

Onley Town Council
Regular Monthly Meeting
Minutes of December 2, 2019

Hearing for Special Use Permit and Regular Monthly Meeting of the Onley Town Council held at the Onley Baptist Church, 25501 W. Main Street, on the 2nd day of December 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, Attorney
Alissa Yoder, Clerk

Call to Order

Mayor Hart called the meeting to order at 6:00pm.

Invocation & Pledge of Allegiance

The invocation was given by Susan Rillo and the Pledge of Allegiance was led by Claudia Harmon

Adoption of Agenda – Ms. Salazar requested that Personnel Matter be added to the Closed Session of the agenda.

Motion: To adopt the agenda, with the change that is requested 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

Consideration of Minutes

Motion: To adopt the November 4, 2019 Joint Public Meeting and Regular Monthly Meeting minutes by Ned Finney and seconded by Rose Pierson.

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

Motion Passed

Department Reports:

Police Report & Schedule – Chief Spivey presented council with a police report and a schedule for 10-hour shifts in December and 8-hour shifts in January. He noted that in the past month, the department has been responsible for solving 3 major criminal cases in town. He reported that he is proud of the way the department handled the cases, and he hopes the town is as well. He also noted that as authorized, he has reserved a 2020 Charger. The agreement that was signed was in the amount of \$27,372.65. Chief Spivey answered questions from council about the January schedule submitted, due to the change in shift hours. Ms. Kellam inquired if an email could be circulated regarding changes to the new schedule,

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so that there could be communication between council and Chief Spivey while he is working on the schedule. Mayor Finney requested that the schedule discussion be added to the closed session.

Motion: To withdrawal the adoption of tonight's agenda by Rose Pierson and seconded by Susan Rillo.

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

Motion Passed

Motion: To adopt the agenda with the addition of Police Department Scheduling and Discussion of Personnel Matter to Closed Session by Rose Pierson and seconded by Susan Rillo.

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

Motion Passed

Motion: To adopt the December 2019 Police Department schedule by Susan Rillo and seconded by Woody Zember.

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

Motion Passed

Treasurer's Report

Ms. Salazar gave her report for November 2019. A copy of the report is available at the town office.

Motion: To pay the payables including the additional payables by Susan Rillo and seconded by Woody Zember.

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

Motion Passed

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

Ms. Salazar read her report for Town Manager, Zoning Administrator and Public Works for October 2019. This report is available at the Town Office.

Transfer Money from PNC Money Market to Union Bank Money Market – Ms. Salazar requested that council approve taking \$647,000 out of the PNC Money market account and move it to Union Bank Money Market due to the PNC account dropped to 1% this month, and the Union Bank is 2.02%. She noted that she did not hear back from BB&T when she required with them about their rates. Vice-Mayor Finney suggested checking with BB&T again, to see if she should bother checking with them for future accounts or if they prefer to not handle public funds money. Mayor Hart asked that Ms. Salazar check with Taylor Bank as well.

Motion: To transfer money from the PNC account to whichever bank has the highest rate by Susan Rillo and seconded by Claudia Harmon.

Ms. Salazar noted that due to Councilwoman Rillo working for Atlantic Union Bank, she should refrain from making a motion.

Motion: To withdrawal the motion to transfer money from the PNC account to whichever bank has the highest rate by Susan Rillo and seconded by Claudia Harmon.

After discussion, Ms. Salazar reported that she will be checking with the other banks and account options and report back at next months meeting for a motion to be made.

Attorney's Report

Ms. Kellam reported that in this month, she has drafted the BZA order for the judge to enter appointing

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John Dennis to the BZA. She has also worked with Jamye to resolve the transient tax issue and she will be revising the Handicapped Ordinance to include the fire lanes; no separate ordinance is needed.

Planning Commission Report

Councilwoman Pierson reported that the Planning Commission has finished making their recommendations for the Zoning Ordinances and they will review the entire document at their next meeting.

Old Business

Property at 25571 E. Main Street / New Town Office

Conceptual Berecah Plan – Councilwoman Pierson informed council that the Berecah plans are under review at a third-party engineering company and should be back to Berecah by sometime mid-December. The Building Committee will then get to review the plans and set an appointment to visit the design studio at Berecah to make selections for finishes. The Building Committee has discussed having the two office personnel come along for the appointment. After this is done, the Building Committee will have a complete set of plans and a total cost from Berecah. This will be the bid package.

