

VIRGINIA: At the Public Hearing for Proposed 2019-2020 Budget and Regular Monthly Meeting of the Onley Town Council held at the Onley Baptist Church, 25501 W. Main Street, on the 6<sup>th</sup> day of May, 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 Public Hearing to order at 6:30pm.

**Invocation & Pledge of Allegiance**

The invocation was given by Claudia Harmon and the Pledge of Allegiance was led by Rose Pierson.

**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**

**Public Hearing for Proposed 2019-2020 Budget**

**Call to Order**

Mayor Hart called the meeting to order at 6:31pm.

Ms. Salazar read aloud the Rules for Public Hearing.

**Presentation of Proposed 2019-2020 Budget**

Ms. Salazar presented a synopsis of the proposed 2019-2020 Budget.

Estimated Revenues & Other Sources for the year ending June 30, 2020, totaled \$838,551.00 using \$11,745.00 from the reserve to balance.

Proposed Expenditures for the year ending Jun 30, 2020, totaled \$838,551.00. She reported a balanced budget. Ms. Salazar said there were no increases in Personal Property Taxes, Real Estate Taxes, Meals Tax, Transient Occupancy Tax, Business Licenses, or Decals in the upcoming budget.

**Public Comments – Budget**

Mr. Tatum – no comment at this time.

**Adjourn**

**Motion: To adjourn from Public Hearing at 6:36 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**

**Regular Monthly Meeting (cont'd)**

**Consideration of Minutes**

Ms. Salazar noted a correction to the minutes of April 1, 2019. On Page 9, the first bullet point under Mayor Hart's report will be changed to the highlighted statement in the Council Member's folders.

**Motion: To accept the April 1, 2019 Regular Monthly Meeting minutes with corrections as stated 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**

**Department Reports**

**Police Report & Schedule (June 2019)**

Chief Spivey provided Council a copy of the activity log totals and the June 2019 Police schedule.

Chief Spivey spoke on the Police schedule. He noted that Officer Arnold would be attending General Instructor Training from June 3, 2019 until June 7, 2019. Chief Spivey said that the Police Department provided traffic control for the Accomack-Northampton Pregnancy Center Walk-for-Life held in the town this past weekend. He added that Linda Spence, the organization's administrator, came by the office today to express her appreciation for all of their help.

**Motion: To approve the June 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**

**Ratify repair of the 2010 Ford Explorer (\$1,298.17)**

Ms. Salazar noted that Chief Spivey polled the Council for repairs that exceeded \$1,000.00.

Chief Spivey asked that Council ratify the motion to repair the 2010 Ford Explorer from earlier in the month. Ms. Salazar explained that since the repair was more than \$1,000.00, Council had to be polled to approve the expense.

**Motion: To repair the 2010 Ford Explorer in the amount of \$1,298.17 by Susan Rillo and seconded by Woody Zember.**

Ms. Custis asked if the vehicle was towed to the repair center? Chief Spivey answered "No." Ms. Custis inquired if any estimates were obtained for the repairs. Chief Spivey answered "No." Mayor Hart inquired if three estimates were required for the repairs. Chief Spivey answered "No." Chief

Spivey stated that Shore Tire and Auto (Harry's) is a state contract repair shop. The Council agreed previously to have all service and maintenance done at Shore Tire because they are a state contractor and they give the town priority treatment. Mayor Hart asked Ms. Kellam if the town is following the procurement policy by only dealing with one vendor, Shore Tire and Auto, for vehicle maintenance? Ms. Kellam answered, "Yes we are." She explained no other vendor provides the front of the line privilege in the area, and Shore Tire also holds the state contract. Ms. Kellam stated that the Council unanimously agreed to use Shore Tire as the primary repair vendor and not to acquire bids for repairs. Ms. Salazar presented documentation of the minutes from March 2017, July 2017 and September 2017. A decision was made in September 2017 concerning the vehicle repair bid process. She said that the Council decided that police car repairs are considered an emergency and Shore Tire gives front of the line privilege to the town. Ms. Salazar noted this decision was based on getting three bids on a vehicle repair that ended up with several towing bills and diagnostic charges. Mr. Finney stated Shore Tire was cheaper than the other vendors.

**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 for April 2019. She noted the purchase journal doesn't include the VRS payment due to their website being temporarily unavailable. A copy of the report will be attached to the minutes. Mr. Zember inquired on any delinquent meals tax. Ms. Salazar responded there is one business that is a slow pay. This is the same business that owes delinquent meals tax and makes payments on the delinquent amount. She further added that this business also needs to purchase a 2019 business license and she is working on that issue. Ms. Custis questioned the ICMARC payment. Ms. Salazar responded it is a retirement payment for the one hybrid employee. Ms. Custis asked Chief Spivey why the carbine wasn't charged to the Police Equipment line item? Chief Spivey stated the initial goal was to purchase a rifle for each police officer. That would be a more significant purchase that should come out of the Capital Expense line item. He noted there are some issues with this particular carbine and at this time the purchase of additional guns has been put on hold. Chief Spivey pointed out that once the problems have been resolved, the carbine will be put in-service.

