noted the event was held on the Saturday of Memorial Day weekend. Chief Spivey suggested incorporating the event as a Town Festival and have it centralized to one location. He said this would be an opportunity for residents and police interaction in a safe environment. Ms. Rillo recommended using the town office parking lot for a setup location maybe in conjunction with the SPOTS area. Ms. Pierson stated that in the past, maps were provided of the houses participating in the event. Ms. Salazar said, with all due respect, she doesn't have the time to facilitate this event. She is willing to help out in any way, but can't take on this whole project solely. Ms. Custis, Ms. Pierson, and Ms. Harmon agreed to

help with this event. Mayor Hart proposed looking for a date in the fall around September/October. The Council will have a further discussion to work out the details.

Chesapeake Bay Preservation Area Support Grant (Letter of Support)

Ms. Salazar stated grant money is now available to assist low-income households in offsetting all, or a portion of, the expense with the required septic system cleaning. Accomack County is overseeing this project for the town, and they have facilitated the application for the grant. Ms. Salazar said Accomack County will require a letter of support from the Town of Onley to endorse the partnership with Accomack County and the Grant assistance.

Motion: To authorize a letter of support to endorse the partnership with Accomack County on the septic system cleaning assistance by Billye D. Custis seconded by Rose Pierson. Roll Call Vote: Zember-yes; Rillo-yes; Harmon-yes; Pierson-yes; Custis-yes; Finney-yes.

MOTION PASSED

Mr. Tatum inquired as to how often your septic tank needs to be pumped. Ms. Salazar responded every five years, and you will have to provide the County proof that the tank has been cleaned out.

Public Comments

Mr. Tatum no comment at this time.

Mr. Dennis thanked the Council for helping the Building Committee get started on the new building, with hopes of making it a reality.

Council Comments

Ms. Rillo said she appreciates everyone. She is interested in hearing the outcome from Ms. Kellam regarding the \$3,000.00 building plans. She noted she was reluctant to vote in favor of the new plans, but she would rather have something move forward than have nothing at all.

Ms. Custis had no additional comments at this time.

Ms. Pierson thanked all the town employees. She complimented Simpson's Lawn Care on how great Coastal Boulevard looks. Ms. Pierson thanked her fellow Building Committee members and all the residents in attendance. She expressed her happiness with the probability of proceeding with the set of blueprints for \$3,000.00 that will enable the town to have a town building. Ms. Pierson said, in her opinion, everyone on the Council would like to have a new building, and the town could have a new town building by the end of the year. Ms. Pierson closed by thanking her fellow Council Members for being supportive.

Mr. Zember thanked everyone in attendance tonight.

Ms. Harmon stated that some discussions during the meeting tonight got very tense. She

pointed out that everyone on the Council is there for the town's best interest. Ms. Harmon said she is pleased with tonight's meeting and she thinks the Council is making great progress.

Mr. Finney had no additional comments at this time.

Closed Session – 9:20 pm

Motion: To go into Closed Session in accordance with Section 2.2-3711(A) of the Code of Virginia of 1950, as amended for the purpose of Paragraph 1: Discussion or Consideration of matters pertaining to Public Works, specifically related to mosquito spraying personnel by Susan Rillo and seconded by Billye D. Custis.

Roll Call Vote: Zember-yes; Rillo-yes; Harmon-yes; Pierson-yes; Custis-yes; Finney-yes.

MOTION PASSED

Open Session & Certification of Closed Session – 9:30 pm

Motion: To return to Open Session by Rose Pierson and seconded by Billye D. Custis.

Roll Call Vote: Zember-yes; Rillo-yes; Harmon-yes; Pierson-yes; Custis-yes; Finney-yes.

MOTION PASSED

A roll call vote was taken after reconvening in Open Session, at which time each member certified by his/her vote that only the matters previously disclosed were discussed during Closed Session:

Roll Call Vote: Zember-yes; Rillo-yes; Harmon-yes; Pierson-yes; Custis-yes; Finney-yes.

MOTION PASSED

Mayor Hart stated Council is back in Open Session.

Mosquito Spraying

Motion: To hire Michael Scott for mosquito spraying by Billye D. Custis and seconded by Ned Finney.

Ms. Pierson added mosquito spraying would be three times a week.

Roll Call Vote: Zember-yes; Rillo-yes; Harmon-yes; Pierson-yes; Custis-yes; Finney-yes.

MOTION PASSED

2019-2020 Draft Budget (cont'd from workshop)

Ms. Salazar presented the Council with a copy of the updated draft 2019-2020 Budget. The Council reviewed the highlighted line item areas and made the recommended changes. A copy of the updated draft budget with changes will be attached to the minutes. Ms. Pierson suggested changing the description of VRS to Miscellaneous for office staff. Ms. Salazar responded she could get a breakdown from VRS on the actual amounts for retirement and the additional fees for the Hazardous Duty Supplement. Ms. Pierson stated with the addition of a breakdown the description can remain VRS. Ms. Custis said the budget could be sent to a public hearing. Once Ms. Salazar receives the breakdown amounts, those line items

can be adjusted as long as there is no increase in the figures. Ms. Salazar noted the 2019-2020 Budget has a deficiency of \$11,745.00. The Council unanimously agreed to use reserve funds to balance the budget.

Motion: To send the proposed 2019-2020 budget completed tonight to Public Hearing during the May 2019 meeting by Billye D. Custis and seconded by Rose Pierson.

Roll Call Vote: Zember-yes; Rillo-yes; Harmon-yes; Pierson-yes; Custis-yes; Finney-yes.

MOTION PASSED

Adjourn

Motion: To adjourn at 9:41 pm by Susan Rillo and seconded by Billye D. Custis.

Roll Call Vote: Zember-yes; Rillo-yes; Harmon-yes; Pierson-yes; Custis-yes; Finney-yes.

MOTION PASSED

Respectfully submitted by,



Melissa W. Taylor

Clerk



Matthew D. Hart

Mayor