

Onley Town Council
Joint Public Hearing for SUP & Regular Monthly Meeting
Minutes of July 9, 2020

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 9th day of July A.D., 2020:

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 6:27pm

Invocation & Pledge of Allegiance

The invocation was given by Claudia Harmon and the Pledge of Allegiance was led by Ned Finney.

Adoption of Agenda –

Motion: To place Hart vs. Town of Onley on the agenda under New Business, placing it as I by Claudia Harmon and seconded by Billye D. Custis.

Roll Call Vote:

Custis–yes; Finney–yes; Harmon–yes; Pierson–yes; Rillo- yes; Zember–yes

MOTION PASSED

Planning Commission Meeting

Members Present: William Ferguson, Chairman
 Rose Pierson
 John Kluis
 Brian Corbin
 Don Bowling - Absent

Call to Order – Planning Commission

William Ferguson called the Planning Commission meeting to order at 6:29pm.

Rules for Public Hearings – Jamye Salazar – Ms. Salazar Read the Rules for Public Hearings.

Statement of Facts on Special Use Permit Application – The Statement of Facts on SUP for Sheila Allen Turner, 21159 Savage St. was made by Ms. Salazar and is available to review at the town office.

Onley Town Council
Joint Public Hearing for SUP & Regular Monthly Meeting
Minutes of July 9, 2020

Council & Planning Commission Discussion of SUP application – Council and Planning Commission had no questions for Ms. Turner at this time. Mr. Ferguson commended Ms. Turner for the work that has been done on the property.

Public Comments on Special Use Application – Ms. Salazar read a letter given to her from Betty L. Reid, an adjacent property owner and mother of the future-occupant of the home on the SUP property, stating her reasons for supporting the SUP. The letter is available to view at the town office.

Adjourn Public Hearing – Both Bodies –

Motion: To adjourn the public meeting by Rose Pierson and seconded by Billye D. Custis at 6:36pm

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

MOTION PASSED

Motion: To adjourn the planning commission meeting by William Ferguson and seconded by Rose Pierson at 6:37pm.

Roll Call Vote: Bowling – absent; Ferguson – yes; Kluis – yes; Pierson – yes; Corbin - yes

MOTION PASSED

Presentation – Rail to Trail Project – Clara Vaughn, A-NPDC – Clara Vaughn presented council with the Resolution of Support for the Rail to Trail project. She reviewed the project details with council, noting that there is a five-year window to start the first phase. She also noted that during this five-year window, there will be a maintenance structure developed.

Motion: To adopt the Onley Town Council Rail to Trail Multi-Use Path Resolution of Support by Susan Rillo and seconded by Ned Finney

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

MOTION PASSED

Presentation – Market Street Road Diet Project – Clara Vaughn, A-NPDC – Clara Vaughn presented council with the Resolution of Support for the Market Street Road Diet Project. Ms. Vaughn explained the project to council, stating that VDOT would like to make Market Street in Onancock and part of Onley be a two-lane road, instead of the four-lane that is currently there. This lane change would be done from Route 13 in Onley to Hill Street in Onancock. Ms. Salazar noted that Rich Morrison from Accomack County emailed her regarding the towns and county paying for the application. Ms. Salazar read the email to council, which stated that they would like Accomack to pay for half and split the other half between Onancock and Onley. The email indicated that Onley would pay \$3,262.50. Council discussed the project, with some noting the danger of going back to two lanes. Ms. Vaughn reassured council that the bike lanes will be extra-wide, and that two-lane roads tend to cause traffic to slow down.

Motion: To adopt the Market Street Road Diet Project Resolution of Support at a cost of \$0 to the town by Susan Rillo and seconded by Rose Pierson.