**Motion: To pay the payables 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**

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

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

Ms. Salazar reported the following:

\*Issued two roof permits.

\*Issued a fence permit.

\*The Special Use Permit Application for a home business was voided at the recommendation of Ms. Kellam. All application fees have been refunded. The decision was made based on recent changes

to Zoning. Ms. Salazar noted this business has acquired a 2019 Business License. She further stated that a memo of explanation was added to the zoning file for the property.

### **Public Works**

Ms. Salazar reported the following:

- \*Mr. Scott has relocated and will be unable to spray for mosquitos this season. Further discussion on this will be during closed session.

### **Town Manager's Report / Zoning Report**

Ms. Salazar reported the following:

- \*Update on Rojas Tires property:  
While some work has been done at the property, I have contacted the property owner to let her know that she will need to continue with the cleanup. I have not heard back from her as of today. I have made Ms. Kellam aware. We will continue to work towards getting the property cleaned up.
- \*Received three of the four bank franchise bank information.  
Shore United payment was sent to Accomack County. Working with Ms. Deborah Midgett, Accomack County Assessor's Office to get resolved.
- \*Continuing to research all the requirements needed to have the ditches cleaned out.
- \*Received tall grass complaints. A notice has been sent to a property owner on Coastal Boulevard.
- \*Was contacted by a representative from Taylor Bank about the possibility of new construction  
At this time, Taylor Bank is waiting to take possession of the property. I have been informed that nothing will move forward until that time.
- \*Most of the week of 4/22/19 was spent working with the auditors. They were here on Monday and Tuesday (4/22/19-4/23/19). Most of those days were spent assisting them with the audit. They left me with several more things to provide them with so I continued to work on that through Friday. They stated that the audit went very well and they will be in touch once the final draft is complete. Their only suggestion is that we re-appropriate the \$500,000.00 (remaining balance) for the construction of the new town office. We may need to hold a public hearing to do this.
- \*The flowers were planted in the pots and everything was re-mulched around town.
- \*Spoke with Karen Emerson about the possibility of her doing some grant writing for us. She is very interested in helping us with grants. She will work up a proposal and get back to us with her hours/rate of pay.
- \*The cleanup of litter from the median and the sides of Route 13/Lankford Highway was a success. The 2-man crew began work at 6:00 am and did not finish until 5:00 pm. They collected 34 bags of miscellaneous trash, a mattress, a sofa cushion/pillow, quite a bit of lumber and some hub caps. The Onley Police Department (Chief Spivey and Officer Coulter) were a huge help with this project.
- \*The next project along the median and the sides of Route 13/Lankford Highway is grass cutting. The Onley Police Department will also assist with this project.

- \*The cleanup of the garage was completed on Wednesday, April 17. Four truck-loads of trash were removed and taken to the waste center. Everything was organized and cleaned. There was a hole in the back wall that was repaired. Officer Long assisted a two-person crew from Simpson's with the cleanup. Chief Spivey also participated. The auditors advised that no inventory was needed since there was nothing of significant value thrown away.
- \*The town office was sprayed for ants.
- \*Received several complaints about the demolition of the property on Pennsylvania Avenue. (Moore's Portable Solutions formerly Pierson's Comfort Group) After an inspection over there, Ms. Taylor and I contacted Mr. Moore to let him know that the debris was blowing all around into the neighboring properties and he would need to have it cleaned up. The property and surroundings were cleaned up.
- \*Wrote a letter to the DEQ asking that the town be included in the financial assistance program for septic clean-out.
- \*Mayor Hart and Ms. Salazar attended an Open House for Congresswoman Elaine Luria on April 23, 2019.
- \*Ms. Salazar attended a Town Hall Meeting with Senator Mark Warner at the ESCC on April 24, 2019.
- \*There was an issue with a proposed newly constructed home in the Lakewood Development. This problem has been resolved.
- \*In the matter of the missing computer, they are providing us with a new computer.
- \*Eastern Shore Communications wasn't holding up their end of the contract we have with them. I believe that I have resolved this matter after several phone calls and conversations as well as providing them with a copy of our signed contract with them. Chief Spivey assisted with this matter.
- \*Received two complaints about residences on Maple Street violating our property maintenance ordinance. After looking at both of these properties, I have determined that they are not in violation of the ordinance at this time.

Mr. Tatum asked Ms. Salazar if the landowners own the property up to the roadway? Ms. Salazar responded, "I don't think so." She stated she had checked with VDOT, Accomack County and Adam Simpson and all of these agencies have different requirements. Mr. Tatum said he understands the homeowner concern but, in a rite-of-way situation, what needs to be done has to get done. Ms. Salazar noted there is money set aside to have the ditch maintenance completed. She said she had received several complaints of an abundance of snakes in the residential neighborhoods and they are connecting it to the overgrown ditches. Mayor Hart inquired on the safety requirements needed to complete the grass cutting along Route 13. Ms. Salazar responded the town purchased several "Road Work Ahead" signs. She said Chief Spivey has also implemented an entire safety plan for completing the work on the highway. Chief Spivey responded he contacted OSHA and the town is within the compliance regulations. Ms. Salazar noted the proper permits were acquired from VDOT.

