

Onley Town Council  
Public Hearing(s) & Regular Monthly Meeting  
Minutes of June 1, 2020

Regular Monthly Meeting of the Onley Town Council held online via Zoom, on the 1<sup>st</sup> day of June 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

**Call to Order**

Mayor Hart called the meeting to order at 6:38pm

**Adoption of Agenda –**

**Motion: To place the Resolution to Censure Mayor Matthew Hart on the agenda under New Business, placing it as 6A and moving the ATL grant to 6L by Claudia Harmon and seconded by Ned Finney.**

**Roll Call Vote:**

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

**Motion Passed**

**Public Hearing for Proposed 2020-2021 Budget**

**Call to Order**

Mayor Hart called the Public Hearing for Proposed 2020-2021 Budget to order at 6:44pm.

**Rules for Public Hearings – Jamye Salazar –** Ms. Salazar Read the Rules for Public Hearings, which she noted are adapted for an online meeting.

**Presentation of Proposed 2020-2021 Budget – Jamye Salazar –** Ms. Salazar presented council with the Proposed 2020-2021 Budget. She also noted that the budget was properly advertised in the Eastern Shore Post on May 15,2020.

**Public Comments Regarding Budget –** Chief Spivey stated that he has received no public comment at this time.

**Adjourn Public Meeting –**

**Motion: To adjourn the public hearing at 6:48 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**

Onley Town Council  
Public Hearing(s) & Regular Monthly Meeting  
Minutes of June 1, 2020

**Public Hearing for Re-appropriation of Funds for the Purpose of Building a New Town Hall**

**Call to Order**

Mayor Hart called the meeting to order at 6:48pm

**Presentation of the Re-appropriation of Funds for the Purpose of Building a New Town Hall**

Ms. Salazar reported that there is \$339,454.94 left from the 2019-2020 budget for the new town hall. She stated that the council would like to move that amount into the new fiscal year for the purpose of continuing the project of building the new town hall.

**Public Comments Regarding Re-appropriation of Funds for the Purpose of Building a New Town Hall –**

Chief Spivey reported that he had received no public comment at this time.

**Adjourn Public Hearing**

**Motion:** To adjourn the public hearing at 6:53pm 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**

**Public Hearing for Re-Appropriation of Funds Remaining for George N. McMath Park**

**Call to Order**

Mayor Hart called the meeting to order at 6:53pm.

**Presentation of Re-appropriation of Funds Remaining for George N. McMath Park**

Ms. Salazar reported that the amount advertised in the paper on May 15<sup>th</sup> was \$103,811.08. On May 28<sup>th</sup>, bills were paid and that makes the new amount that needs to be re-appropriated for this hearing is \$100,407.32.

**Public Comment Regarding Re-appropriation of Funds Remaining for George N. McMath Park – Chief**

Spivey reported that he had received no public comment at this time.

**Adjourn Public Hearing**

**Motion:** To adjourn the public hearing at 6:55pm for the George N. McMath Park 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**

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

**Consideration of Minutes**

**April 20, 2020 – Special Meeting**

**Motion:** To adopt the Special Meeting minutes for April 20,2020 by Rose Pierson and seconded by Woody Zember.

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

Onley Town Council  
Public Hearing(s) & Regular Monthly Meeting  
Minutes of June 1, 2020

**Motion Passed**

**May 4, 2020 – Regular Monthly Meeting**

Councilwoman Custis noted that when adopting the agenda at the May 4 meeting, she made a motion to adopt the agenda with changes that she requested be made. She reported that the motion was seconded and there was discussion that led to Mayor Hart making changes to the motion that was already made and seconded. She stated that changing a motion that has been seconded cannot be done, and she would like to see that reflected in the minutes.

**Motion: To adopt the Regular Monthly Meeting minutes from May 4, 2020 with changes made by Billye D. Custis and seconded by Ned Finney.**

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

**Motion Passed**

**May 19, 2020 – Special Meeting**

**Motion: To adopt the Special Meeting minutes from May 19,2020 by Susan Rillo and seconded by Claudia Harmon.**

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

**Motion Passed**

**Department Reports**

**Police Report & Schedule (July 2020) –** Chief Spivey presented council with the police reports and schedule for July 2020. He also reported that the patrol car is currently getting police equipment installed and painted, and he is hoping it will be ready for service in about 2 weeks. He also reported that the officers are now back to a normal schedule this month. Mayor Hart inquired about citation totals for Officer Long for the month, and Chief Spivey noted that Officer Long did not enter any summons in the software system and therefore his totals were not included.