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

MOTION PASSED

Consideration of Minutes

Motion: To adopt the June 1, 2020 Public Hearing(s) & Regular Monthly Meeting minutes by Rose Pierson and seconded by Susan Rillo

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

Onley Town Council
Joint Public Hearing for SUP & Regular Monthly Meeting
Minutes of July 9, 2020

MOTION PASSED

Motion: To adopt the June 11, 2020 Special Meeting minutes 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

Motion: To adopt the June 22, 2020 Special Meeting minutes by Billye D. Custis and seconded by Susan Rillo.

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

MOTION PASSED

Department Reports

Police Report & Schedule (August 2020) – Chief Spivey presented council with the August 2020 Police Report and Schedule. He also noted that there may be policy changes coming up with the State of Virginia, and that council should try to pay attention to these possible changes in case elected officials are impacted in some capacity. Chief Spivey requested that due to Officer Bennett retiring, he would like to hire another officer. The council and Mayor discussed the decision to hire another officer with Chief Spivey. Ms. Harmon inquired about officers' lack of vacation on the schedule, and Chief Spivey reassured her that a build-up of vacation will never be a problem again. Vice-Mayor Finney requested that Ms. Salazar address the police department hiring. Ms. Salazar's opinion was the department should hire an officer. The council and Mayor continued to discuss hiring another officer with Chief Spivey and Ms. Salazar.

Motion: To advertise for a new hire 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

Sale of Service Weapon - Chief Spivey noted that when an officer retires the code of Virginia stipulates that they can purchase their service weapon. He noted that generally as a gesture to thank the officer for their service, the town can sell the officer their weapon for \$1.

Motion: To sell the Officer Bennett his service weapon for \$1 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

In Car Camera – Chief Spivey alerted council that there is a police car that currently has an in-car camera that is no longer working. He noted that all cameras were installed at the same time five years ago. The council discussed the importance of having an in-car camera, and the possibility that it may be required in the near future, along with body cameras. Council recommended doing research and reporting the research back to council at the August meeting. He also noted that he is hoping the new vehicle is in service by next Friday.

Motion: To approve the police schedule for August by Susan Rillo and seconded by Rose Pierson.

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

MOTION PASSED

Treasurer's Report – Ms. Salazar presented council with the Treasurer's Report for June 2020, which is available to view at the town office.

Onley Town Council
Joint Public Hearing for SUP & Regular Monthly Meeting
Minutes of July 9, 2020

Motion: To pay the payables by Billye D. Custis 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's Report/ Public Works Report – Ms. Salazar presented council with the Town Manager's Report/Zoning Administrator's Report/Public Works Report for June 2020 which is available to view at the town office.

Zoning Administrator's Recommendation – Sheila Allen Turner SUP – Ms. Salazar recommended to council that the SUP for Sheila Allen Turner be granted. The recommendation summary is available to view at the town office.

Attorney's Report – Ms. Kellam reported that this month, she spent a lot of time on the Mayor's lawsuit against the town. She also reported that in all three issues that the Mayor raised, the Town did not violate FOIA in any of those issues. Ms. Kellam also reported that she drafted the CARES Act Resolution, drafted the Dog Ordinance, discussed E-tickets with Chief Spivey, and attended both June special meetings. She also revised the 2020 Vehicle of VA Code Ordinance, revised Simpson's Public Works contract, revised the Burn Ordinance and due to the Mayor's lawsuit, she recommends council let the Town Manager know via writing if they would like to want to get email notices in the future.

Planning Commission Report – There was a 5-minute recess for the Planning Commission to meet and discuss their recommendation. This recess was from 7:57pm to 8:03pm. When the recess was complete, Mr. Kluis stated that the Planning Commission recommended granting the special use permit to Sheila Allen Turner.

Property at 255171 E. Main St./New Town Office Committee Report – Councilwoman Pierson reported that she submitted the revised invitation to bid to Ms. Kellam for review. The committee will be meeting on Monday to review the comments that Ms. Kellam made on the invitation to bid. Councilwoman Pierson also noted that she received information from Berecah that she was waiting for, and that they will be discussing that information at the meeting as well.