#### **Attorney's Report**

Ms. Kellam reported the following:

- \*The signed property deed was received from Ms. Byam and is at the Accomack County Clerk's Office to be recorded.

\*Researched if the town can receive park donations.

The town can receive park donations. A fund account will need to be established and earmarked as The McMath Park Fund. The gift is tax deductible.

### **Planning Commission Report**

Ms. Pierson reported the Planning Commission continues to review the Zoning Ordinances and changes to bring before the Council.

### **Old Business**

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

Chairman Dennis read aloud the Building Committee Minutes from April 18, 2019.

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

There was an extensive discussion (one hour) about all the different options and opinions from the Council and residents about the new town building.

Ms. Kellam opened explaining her recommendation to the Building Committee. She suggested the Building Committee ask other companies, such as Beracah Homes, if they would be interested in providing the town with a set of plans. This will show that the town followed the procurement policy and didn't sole source out the project.

Mr. Finney:

\*Continue to explore the possibility of building the GMB building plans.

\*To explore cutting the material cost of the GMB building plans (tile, flooring, bricks, doors) to reduce the overall cost.

\*To get the VDOT issues resolved before proceeding any further with the new town building.

\*Asked the square footage on the Beracah Homes. Mayor Hart responded 2,300 square feet, with 700 square feet upstairs that is unfinished. Mr. Finney noted that if the upstairs is unfinished, it is not the same size as the GMB building plans. He said you have to go by square foot pricing and if 700 square feet is not finished, it is not the same as the GMB building plans. Mayor Hart noted the CEO of Beracah Home gave an estimated cost of around \$500,000.00 to build the GMB set of plans.

\*Wants a contract in writing from Berecah Homes, if they were to win the bid to build, that they will be the general contractors. Mayor Hart responded Beracha Homes would oversee all the sub-contract work with an additional charge of ten percent per sub-contractor.

Mr. Dennis:

\*Several boxes on the building plans are not signed off by an architect, therefore those plans are invalid. VDOT confirmed this and provided proof with a letter of documentation. Mr. Dennis will provide Ms. Salazar with a copy of the VDOT letter. The Council asked Ms. Salazar to contact GMB regarding the building plans.

\*Reported there are problems with stormwater runoff and culverts with VDOT.

\*Mr. Dennis questioned if GMB received a percentage of the building cost. Ms. Kellam, Ms. Salazar, and Mr. Finney responded "No." Ms. Kellam stated this had been asked previously and was directly denied.

Ms. Pierson:

\*The Building Committee was formed to come up with a plan that would work for the town, not to revise GMB building plans.

\*Need to get a set of plans to proceed with proposals, to simplify the process.

Mayor Hart:

\*The Building Committee considered the GMB plans and it is documented in the committee minutes.

\*Speaking on his own behalf, not the Committee, he is in favor of lessening the material cost of the GMB building plans and sending back out on bid along with a smaller building plan. This will give the Council options to consider.

\*Asked Ms. Salazar to follow-up on the VDOT issues.

Ms. Harmon:

\*Requested additional locations of commercial buildings built by Beracah Homes, other than the Willards, MD location, to have options to compare.

\*Request from other companies to get a sketch much like the one provided by Beracah Homes.

\*To explore what other options another company may have.

\*Would like to see two other companies offer building sketches, if they are interested.

\*Noted she doesn't want to spend extra money on building plans but would like to have more sketches to have options and different models.

\*Being a new Council Member, she will not make big decisions without having all the facts.

Mr. Tatum:

\*To get a set of plans that is stamped by an architect. The architectural plans would include specifications of the design, with the Councils approval. Those plans could be sent out to multiple contractors on a bid. The contractor would then know exactly what they will be bidding on.

Ms. Gordy:

\*The problems with getting the new town office built is with the Council and not being able to agree or make a decision.

\*Recommends having a VDOT representative attend a Council meeting to provide insight into the revisions that are needed to be complete. Mr. Dennis responded the VDOT representative would need to review the plans before attending a meeting.

\*She noted that in her twenty years of experience VDOT has been very helpful.

Mr. Corbin:

\*Asked if the Council is agreeable to pay for additional sets of plans from at least three to five other companies.

\*The Building Committee is asking for \$3,000.00 as the first step to get a set of plans provided by Beracah Homes. Once the plans have been obtained, then any contractor can bid on the new building construction.

Ms. Custis:

\*She likes the building (quality) built by Beracah Homes in Willards, MD, but doesn't like that particular layout for the Onley town office.

Ms. Rillo:

\*Inquired if any of the other previous building plans could be used as a starting point.

\*Recommends scaling back the GMB building plans to get within the building budget range. Mayor Hart stated the Building Committee had downsized the structure from the original proposal to get within the budget. Ms. Rillo responded she hadn't seen any changes to the GMB building plans brought back to the Council.

\*The new town office is for future generations. She can't comprehend saving \$200,000.00 on a modular building that might last 25-30 years versus a stick-built building that would last 100 years. She would rather see a building built to last. Mayor Hart explained the difference is around \$700,000.00, not \$200,000.00.