**Motion: To accept the July police schedule 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**

**Treasurer’s Report –** Ms. Salazar provided council with the Treasurer’s Report for May 2020. A copy of this is available at the town office.

**Motion: To pay the payables 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**

**CD’s Maturing at Suntrust Bank–** Ms. Salazar reported that one CD at Suntrust will mature on June 7 and another on June 14. Councilwoman Rillo suggested that the CD’s be closed out and put into the money market account until rates can be received. When polled, all other council members agreed.

**Motion: Close out the two CD’s at Suntrust Bank after maturing and put one into each of the money market accounts 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**

Onley Town Council  
Public Hearing(s) & Regular Monthly Meeting  
Minutes of June 1, 2020

**Town Manager's Report/Zoning Administrator's Report/Public Works Report** – Ms. Salazar presented the Town Manager's Report, the Zoning Administrator's Report and the Public Works Report. A copy of all reports is available at the town office.

**Attorney's Report** – Ms. Kellam reported that she has had discussions with Ms. Salazar regarding the Governor's reopening plan, drafted a letter to the Governor that Ms. Salazar sent, had calls with VML regarding the censure resolution and attended the May 19 Special Meeting. Mayor Hart inquired who directed Ms. Kellam to contact VML regarding the censure resolution. Ms. Kellam stated that it was unanimously polled with council. Councilman Zember inquired with Ms. Kellam why he did not receive a copy of the resolution that was written. Ms. Kellam responded that council wanted to protect the employees against hostility and decided safety was the best policy. Councilman Zember and Councilwoman Pierson stated that they were not aware that the addition of the resolution was going to be left out of the agenda and added on during the adoption. Councilwoman Harmon stated that this discussion will be revisited later.

**Planning Commission Report** – Councilwoman Pierson reported that the Planning Commission discussed the Special Use Permit application for Shiela Turner.

**Old Business**

**Property at 25571 E. Main St./New Town Office Committee Report** – Councilwoman Pierson reported that the committee is still working on the RFP so that they can proceed and show it to Ms. Kellam.

**George N. McMath Park Committee Report** – Councilwoman Custis presented council with a report for the George N. McMath Park, which is available at the town office. She also noted that after discussing the playground size with the playground sales representative, she would like the motion of purchasing the playground to be rescinded. She stated that the representative and herself feel that the playground will be too big for the area. Councilwoman Custis inquired about council's thoughts on the matter. Councilwomen Pierson and Rillo agreed. Mayor Hart inquired about the ditches at the park. Councilwoman Custis stated that unless Ms. Salazar has new information, she is not aware of any new updates about the ditches. Mayor Hart stated that he is concerned about flooding if the ditches are not taken care of and he would like to make it clear for the record. Ms. Salazar stated that VDOT does have plans to start doing some work there this month.

**Motion: To rescind the motion to purchase the playground with free shipping by Susan Rillo and seconded by Claudia Harmon.**

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

**Motion Passed**

**Beautification Committee Report** – Councilman Zember had nothing new to report. Mayor Hart inquired about the flags being alternated on the poles. Ms. Salazar reported that they did not mention to Mr. Simpson about the flags being alternated.

**Historical Preservation Committee Report** – Councilwoman Pierson reported that the Historical Preservation Committee met on May 8 with Councilwoman Pierson, Mayor Hart and Gordon Vincent being present. Ms. Pierson stated that the committee is looking into applying for some grants to become a non-profit to accept donations. They would also like to copy any memorabilia that residents may

Onley Town Council  
Public Hearing(s) & Regular Monthly Meeting  
Minutes of June 1, 2020

have. Also, during Historical Preservation Committee Meeting, Councilwoman Pierson was appointed chairman.