George N. McMath Park Committee Report – Councilwoman Custis read her report for June 2020. The report is available at the town office. During the report, Councilwoman Custis reported that the committee recommends purchasing 12 four-foot benches, 6 six-foot picnic tables, 2 6-foot ADA picnic tables, 2 eight-foot picnic tables, and 2 pedestal grills from Park Warehouse for \$13,230.75. She also noted that benches may be purchased in memory or honor of someone for \$375. The Committee also recommended purchasing a heron sculpture from Turner for \$8,500.00 installed. Council discussed a possible trespassing sign and ordinance with Chief Spivey.

Motion: To purchase benches, picnic tables and grills for \$13,230.75 by Woody Zember and seconded by Susan Rillo.

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

MOTION PASSED

Motion: To purchase the Turner sculpture for \$8,500.00 by Susan Rillo and seconded by Woody Zember.

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

Onley Town Council
Joint Public Hearing for SUP & Regular Monthly Meeting
Minutes of July 9, 2020

MOTION PASSED

Beautification Committee Report – Ms. Salazar stated that the Beautification Committee have not met in the month of June and there is nothing to report.

Historical Preservation Committee Report – Councilwoman Pierson reported that the Historical Preservation Committee had one meeting and will not meet again until September. She noted that minutes for the one meeting have already been submitted.

Open RFP's for 2019-2020 Audit – Ms. Salazar reported that she sent out five letters to various accounting firms and specified that they must be Gatsby 34 compliant. She noted that she received one response from Robinson, Farmer, Cox Associates. They stated that they would like to preform the 2019-2020 audit for the amount of \$7,500.00.

Motion: To accept the RFP from Robinson, Farmer, Cox Associates in the amount of \$7,500.00 by Billye D. Custis and seconded by Susan Rillo.

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

MOTION PASSED

SPOTS Donation (\$2,400.00)

Motion: To approve the SPOTS donation of \$2,400.00 by Rose Pierson and seconded by Claudia Harmon.

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

MOTION PASSED

Onley Dog Ordinance #2004-01 – Ms. Kellam noted that she added Section 6 Per Virginia Code which pertains to dogs running at large, leash law and excrement pickup.

Motion: To pass the town of Onley Ordinance #002-20 and Ordinance to Regulate and Control Dogs Running at Large, Requiring Dogs to be Kept on a Leash, and Removal of Dog Excrement with the stipulation that there is a new change in July 2020, it comes back to council 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

Issues with Barking Dog in Town – Council discussed barking dogs with Ms. Kellam and Chief Spivey, who noted that there is not much that courts do with barking dogs, however there is a nuisance ordinance that may be used. Mayor Hart noted that the person that requested council discuss this matter has resolved their issue.

Parking Ordinance – Ms. Kellam reviewed with council that this issue at Four Corners was discussed before COVID. Due to the COVID changes in restaurants and stores, the owner of Four-Corners has changed their position on passing a parking ordinance. Chief Spivey recommended not passing an ordinance based on their recommendation.

Burn Ordinance #002-14 – Ms. Kellam presented council with a revised burn ordinance. She noted that the parts that have been added have emphasized no commercial burning, and the only changes made are highlighted and italicized. Council discussed the revised ordinance.

Onley Town Council
Joint Public Hearing for SUP & Regular Monthly Meeting
Minutes of July 9, 2020

Motion: To pass ordinance #003-20 An Ordinance Regulating Open Burning in the Town of Onley by Billye D. Custis and seconded by Rose Pierson.

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

MOTION PASSED

CARES Resolution – Ms. Salazar reviewed the CARES Act that was decided upon at the June meeting. Ms. Salazar presented council with the CARES Resolution.

Motion: To pass the CARES Act Resolution for the Town of Onley by Susan Rillo and seconded by Billye D. Custis.

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

MOTION PASSED

2020 Real Estate & Personal Property Tax Due Dates – Ms. Salazar noted to council that the tax dates can be pushed back to March 5, 2021 for COVID relief for residents.