\*To obtain clarification from GMB regarding the incomplete stamped building plans.

Mr. Zember:

\*Recommends sending out the GMB, Beracah Home and a third set of plans at the same time for the bid to provide several different options.

Mayor Hart stated the Building Committee wants to comply with the procurement clause, per the Town Attorney recommendation. The Building Committee will prepare a formal RFP to be sent to Manufactured Home suppliers. Chairman Dennis approved. Ms. Salazar will provide the Building Committee with an RFP template. Mr. Finney stated the issues with VDOT need to be investigated.

#### **George N. McMath Park / Committee Report**

Chairman Custis provided Park Committee Minutes from April 2, 2019 and April 13, 2019.

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

George N. McMath Park Committee Report 5/6/19 – Chairman Custis read aloud the report below provided by Ms. Custis. It will be attached to the Regular Monthly Council minutes.

\*Committee met on April, 2, 2019 with Councilwoman Rose Pierson, Councilwoman Billye D. Custis and Leslie Mason present. Brian Daffin had a doctor's appointment. We discussed site work, parking, fencing, fund raising, labyrinth, and we touched on restrooms, potable water and alternatives. The next meeting was set for May 14 at 10:00 at 25440 Caroline Ave. \*Councilwoman Rose Pierson, Councilwoman Billye D. Custis, and committee member Brian Daffin met with Elizabeth Byam on April 13, 2019 at 10:00 at the Crossroads Coffee Shop in



Onley. Mayor Matt Hart joined us. It was very informal. We circled around a project board that the Chairman had prepared. We discussed benches, bricks, fencing, gates, labyrinth, trees, picnic tables, pet waste stations, litter/recycling containers, fountains, signage, pathways, and fund raising. We all seem to be on the same page with our vision for the park. This gathering lasted until 10:50.

- \*The project board is here tonight; feel free to look at it.
- \*Chairman Custis met with a landscape contractor at the park property on April 20, 2019 and he had some great ideas and suggestions for the Park. He was also a great resource for where to start.
- \*The committee would like the Council to set a Capital Budget amount for Phase 1 of this project tonight.
- \*The committee would also like to know about fundraising and how that works; and if we could use the old Town of Onley signs for Future Home of George N. McMath Park signage.
- \*The committee is waiting for the deed to be recorded and they will be ready to get started on the process.

**Additional discussion:**

Ms. Custis:

- \*Will prepare a Capital Budget for the Town Park project.
- \*The Park will be completed in phases. Ms. Custis said under Phase 1 they would like to complete the labyrinth and groundwork.
- \*Reported the parking would be where the half basketball court was initially proposed on the original park design. She noted, with the installation of a new culvert, no trees will need to be removed.

Ms. Harmon:

- \*Her ideas for the first phase were to complete the groundwork, fencing, and the pavilion for a start of town activities, i.e., concerts or fundraisers.

Ms. Wardius:

- \*Research out the well and septic location before starting any construction. Ms. Custis responded the location of the restrooms has already been determined. The bathrooms will not interfere with the development of the labyrinth because they are on opposite ends of the property. Ms. Harmon stated she was under the impression that restrooms were not an option at this time. Mayor Hart reported the Committee has discussed the possibility of higher-end porta-potties. Ms. Custis noted she had visited several parks recently, most recently the park in Berlin, MD. She said they have porta-potties, both regular and handicap accessible. Mayor Hart said in his opinion the porta-potty plan is the best way to proceed at this time.

Chief Spivey:

- \*Asked that the security measures be included with Phase 1. At an estimated cost of \$5,000.00.

Mr. Finney:

\*"I don't know how much this park is going to cost altogether. If we can't build a building for \$900,000.00, I don't want to put \$500,000.00 in a park".

\*Is in favor of furnishing funds for the Park, but would like to have total figures of all the phases. Not just numbers for the first phase.

Mr. Zember:

\*Inquired on the original budget that the Council agreed upon for the park. Mayor Hart responded the average was \$137,000.00. Ms. Harmon responded she thought when the Council Members gave their figures of what they were willing to spend on the park during a Council Meeting, that amount was for everything. She didn't realize that the amount was for the different phases.

\*Would like to complete Phase 1 to a point where the park begins to look like a park.

\*Provided a figure of \$200,000.00 to establish a Capital Budget toward Phase 1 for the Town Park.

Ms. Salazar:

\*Recommended having joint Public Hearing discussing: Reallocation of the remainder of the New Town Building Funds and to allocate the funds for the Town Park.