**COVID-19 Relief**

**Meals Tax** – Council discussed when they would like to start collecting Meals Tax in the town again.

**Motion: To begin collecting meals tax on July 1 by Billye D. Custis and seconded by Claudia Harmon.**

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

**Motion Passed**

**Safety Changes to Town Office**

Ms. Salazar reported that she had several council members suggest a plexiglass barrier so that the office can be re-opened rather than conducting business through the closed front door. The council unanimously was in favor of the installation of a barrier.

**New Business**

**Resolution to Censure Mayor Matthew Hart**

Ms. Kellam read the Resolution to Censure Mayor Matthew Hart. A copy of this resolution can be found at the end of the minutes.

**Motion: To adopt the Resolution to Censure Mayor Matthew Hart read by Ms. Kellam by Claudia Harmon and seconded by Susan Rillo.**

During discussion, Mayor Hart spoke, apologizing to council and residents that he may have offended, and stated that he will be defending himself in the future with a prepared document for council and residents. He noted that text messages and emails have been saved that prove nothing was inappropriate or hostile. Councilwoman Harmon stated that the Resolution was created after the last meeting and suggested the review of that meeting by Mayor Hart. Councilwoman Pierson stated that she was also upset about how the last meeting was conducted. Mayor Hart defended his actions, explaining why he was upset. Councilwoman Harmon stated that the council wanted to address the issues privately at a closed session meeting, which Mayor Hart refused to attend. Council discussed their decision with Mayor Hart.

**Motion: To take a five-minute recess at 8:02pm by Rose Pierson and seconded by Claudia Harmon.**

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

**Motion Passed**

Council returned from recess at 8:08pm. Council continued to discuss their decision of adopting the resolution with Mayor Hart at length.

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

**Motion Passed**

**RFP- 2019-2020 Audit –**

**Motion: To put out the RFP 2019-2020 Audit 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**

**Special Use Permit (SUP) – Sheila Turner (21159 Savage Street) –** Ms. Salazar provided council with information regarding the Special Use Permit for Ms. Turner. Ms. Salazar reported that the Planning Commission, who met last week to discuss the permit, agreed with Ms. Salazar’s assessment to send the

Onley Town Council  
Public Hearing(s) & Regular Monthly Meeting  
Minutes of June 1, 2020

application to a public hearing. She suggested having a joint public meeting for the Planning Commission and council to hear comments from the public regarding the Special Use Permit.

**Motion: To have a joint public hearing for the Special Use Permit for Sheila Turner at the July meeting 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**

**Set Date for July 2020 Meeting –**

**Motion: To set the meeting for Thursday, July 9, 2020 by Rose Pierson and seconded by Claudia Harmon.**

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

**Motion Passed**

**Set/Confirm Meeting Date To Adopt 2020-2021 Budget**

**Motion: To set the meeting date to adopt the 2020-2021 budget for Monday, June 22 at 6:30pm 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**

**Public Works Contract/Renew or Re-bid –** Ms. Salazar provided council with Mr. Simpson’s proposal to continue Simpson’s Tree and Bobcat Service, LLC’s public works contract with the addition of mowing the George McMath Park, putting up spring banners, and adding tipping fees. He also proposed to have a public works employee come two days a week instead of three. With these changes, Mr. Simpson requested to keep his contract price the same, at \$29,000/year. Council discussed extending the contract for one year. A poll was taken, and all council members agreed to a one-year contract extension.

**Motion: To renew Simpson’s Tree and Bobcat Service, LLC’s contract for one year 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**

**Discussion of Town Office Hours –** Councilwoman Custis suggested to council that the town office hours be changed to less hours than it had been open, due to the Covid-19 pandemic. Ms. Salazar stated that Vice-Mayor Finney recommended 10:00am-4:00pm and she was comfortable with the change but stated that she is open to whatever council decides. Council was polled and all council members were in favor of cutting the hours, with the exception of Councilman Zember.

**Motion: To change the town office hours to 10:00am-4:00pm five days per week, Ms. Salazar keeps her salary as is, Ms. Salazar can work from home, and council will revisit the matter in four months by Billye D. Custis and seconded by Susan Rillo.**

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

**Motion Passed**

**Zoning Administrator Pay –** Council agreed that no discussion was necessary for Zoning Administrator Pay.

Onley Town Council  
Public Hearing(s) & Regular Monthly Meeting  
Minutes of June 1, 2020

**Discussion of Burn Ordinance** – Councilwoman Custis stated that she believes the Burn Ordinance is too vague. Council discussed enforcement of burning with Ms. Kellam and Chief Spivey.