Motion: To postpone the tax due dates for the year 2020 to March 5, 2021 by Ned Finney and seconded by Susan Rillo

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

MOTION PASSED

SUP Exception – Moore’s Portable Solutions LLC – The council was presented with a letter from Mr. Moore of Moore’s Portable Solutions LLC. Ms. Salazar noted that July 10, 2020 is the deadline for Mr. Moore to have a fence installed on his property in order to follow the SUP requirements for his business. In the letter from Mr. Moore, he asked council to consider 12-foot juniper or similar variety trees in place of installing a fence. Council discussed the pros and cons of planting trees instead of installing a fence, along with the wording of the zoning ordinance, and establishing another deadline for installing a fence.

Motion: To answer Mr. Moore that in 45 calendar days from tomorrow, he must have the fence installed or he ceases business at that location 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

Special Use Permit (SUP) – Sheila Allen Turner (21159 Savage Street)

Motion: To approve the special use permit for Sheila Allen Turner 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

Ordinance 001-20 for the Motor Vehicle Code of Virginia – Ms. Kellam reviewed with council that this ordinance is passed annually to allow officers to write tickets and receive the fine costs.

Motion: To adopt 001-20 Adoption of the State Law Ordinance 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

Adoption of 2020-2021 Meeting Schedule

Onley Town Council
Joint Public Hearing for SUP & Regular Monthly Meeting
Minutes of July 9, 2020

**Motion: To adopt the 2020-2021 Meeting Schedule by Rose Pierson and seconded by Billye D. Custis.
Roll Call Vote: Custis-yes; Finney-yes; Harmon-yes; Pierson-yes; Rillo-yes; Zember-yes**

MOTION PASSED

Survey of Town Owned Property Next to Ag Bldg – Vice-Mayor Finney said that due to the town council being sued by Mayor Hart, he believes the town-owned lot next to the Mayor should be surveyed and a fence installed to avoid any potential law suits between the town and the Mayor. Mayor Hart responded by stating that as a resident of the town he believes he was poorly treated by the town on the censure and his damaged property by the public works contractor. Ms. Kellam noted that there has been no proof provided to make that determination about the public works contractor. Mayor Hart stated that he believed Ms. Kellam was taking sides in the matter. At this time (9:01pm) Councilman Zember left the meeting. Mayor Hart stated that Vice-Mayor Finney spoke of the survey because he wanted to instigate. He also noted that the town did not fix his property, which he believes would have cost \$100. At this time, John Dennis, a resident of the town, attempted to stop the debate that had escalated. Deborah Bliss, another resident of the town, interjected and stated that the Mayor is “out of order”, in which Mayor Hart countered with the same statement.

Motion: To have the Mayor relinquish the gavel to the Vice-Mayor by Billye D. Custis and seconded by Susan Rillo

Mayor Hart argued that he will not relinquish the gavel to the Vice-Mayor and requested the code that stated that he do so. Ms. Kellam stated that “it is parliamentary procedure that if the Mayor cannot have a meeting that’s held to the decorum level that the town council would like”, that the Mayor must relinquish the gavel. Mayor Hart responded by stating he believes, “this was held in the closed session meeting, too, that nobody knows about.” Councilwoman Rillo stated, “no, sir”. Mayor Hart refused to give the gavel to Vice-Mayor Finney and stated, “the way I’ve been treated in this town is absolutely insane.” To which Councilwoman Custis responded, “You losing your cool like this is insane.” Mayor Hart reiterated that the council and Ms. Kellam are all “coming against” him and not fixing his property. Councilwoman Custis reminded Mayor Hart that he is sitting in the Mayor’s seat, but he is speaking as a citizen and therefore should not be sitting there, due to it being a conflict of interest. Chief Spivey intervened, attempting to calm the debate by asking Vice-Mayor Finney if he has any directives at this time. Mayor Hart relinquished the gavel to Vice-Mayor Finney and stated, “I’m sick of the way I’m treated. It’s on.” Councilwoman Harmon inquired if that was a threat, in which Mayor Hart responded, “it’s on as in voting.” At this time (9:04pm) Mayor Hart left the meeting. Ms. Kellam stated that she would like it to be known on record that Mayor Hart does not have proof that the public works contractor damaged his property. She noted that Mayor Hart has brought up the subject four times with no proof, also noting that she does not know if the public works contractor did it or didn’t do it, but there is “simply no answer and that is the only reason that the town did not act on the public works”. Deborah Bliss apologized to council for her outburst. Councilwoman Custis inquired if a survey has been done for the property, and Ms. Salazar stated that there was not. Ms. Kellam noted that it may need an RFP.