**Motion: To allocate \$200,000.00 for Phase 1 of the George N. McMath Park by Woody Zember and seconded by Rose Pierson.**

Mr. Finney asked how many phases it will take to complete the Park? Mr. Zember and Mayor Hart answered "three phases." Mr. Finney said that would be a total of \$600,000.00. Ms. Custis responded, "no - each phase won't be as much." Mr. Finney noted there is still a lot of unknown information about the park and \$200,000.00 is a lot of money. Mayor Hart stated we spent \$117,000.00 on a set of building plans. Mr. Finney responded and "we are throwing that money away." Mr. Zember said the \$200,000.00 is a starting point. We need a starting figure, if not "we will just keep beating around the bush again." Ms. Salazar noted, as a point of reference, once the town takes possession of the land it is covered under the VML liability insurance. Ms. Salazar said Simpson's would maintain the lawn care for \$25.00 per week. Ms. Harmon stated on the record that she is in favor of the park. When asked for her figure during the Council meeting about the amount she was willing to spend (\$150,000.00) on the park project, she thought it was for the whole park project. Mayor Hart responded he is pretty sure it was explained that the amount was to get the park started, and that information should be documented in the minutes. Mayor Hart stated the estimated amount was needed and given to the McMath's as a contingency of the land donation. Ms. Harmon said she didn't remember the word "phase." She will reference the minutes.

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

**MOTION PASSED**

## **Beautification / Committee Report**

### **Banner and Hardware Proposal**

Ms. Harmon opened by thanking Ms. Salazar for having the flower pots planted before Garden Tour weekend.

Ms. Salazar reported:

\*Met with Joel Mosca from Mosca Designs regarding banners and new hardware. He provided a price quote of \$8,152.00 for the banners and new hardware.

\*This quote is for 44 canvas material banners (22 with tulips and 22 with hummingbirds) and thirty sets of hardware with banding straps.

\*There is a need of 44 banners. Currently, there are about 30 banners. Would like to purchase additional banners to fill in some of the sparse places.

\*Simpson's provided a quote of \$1,400.00 per day for the use of the bucket truck and a two- or three-man crew to install new hardware and hang the new banners.

**Motion: To spend \$10,000.00 on new banners and hardware 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**

### **Review of Ordinance 005-1010 Regarding Local Vehicle Tax**

**Motion: To have Ms. Kellam draw up a new Ordinance regarding the Local Vehicle Tax to include one free decal per household for all active Emergency Services Personnel 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**

### **Security Cameras**

**Motion: To purchase the security camera system for \$2,561.50 by Ned Finney and seconded by Claudia Harmon.**

Ms. Pierson asked if the security camera will only be around the Town Office. Chief Spivey answered, "Yes." Ms. Custis asked if there will be security cameras on the inside? Ms. Salazar responded, "Yes," two in the front part of the office, none in the back because of the Police Department business. Ms. Custis asked if the security system had audio? Ms. Salazar and Chief Spivey responded, "No," the audio will not be enabled. The system has the ability for audio, but that capability will not be enabled. Mayor Hart asked who would have the privileges to review the camera footage and if the Council would be notified when the footage is reviewed? Chief Spivey responded it would be up to the Town Manager to establish a policy. Chief Spivey explained in detail the mechanics (recording looping),

privacy act, and legal ramifications of the security cameras. Chief Spivey said he believes anyone can review the camera footage. He said the research of the FOIA guidelines on reviewable camera footage would need to be completed. All requested will be allowed according to FOIA. Mayor Hart is in favor of the installation of the security system.

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

**MOTION PASSED**

### **Resolution Regarding Leasing of Certain Offshore Drilling Rights**

**Motion: To draft a Resolution regarding the opposition of Leasing of Certain Offshore Drilling Rights by Susan Rillo and seconded by Rose Pierson.**

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

**MOTION PASSED**

### **Discussion of Weekly Police Report**

Mayor Hart added this topic to the agenda. Mayor Hart said he still would like to see a weekly Police Department report to be more transparent and to have an open line of communication between the Chief and the Council. Mayor Hart stated that Ms. Salazar is in support of a weekly Police Department report. Chief Spivey responded due to the rules, regulations, guidelines, and specific stipulations some police information is not available to share. He added that not providing this information is not a policy or procedure; it is the law to protect the rights of individuals. He said that some people are not as privileged to police information as they might think they should be, hate to be so blunt, but that is just a fact. Chief Spivey noted that Ms. Salazar is notified immediately on matters that are deemed critical. Chief Spivey commented on the open line of communication. He emphasized he has informed the Council that he is always available, at the Councils leisure, to answer any questions or address any concerns. If able, he will disseminate the information requested. Chief Spivey said there are many towns that the Chief of Police doesn't attend Council Meetings. No other town submits reports to the Council. Ms. Custis commented that Chief Spivey stated, "If we ask." If we don't know it, then we don't know to ask it but if someone were to ask, then you will tell it. When you tell that one person, if that person is a member of this Council, then all the Council members should know." Ms. Custis said Chief Spivey stated one Council Member regularly comes and asks questions, and if the Chief can share that specific information he will. Ms. Custis and Mayor Hart noted that is the additional information that the Council is looking to receive in the weekly Police Report. Chief Spivey responded that one person has had concerns about rumors and not having the proper answers. The rumors have been particular to one topic (person, place, or incident) and don't warrant notifying the Town Manager. Mayor Hart provided an example of information that could be included in the weekly report — purchasing the carbine. The report could have provided the Council