**Motion: To allow Ms. Kellam to revisit the Burn Ordinance to restrict commercial burning and also add guidelines to make burning safer 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**

**Fence at Town Property (near Ag Bldg.)** Vice-Mayor Finney suggested the town put a short fence between Mayor Hart’s property and the property owned by the town due to recent property damage on Mayor Hart’s property. Mayor Hart was not in favor of the idea.

**Coronavirus Aid Relief & Economic Security Act (CARES)** – Ms. Salazar provided council with an email from Mike Mason from Accomac County stating that the town of Onley may be eligible for \$43,934.00 in Coronavirus aid relief funds. She also noted that there will be an upcoming teleconference to gather more information on how exactly the money should be spent in order to get reimbursed. She recommended putting the findings from the teleconference on the agenda for June 22<sup>nd</sup>. There was no opposition to putting it on the agenda.

**ATL Grant-** Ms. Salazar reported that before the pandemic, she filled out the application for the ATL Grant for next year. She noted that the payment has already been given to the town and the council needs to distribute the \$10,000 aid to locality, keeping in mind that it is just for fire services for this fiscal year.

**Motion: To distribute the Aid to Locality Grant to Tasley for \$4,000, Onancock for \$4,000 and Melfa \$2,000 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**

**Public Comments** – There were no public comments made at this time.

**Council Comments** – Councilman Zember stated that the meeting went “horrible”, with council members grouping together and not thinking about the town. He also noted that there is no new town hall due to this problem. Councilman Zember stated that nothing will ever be accomplished for the town this way.

Councilwoman Rillo stated that she that she believed that it was a productive meeting, and she is glad that things are “out in the open”, also noting that council needs to move forward and respect one another. Councilwoman Rillo also stated that she believes that the members of council are all trying to do what is best for the town, but that every council member may do it differently.

Councilwoman Harmon stated that there is no alliance with herself, Vice-Mayor Finney and Councilwoman Custis. She also stated that she is disappointed that some council members did not follow through publicly with their concern of council issues. Councilwoman Harmon noted that “respect is earned” and that her decisions are solely for the town and are her own independent thoughts.

Councilwoman Pierson stated that she is believes issues being out in the open can be a good thing, and that everyone is trying to do the right thing for the town but think differently about issues. She noted that she would like council to stick together and start listening to one another.

Councilwoman Custis stated that she was sorry that Mayor Hart did not come to the meeting last week because she felt it went well. She also stated that she believes she has been singled out and feels like

Onley Town Council  
Public Hearing(s) & Regular Monthly Meeting  
Minutes of June 1, 2020

subtle comments made by Mayor Hart are unprofessional. Councilwoman Custis stated that she agrees that council needs to get to work and make decisions for the people of the town.

Vice-Mayor Finney stated that he had heard from a citizen that Mayor Hart would like the Chief of Police, Town Manager, the Town attorney and the Public Works to all be fired. Mayor Hart defended himself, noting that this statement is false and that spreading false rumors is inappropriate, especially during council comments when people cannot defend themselves properly. Mayor Hart went on to defend his actions and describing his side of the story with recent events pertaining to the police department. Mayor Hart stated that the Mayor and Councilmembers need to know police department matters before residents in town so that they may address them with residents.

Council discussed the police department giving information to council, with Councilwoman Pierson and Councilman Zember noting that council comments is not a time to discuss matters.

**Adjourn**

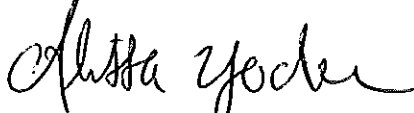
**Motion: To adjourn at 9:30 pm by Woody Zember and seconded by Rose Pierson.**

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

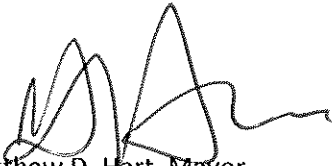
**Mayor Hart - yes**

**Motion Passed**

Respectfully Submitted from audio/video,



Alissa Yoder, Clerk



Matthew D. Hart, Mayor