GMB Plan – Vice-Mayor Finney reported that he and Ms. Salazar met with Morgan from GMB to discuss changes that can be made to the GMB building plan. He noted that the footprint of the building would not change. He recommended putting the GMB plans out for bid and negotiate with the lowest bidder on the cosmetic changes that could be made to bring the price down. There was discussion, and Ms. Salazar went on record saying that she will not be overseeing the building process due to not being qualified to do so. Vice-Mayor Finney and Mayor Hart stated that they would like to oversee the building process. They also both agreed that they would like to send the Berecah plan and the GMB plan out at the same time. Councilwoman Custis stated that she was not in favor of sending two separate plans out to bid and Ms. Kellam advised against sending two separate plans out. Mayor Hart stated that he would like to see council make a budget for the building.

Town Office/ Building Construction Budget (Discussion) – Mayor Hart reiterated that he would like to see a budget set for the building. Mr. Brian Corbin requested clarification on Mayor Hart and Vice-Mayor Finney overseeing the building process. Both noted that they would like to oversee, but the county will still be inspecting. Ms. Kellam noted that they are not permitted to receive compensation for overseeing. Some members of council expressed concern that they may not know how much to set the building budget for due to inexperience with setting an amount, and that setting a budget may give contractors an idea of how much to charge instead of charging what they should. Ms. Kellam noted that setting a budget is not in accordance with closed session regulations. Councilwoman Harmon expressed concern that Berecah has advantage over GMB, questioning if Berecah was made aware of any sort of budget that the council discussed. Both Mayor Hart and Councilwoman Pierson assured Councilwoman Harmon that there was never a discussion with Berecah over a budget amount. Councilman Zember recommended polling council on setting a budget for the town office building. All members objected to setting a budget at this time, with the exception of Councilwoman Pierson.

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George N. McMath Park/Committee Report

A report for the George N. McMath Park Committee was presented by Billye D. Custis. The report is available at the town office.

Beautification/Committee Report – Ms. Salazar reported that the holiday trees have been planted in the pots and the Christmas tree has gone up. She also stated that all of the banners and snowflakes have gone up, noting that there are some sparse areas due to lack of electric boxes on the poles, that she would like to cover for next year.

Go Green Committee – Mayor Hart stated that he would like to pursue this in the new year.

Historical Preservation Committee – Mayor Hart inquired about sending a letter to Mr. McMath and Mr. Vincent, letting them know that the town is interested in forming the Committee. The council agreed.

HRSD Resolution – Ms. Salazar noted that if the council is going to adopt the resolution for Hampton Roads Sanitation District, it has to happen by the end of the year.

Motion: To sign the Hampton Roads Sanitation District Resolution by Susan Rillo and seconded by Rose Pierson. The Resolution authorizing the inclusion of the town of Onley in a petition to the circuit court of Accomack County for the town to be added to the Hampton Roads Sanitation District was read by Susan Rillo:

WHEREAS, the Town Council has interest on behalf of its citizens to be included in the Hampton Roads Sanitation District ("HRSD") for the purpose of potentially providing sanitary sewer services for the public health, safety, and welfare of its citizens; and

WHEREAS, the Hampton Roads Sanitation District Commission, a political subdivision of the Commonwealth of Virginia, was established as a governmental instrumentality to provide for the public health and welfare; and

WHEREAS, the County of Accomack, on behalf of all County citizens, has initiated discussions with the HRSD regarding becoming a part of the territory included in the District in accordance with the Enabling Act creating the Hampton Roads Sanitation Commission (Chapter 66 of the 1960 Acts of Assembly, as amended); and

WHEREAS, the HRSD has represented that if the Town of Onley's territory is included in the HRSD, sanitary sewer services would not be provided by the HRSD until the Town and the HRSD have entered into a formal Operating Agreement, which agreement would be separate and apart from this resolution and which would be specific to the Town of Onley; and

WHEREAS, the HRSD has represented and the Town confirms that if the Town's territory is included in the HRSD area, the Town will continue to have all land use decision making authority;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Onley be included in a Petition to the Circuit Court of Accomack County for the purpose of adding the territory of the Town of Onley to the HRSD.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the County Administrator of Accomack County.