knowledge that the Police Department had decided not to buy any additional carbine rifles. Chief Spivey stated no conclusion had been made on the purchase of the carbines at this time. Ms. Salazar is aware in the situation. Mayor Hart said they are not looking to violate the privacy of individuals or specific information. The perfect example of what they are asking for is the accident that happened on Coastal Boulevard and East Main Street, that was reported in Ms. Salazar's weekly report. Chief Spivey stressed Ms. Salazar is notified immediately as situations occur. Ms. Harmon asked Chief Spivey if the accident information would have been sent out if it were on any other corner in the town, if on the weekend? Chief Spivey answered, probably not. He went on to say this particular accident disrupted traffic, the stoplight, and was more severe and an incident of importance to report. Ms. Rillo noted when there is an issue that the Council needs to be aware of Ms. Salazar delivers either in the weekly communication report or by phone. Chief Spivey pointed out he has asked what specific information people are requesting, and he never gets a direct answer. Mayor Hart responded during a conversation with the Chief; he asked for specific information. Ms. Harmon stated as a Council Member; she has never been approached about an accident that has occurred in town. If contacted, she would respond, "I don't have that information, but I will look into it, and I will get back to you." Ms. Harmon stated, "we can't all know everything all the time." Ms. Salazar noted she did tell Mayor Hart that if the Council decided on the weekly police report, she would make sure that happened. She said this is not the best way to put it but "quite frankly I'm tired of fighting about it." Ms. Salazar said she understands Chief Spivey's concerns about providing this report. With that being said, she doesn't want the Council to think that things are not being disclosed to them. Ms. Salazar addressed an issue with a comment made by Mayor Hart. Ms. Salazar requested examples of things the Council feels they haven't been told. She said the Council is notified of anything of importance immediately depending on the circumstances. Mayor Hart stated, not necessarily. Chief Spivey said that makes an implication that is not true. You have no evidence to support any impropriety within this agency. Mayor Hart responded he has emails to prove that an Officer of the Town did something that opened up an investigation and a possible lawsuit against the town. Ms. Salazar noted to be cautious discussing personnel matters or possible litigation during open session. Mayor Hart said some of the Council Members were notified of this incident, but some members of the Council were not. He said that is one example of why the weekly police report is so valuable to make sure everyone is informed at the same time. Mayor Hart said you hear "stuff" on the street, and at first, it is a "rumor", then it changes to "yes that did occur". Mayor Hart stated as the Mayor of this town to hear town business on the street, that he hasn't been informed about does not make him happy. Mr. Finney asked Mayor Hart if he is only supposed to preside over the meeting? Mayor Hart responded, "I am trying to get something done that would prevent this from happening in the future." Mayor Hart said that Mr. Finney was notified of the incident. Mr. Finney responded, "NO, I have NEVER been notified." Chief Spivey responded, the Council and the Town Manager were notified. Ms. Salazar again reminded Council that this is a Closed Session matter. Ms. Salazar stated she doesn't feel comfortable having this discussion in Open Session. Chief Spivey said this discussion

should move to Closed Session "because the implication being made in statements is that there is impropriety. There is none I can assure you. At some point, the Council will need to go into Closed Session to discuss. Because now the accusation has been made." Mr. Gomez stated as a resident, in his opinion, what happens at a private residence should be between the Police Department and the property owner and no one else. He would like to know what information would be provided to the Council. Mayor Hart stated it is not on the adopted agenda, so legally we can't go into Closed Session to discuss. Ms. Kellam responded, "correct." Mayor Hart noted this discussion would need to resume at another time. Mr. Finney mentioned an emergency Closed Session. Ms. Kellam and several Council members responded there is no reason for an emergency Closed Session. Chief Spivey stated the implication being made is completely unfounded. Mayor Hart closed this intense discussion stating the Council has heard from the Chief, and from the Town Manager who supports the weekly Police report. We are simply asking for important information that would benefit the Council weekly. Mr. Finney said that Ms. Salazar didn't support the report. Her comment was she would do at the request of the Council. Mayor Hart responded that her exact words to me (Mayor Hart) were, "I support the weekly Police report." Ms. Salazar responded, "Yes, if that is what the Council wants, I will see that it gets complete, I'm just tired of arguing about." Mr. Zember suggested ending all discussion and table any further discussion for another time. Ms. Rillo agreed. Ms. Rillo stated that Ms. Salazar, as the Town Manager, is doing a wonderful job disseminating information when it doesn't compromise someone's privacy or safety. Ms. Rillo said the Chief also is doing a wonderful job. Ms. Pierson said she would like to know she is safe in her own home. Ms. Rillo stated that if there is a public safety issue, it will be made public for town wide awareness -not just the Mayor and Council. Ms. Custis said the Council could hold Ms. Salazar responsible for providing the Council with any and all pertinent information. Ms. Salazar responded, "Yes." Mayor Hart stated the final decision was that Ms. Salazar would include any important Police matters with her weekly Town Managers Report. There was no response from the other Council Members to this statement.

#### **New Business**

#### **RFP – 2018-2019 Audit**

**Motion: To send out an RFP for the 2018-2019 audit 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**

#### **Public Works Contract**

Ms. Salazar reported that Mr. Simpson's contract expires on June 30, 2019. Written in the contract are two one-year extensions that the town is not required to re-bid the Public Works contract. Mr.