Motion: To survey the property and get an RFP if necessary by Susan Rillo and seconded by Billye D. Custis

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

MOTION PASSED

Onley Town Council
Joint Public Hearing for SUP & Regular Monthly Meeting
Minutes of July 9, 2020

Employee Health Insurance Renewal – Ms. Salazar noted that health insurance is renewed August 1 annually. Ms. Salazar discussed the health insurance with council and gave her recommendation of staying with the current policy.

Motion: To renew Anthem for our employees at the same policy coverage by Billye D Custis and seconded by Rose Pierson

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

MOTION PASSED

Water Filtration Unit Quote (for the Town Office) – Ms. Salazar stated that she received a quote from Bundicks for a water filtration unit for \$2,900.00. She noted that the unit would be for the consistent smell of the water in the bathroom and Jimmy Bundick guarantees that the unit will fix the problem. Council instructed Ms. Salazar to confirm with Mr. Bundick that it will take care of the smell.

Motion: To install the water filtration unit for \$2,900.00 by Billye D. Custis and seconded by Susan Rillo

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

MOTION PASSED

E-Tickets – Ms. Kellam made council aware that the Virginia State Police have been doing an E-ticket study for a year. Ms. Kellam provided pros and cons of E-tickets, along with cost details. Chief Spivey also provided details. Ms. Kellam noted that the E-tickets were added to the agenda for informational purposes, and not for council to make any decisions. Council also discussed the possibility of E-Tickets.

Sale of 2010 Ford Explorer (Sealed Bids) – Chief Spivey suggested to council that the 2010 Ford Explorer be sold by accepting sealed bids with a reserve of \$1,000.00. Council discussed the suggestion with Chief Spivey.

Motion: To sell the 2010 Ford Explorer by sealed bids with minimum bid being \$1,000.00 with standard advertising by Billye D. Custis and seconded by Rose Pierson

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

MOTION PASSED

Hart Vs. The Town of Onley – Ms. Kellam announced that at 3:57pm she received the decision from Judge Eggleston. She noted that Mayor Hart raised three points in the lawsuit which he believed to be FOIA violations. The Judge decided that these three points in the lawsuit were not FOIA violations. Ms. Kellam stated that Judge Eggleston did make her aware that there should be written confirmation from every council member that states if they wish to receive notifications via email or pick them up at the office. Ms. Kellam read the Judge's decisions and the details of each one. Council discussed with Ms. Kellam how to reply publicly if they choose to do so. Council also discussed posts that Mayor Hart has on his Facebook page that is under the name Mayor Hart, which some council members found to be a bad representation of the town by using the title of Mayor on the posts. Deborah Bliss stated that she believed this may not be a forum for this conversation. Council discussed any statements that they would like to put on the website. Chief Spivey suggested using the same process that the police department uses to avoid any slant the media could put on the statement.