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

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Special Use Permit (SUP) –William M. Moore LLC– Ms. Salazar reported that Mr. Moore has not responded with answers to the questions that the Planning Commission presented. She suggested scheduling a hearing for the January meeting and if Mr. Moore does not answer the questions in the meantime, the Commission and the Council will have to make their decisions based on the information that they have.

The council agreed that they would like Ms. Kellam to send Mr. Moore a legal letter before making a motion to have a public hearing.

New Business

Job Descriptions – Mayor & Council – Ms. Kellam read the job description of Mayor and Council from the Town Charter. Councilwoman Custis also presented council with a copy of the Town of Onley Mayor and Council Orientation Primer, which she gave to Ms. Salazar for council to look at if they were interested. Ms. Kellam also noted that everything written in these documents is supported by laws within the Commonwealth of Virginia.

Public Comments – Mary Wardius expressed her disappointment that there will not be a Christmas sing-along at the park, but understood the reason for that not being possible. She also questioned council about the new town office building. Councilwoman Custis noted that the public hearing that took place about two years ago regarding the new town office building was \$500,000 to start the process of building; that was not the budget for the entire building. She expressed that she would like to see council set a low budget for the building but change the amount if completely necessary. Ralph Wardius stated his concern about not moving the money from the PNC account as soon as possible.

Council Comments – Vice-Mayor Finney thanked everyone for coming, and encouraged everyone to say a prayer for Bennie Tatum. Councilwoman Custis supported what Vice-Mayor Finney stated, and added that everyone says a prayer for Ada Jo Amadeo. Councilwoman Pierson thanked everyone for coming and wished everyone a Merry Christmas. Councilwoman Rillo thanked everyone for coming and stated that her thoughts and prayers are with Mr. Tatum and Ms. Amadeo. She also wished everyone a Merry Christmas. Councilwoman Harmon expressed her gratitude for having the privilege to serve on council, stating that the year has been an “eye-opener” for her. She thanked everyone for their patience with her inquiries. She also expressed that she is praying for Mr. Tatum and Ms. Amadeo, and wished everyone a Merry Christmas. Councilman Zember thanked everyone for coming and expressed that he is looking forward to a new town office building being built. He wished the employees and public a Merry Christmas.

Closed Session

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 personnel matters pertaining to the Police Department, General Government and Public Works, specifically related to holiday bonuses; Discussion of full-time public safety employee’s overtime/salary exemption; Discussion of personnel matter closed session protocol; Discussion pertaining to scheduling for the Police Department by Billye D. Custis and seconded by Susan Rillo.

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

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Motion passed at 8:15pm

Open Session & Certificate of Closed Session

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

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

Motion passed at 9:19pm

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

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

Holiday Bonuses – Vice-Mayor Finney announced the following Christmas Bonuses for town employees, noting that next year, there may be no bonuses given or there may be less than this year. The council also noted that the amounts given will be after taxes. The Christmas Bonuses were given as follows: John Spivey - \$600, George Bennett - \$500, Jess Long - \$300, Pat Coulter - \$300, Luke Arnold \$300, Jamye Salazar - \$700, Alissa Yoder \$150, Rachel Kellam - \$150, Bennie Tatum - \$50 gift certificate and Lloyd Evans - \$50 gift certificate.

Motion: To allocate the above amounts for Christmas Bonuses: by Ned Finney and seconded by Rose Pierson

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

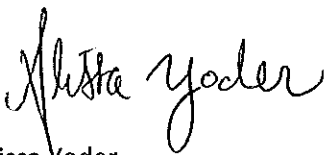
Adjourn

Motion: To adjourn at 9:23 pm by Rose Pierson is and seconded by Susan Rillo.

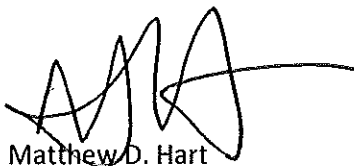
Roll Call Vote: Custis-yes; Finney-yes; Harmon-yes; Pierson-yes; Rillo-yes; Zember-yes.

Motion passed.

Respectfully submitted,



Alissa Yoder
Clerk



Matthew D. Hart
Mayor