Simpson noted there would be no changes to the terms of the agreement already in place. \$29,000.00 yearly, \$2,400.00 monthly, additional \$100.00 per month for maintaining the park property during grass cutting season (April until October). Other fees that will apply, which were not included in the original contract are the litter clean-up, grass cutting along Route 13 and the use of the bucket truck for the banner installation project.

**Motion: To continue with Simpson's for another year based on the terms of the contract 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**

#### **Set/Confirm Meeting Date to Adopt 2019-2020 Budget**

Date confirmed for the June 3, 2019 meeting.

#### **Public Comments:**

Mr. Tatum no additional comment at this time.

Ms. Wardius said it seems that the Council was further along with the new building construction in 2016, when they moved into the town, then they are now. She said she heard a lot of encouraging discussion come from the meeting tonight. This is a good town.

Ms. Amadeo asked what the town's population is? Mayor Hart responded around 500, and Ms. Salazar responded 516. Ms. Amadeo wondered if there is property in the town that will accommodate growth. She noted there had been a lot of discussions for many years about a new town building for a town with a population of only 500 people. We are not a city that needs a large building. She made mention of the number of people attending the meeting tonight.

#### **Council Comments:**

Mr. Finney addressed the rumors that seem to begin at Bojangles. He said if the community wants to know any information about the town, please inquire within the town office and stop the rumor mill. Mr. Dennis responded that he had been accused of being one of the rumor starters at Bojangles. Mr. Dennis said he had been approached on several occasions about town business while at Bojangles. On one occasion by a non-resident of the town. Mr. Dennis has encouraged them to attend a town meeting and voice their concerns.

Mr. Zember was pleased that some things got accomplished tonight. He said he suggested the increase to the starting budget on the town park so we will have something resembling a park after the completion of Phase One. He would like for the Council to make a final decision on the new town building and move forward. He hopes everyone has a nice evening.

Ms. Custis stated that it's not so much rumors, but what happens In Accomac, in or out of court, that is at Bojangles the next morning. The conversation is coming from people that don't live in the Town of Onley. She thanked the Council for the budget for the park. She thanked everybody for coming out tonight.

Ms. Rillo thanked everyone in attendance this evening. She thanked all the town employees and her fellow Councilmembers. There was good discussion tonight. She loves the new banners. She said the security camera is a good thing for the town office, to maintain a safe work environment. She feels that everybody does a wonderful job. She counts on the Town Manager to disseminate the proper information to the Council.

Ms. Pierson thanked all the town employees. She is disappointed that the Council didn't get further along on the new building project. The Committee has been working very hard; however, the Building Committee will go ahead with the plan as stated and get proposals from other companies, and perhaps the GMB proposal can be an additional choice. She is glad the park got more money. She thanked everyone in attendance for coming and being a part of the meeting.

Ms. Harmon thanked the audience for attending the meeting and voicing their feelings. She feels like she was misunderstood about spending additional money on building plans because she is a very frugal person. She hopes the Building Committee will take this information and go to other companies because no money was spent on the first drawing. She is glad that the issues with VDOT and GMB were caught before any further progress was made on the building. She stated that tonight's meeting had some tense times and that shouldn't be, because the Council all wants the same result. A lot of useful information came out of the meeting tonight. She closed by thanking everyone and thanking the town employees.

Mayor Hart stated there was a lot accomplished tonight.

Moving forward, he hopes that both building proposals will be considered and sent out on bid at the same time. This discussion was a significant accomplishment tonight. He thanked Councilmembers on the unanimous vote of \$200,000.00 going towards the park. He thanked everyone in attendance.

#### **Closed Session – 9:31 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 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**

#### **Open Session & Certification of Closed Session – 9:36 pm**

**Motion: To return to Open Session 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

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: Hart-yes; Zember-yes; Rillo-yes; Harmon-yes; Pierson-yes; Custis-yes; Finney-yes.  
MOTION PASSED

**Mosquito Spraying**

Rescind Motion from April 1, 2019: To hire Michael Scott for mosquito spraying by Billye D. Custis and seconded by Ned Finney.

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

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

Ms. Salazar noted spraying will begin on May 8, 2019.

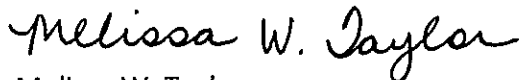
Roll Call Vote: Zember-yes; Rillo-yes; Harmon-yes; Pierson-yes; Custis-yes; Finney-yes.  
MOTION PASSED

**Adjourn**

Motion: To adjourn at 9:38 pm 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