Public Comments – Deborah Bliss noted to Chief Spivey that she has recently worked on the California Highway Patrol Study regarding placement of cameras and recommended to CHP that there needs to be

Onley Town Council
Joint Public Hearing for SUP & Regular Monthly Meeting
Minutes of July 9, 2020

a camera on the chest and a camera in the car that also has a GPS. She also apologized again for her outburst. Ms. Bliss suggested to council that the meetings be broadcasted by Zoom so that more people may participate in the meetings. Ms. Bliss also suggested hiring or getting a volunteer who is confident in Robert's Rule of Order to help control the meetings. Ms. Kellam noted that the role of controlling the meetings is supposed to be for the Mayor of the town. Chief Spivey noted to Ms. Bliss to send regards to Mr. Bliss.

John Dennis apologized to council regarding his behavior during the meeting.

Public Comments – Councilwoman Rillo noted that there was a lot of items covered and overall the meeting went well. Ms. Rillo thanked Vice-Mayor Finney for taking over. She also thanked the council and employees for bringing the meeting back to order.

Councilwoman Harmon stated that she was thankful that the public was present to witness the events at tonight's meeting. She noted that she was unaware of the potential of these events happening when she ran for council, and she would like to focus on doing what is best for the town and gaining control of the meetings. Ms. Harmon also thanked Ms. Kellam for her assistance with the lawsuit.

Councilwoman Pierson thanked everyone but noted that the meeting was upsetting and she believes times are too stressful to have another event happen. Ms. Pierson also thanked Ms. Kellam.

Councilwoman Custis agreed with what has been said by council. She thanked Ms. Kellam and Ms. Salazar and everyone. Councilwoman Custis stated that she believes the recent events have brought council closer, noting that council does not need to agree on everything but have been able to agree to disagree and move forward.

Vice-Mayor Finney stated that "win or lose, the lawsuit is a big negative for the town". He noted that the council forfeited their quarterly pay for no reason since the lawsuit fees resulted in more money than quarterly pay would have been. He also noted that the lawsuit is a burden on the town, and the money spent for the lawsuit was "for nothing." Vice-Mayor Finney thanked Lynwood Lewis and Ms. Kellam for assisting council with the lawsuit. He also thanked Councilwoman Harmon for coming back from her vacation to attend the trial. Mr. Finney stated that he believed this showed solidarity in the town. He also thanked the employees and noted that we do not have to agree on everything, but we must move forward. Council agreed that they must move forward.

Chief Spivey noted to council that from an observational standpoint council took the appropriate action tonight, with being informed of the law and rights as council members. Ms. Kellam noted that the reason for making the motion to relinquish the gavel is to complete the agenda. Chief Spivey also noted that he is optimistic about the future of the town and the police department and thanked the council for creating the environment in which to feel optimistic.

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, especially related to job promotions by Ned Finney at 9:55pm and seconded by Susan Rillo

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

MOTION PASSED

Open Session & Certification of Close Session 10:11 Rose and Susan

Motion: To return to Open Session at 10:11pm by Rose Pierson and seconded by Susan Rillo

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

Onley Town Council
Joint Public Hearing for SUP & Regular Monthly Meeting
Minutes of July 9, 2020

MOTION PASSED

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-absent

Motion: To promote Jess Long to Sergeant with a salary of \$49,000.00 and to promote Pat Coulter to Corporal/Detective with a salary of \$45,000.00 effective September 1, 2020 by Billye D Custis and seconded by Rose Pierson.

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

MOTION PASSED

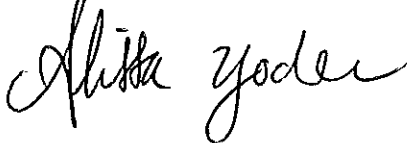
Adjourn

Motion: To adjourn at 10:12pm by Susan Rillo and seconded by Billye D. Custis

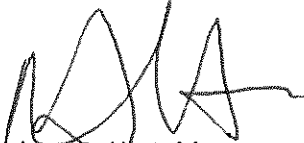
Roll Call Vote: Custis-yes; Finney-yes; Harmon-yes; Pierson-yes; Rillo- yes; Zember-absent

Motion Passed

Respectfully Submitted,



Alissa Yoder, Clerk



Matthew D. Hart, Mayor