Respectfully submitted by,



Melissa W. Taylor  
Clerk



Matthew D. Hart  
Mayor

## George N. McMath Park Committee Report 5/6/19

- Committee met on 4/2/19 with Councilwoman Rose Pierson, Councilwoman Billye D. Custis, and Leslie Mason present. Brian Daffin had a doctor's appointment. We discussed site work, parking, fencing, fund raising, labyrinth, and we touched on restrooms, potable water and alternatives. Next meeting was set for May 14 at 10 AM at 25440 Caroline Ave.
- Councilwoman Rose Pierson, Councilwoman Billye D. Custis, and committee member Brian Daffin met with Elizabeth Byam on April 13, 2019 at 10AM at the Crossroads Coffee Shop in Onley. Mayor Matt Hart joined us. It was very informal. We circled around a project board that the Chairman had prepared. We Discussed benches, bricks, fencing, gates, labyrinth, trees, picnic tables, pet waste stations, litter/recycling containers, fountains, signage, pathways, and fund raising. We all seem to be on the same page with our vision for the Park. This gathering lasted until 10:50AM,
- The project board is here tonight and please feel free to look at it.
- Chairman Custis met with a landscape contractor at the Park property on 4/20 and he had some great ideas and suggestions for the Park. He also was a great resource for where to start.
- The committee would like the Council to set a Capital Budget amount for Phase 1 of this project tonight.
- The committee would also like to know about fundraising and how that works; and if we could use the old Town of Onley signs for Future Home of George N. McMath Park signage.
- The committee is waiting for the deed to be recorded to the Town and we will be ready to get started on the processes.
- Any Questions from the Council?

George N. McMath Park Committee

Meeting April 2, 2019 10AM

25440 Caroline Avenue, Onley, Virginia

Present: Councilwomen Rose Pierson and Billye D. Custis and Leslie Mason

Absent: Brian Daffin (doctor's appointment)

Meeting was called to order by Billye D. at 10:10AM.

Minutes were approved as written.

Discussion started with site work. Brian has gotten a ballpark price from Brittingham for a parking suggestion. Leslie will check with VDOT about parking options. Billye D. has spoken with Allen Clark's wife because he was out on a job. She was to have him get in touch with Billye D. and that has not happened yet.

Billye D. got a ballpark price for fencing and all present agreed the fence should be metal.

The labyrinth was discussed. There is one in Northampton County that was done as an Eagle Scout project. Billye D. will talk with Rev. Wayne Parsley (retired) about the possibility of Scout help.

Fund raising was discussed. Included were ideas for engraved bricks, benches, trash/recycling containers, Barbeque at the Park, and letter campaign.

We touched on restrooms, potable water, and alternatives.

Mrs. Byam is to let Billye D. know when she will be in the area in the next week or so. A meeting with the committee will be set at her convenience.

Billye D. will check with Brian about the second Tuesday in May at 10AM for next committee meeting.

Meeting adjourned at 11:40AM.

Billye D. Custis

George N. McMath Park Committee

Meeting April 13, 2019 10AM

25514 E. Main Street, Onley, Virginia

Councilwoman Rose Pierson, Councilwoman Billye D. Custis and Brian Daffin from the Committee met with Elizabeth Byam on April 13, 2019 at 10AM at the Crossroads Coffee Shop in Onley. Mayor Matt Hart joined us.

It was very informal. We circled around a project board that Chairman Billye D. had prepared. We discussed benches, bricks, fencing, gates, labyrinth, trees, picnic tables, pet waste stations, litter/recycling containers, fountains, signage, pathways and fund raising.

All agreed that Elizabeth Byam and the Committee have the same vision for the park. Elizabeth asked to be kept in the know about progress and decisions. Billye D. assured her that would happen.

At 10:50 the group went their separate ways and all were happy with the outcome of the meeting.

Billye D. Custis

## **Town Building Committee Meeting April 1, 2019**

All committee members present.

Discussion of the presentation of this committee at tonight's Town meeting.

John Dennis as the Chair will read the minutes from the last meeting describing the committee recommendation to get a formal proposal from Beracah that will give the town a complete set of plans with a price.

We discussed some changes in the placement of offices that would be made after the approval of the recommendation.

We are aware that we have a November deadline of the septic system that was provided by Bundick.

## Town Building Committee Meeting April 18, 2019

All committee members present, meeting started promptly at 10am. Chair John Dennis brought copies from Dept. of Transportation dated October 13, 2017 and August 23, 2018 for review. Both documents confirm that there are some issues with the site plan of the new building. These would have to be addressed before building proceeds.

The next discussion was pertaining to the email received from the Town Manager, Jayme Salazar addressing the requirements for going on with the plans for the building.

We reviewed names of builders of modular homes and decided who would be contacted. We would have to prepare a RFP to email to vendors and ask if they would be interested in submitting a proposal.

We need a clarification of the Procurement Ordinance to make sure that we are proceeding in policy.

### **Continuation of meeting on April 26<sup>th</sup>**

John Dennis, Matt Hart, Brian Corbin and Rose Pierson visited the town office building that Beracah built in Willard, MD. On Tuesday April 23<sup>rd</sup>. This building five years old and appears to be in very good condition.

Our discussion of the emails between Mayor Hart, Jamye Salazar and Rachel Kellam was reviewed and we determined that we, the committee cannot proceed to get proposals without a set of plans that outline what our needs are. Without the plans it would be difficult for other vendors to bid equally.

Our feeling is that the purchase of the plans from Beracah is at this point a “sole source” purchase.

It appears that this will be brought up at the next town meeting on May 6<sup>th</sup>.

Rose Pierson