

Onley Town Council
Regular Monthly Meeting
Minutes of February 1, 2021

Regular Monthly Meeting of the Onley Town Council held electronically via Zoom, on the 1st day of February A.D., 2021:

Council Members Present: Matt Hart, Mayor
Brian Corbin
Billye D. Custis
Bill Ferguson
Claudia Harmon
Rose Pierson
Woody Zember

Staff Present: Jamye Salazar, Town Manager
John Spivey, Chief of Police, OPD
Jess Long, Sergeant, OPD
Carl Bundick, Town Attorney

Call to Order

Mayor Hart called the meeting to order at 6:05pm

Invocation & Pledge of Allegiance

The invocation was given by Bill Ferguson.

Adoption of Agenda – Councilman Ferguson inquired about the necessity of 8.C. Discussion of Parliamentarian being on the agenda. Councilwoman Custis stated that in the past, the attorney was the Parliamentarian, but that Ms. Kellam is no longer the attorney. Councilman Zember and Councilwoman Pierson stated that according to the charter, the Mayor is the Parliamentarian, and if the Mayor is unable to do so, the Vice-Mayor is assigned the role. Councilwoman Custis requested that Extension of Deadlines for Bids to 3-1-2021 at 4:00pm be added to 7.A.2. Councilman Ferguson requested that 8.C. be changed to Discussion of COVID Relief. Councilwoman Custis inquired with Ms. Salazar about the money from the CARES act for COVID Relief. Ms. Salazar stated that she believed there was approximately \$4,000-\$5,000 left, but that she was unsure of the specific amount.

Motion: To adopt the agenda with changes made by Billye D. Custis and seconded by Bill Ferguson

Roll Call Vote: Corbin- yes; Custis-yes; Ferguson- yes; Harmon – yes; Pierson – yes; Zember- yes

MOTION PASSED

ORA Update – Brooke Duer updated council on the Onley Recreational Association and what the Association would like to do in 2021. She asked council for support for the new year and thanked them for their continued support. Council voiced their personal praise and optimism for the pool.

Consideration of Minutes – Ms. Salazar noted an error in the minutes from January 4, 2021. Councilwoman Custis also noted 2 errors in the minutes. Mr. Bundick and Mayor Hart noted that the minutes should be edited to reflect the changes that should be made and adopt the January 4 minutes at the March meeting.

Motion: To adopt the minutes from the January 13, 2021 by Bill Ferguson and seconded by Billye D. Custis.

Roll Call Vote: Corbin- yes; Custis-yes; Ferguson- yes; Harmon – yes; Pierson – yes; Zember- yes

MOTION PASSED

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Police Report & Schedule (March 2021) – Chief Spivey presented council with the police report and the March schedule, along with an updated February report. Chief Spivey also noted that the Police Department is now wearing body cameras, and that per Ms. Salazar’s request, all COVID restrictions for scheduling are lifted in the Police Department as of today.

Motion: To approve the Updated February March 2021 Police Schedules by Rose Pierson and seconded by Woody Zember.

Roll Call Vote: Corbin- yes; Custis-yes; Ferguson- yes; Harmon – yes; Pierson – yes; Zember - yes

MOTION PASSED

Treasurer’s Report – Payables January 2021) – Ms. Salazar presented council with the Treasurer’s Report for January 2021. A copy of this is available at the town. Councilman Zember brought everyone’s attention to the amount that has been spent on the new town office building, and noted that when bids are opened and discussed, he would like everyone to be aware of the amount spent so that progress can be made.

Motion: To pay the payables for January 2021 by Billye D Custis and seconded by Bill Ferguson

Roll Call Vote: Corbin- yes; Custis-yes; Ferguson- yes; Harmon – yes; Pierson – 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 January 2021. A copy of this is available at the town office.

Attorney’s Report – Mr. Bundick thanked everyone for the opportunity to work for the town of Onley. He noted that due to his office being in Accomac, he drives through Onley daily and therefore is familiar with some issues that may arise for the town. He also noted that he has many acquaintances and can discuss issues directly with people and companies because of that. Mr. Bundick also mentioned that he is a certified mediator. He gave examples of how he would handle issues that have come up in the town or may come up. Mr. Bundick noted that he will be meeting with Ms. Salazar on January 15 to be updated on any issues. Mr. Bundick stated that he would like to address issues first with personal contact and then proceed to a letter contact, but he would like a consensus from council to proceed forward with the current issues. Mayor Hart did a roll call to ask council if they approved of his method, and all council members stated that they did.

Property at 25571 E. Main St./New Town Office Committee Report – Councilman Corbin stated to council that two milestones have been passed for the building process. The IFB went into the paper for bidding on January 15th. Also, there was a pre-bid meeting on January 29th. He noted that the potential bidders have until February 8th to submit questions. Councilman Corbin stated that he is hoping that the site plans made by GMB but were contracted out can be used for this building if it is applicable. He also stated that he is unsure if these companies want to have their own subcontractors to do the site work. Mayor Hart stated that Mr. Bundick would like to note that he will check to see if the GMB plans can be used. Mayor Hart thanked Councilwoman Pierson for all her work on the building committee.

Motion: To accept Ms. Pierson’s resignation from the building committee by Bill Ferguson and seconded by Brian Corbin

Roll Call Vote: Corbin- yes; Custis-yes; Ferguson- yes; Harmon – yes; Pierson – abstain; Zember - yes

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Motion: To change the deadline for the bids to March 1, 2021 at 4:00pm at the town office by Billye D. Custis and seconded by Rose Pierson.

Roll Call Vote: Corbin- yes; Custis-yes; Ferguson- yes; Harmon – yes; Pierson – yes; Zember - yes

MOTION PASSED

George N. McMath Park Committee Report - Councilwoman Custis presented council with her George N. McMath Park Committee Report for January 2021. A copy of this is available at the town office.

Motion: To accept Ms. Pierson's resignation from the George N. McMath Park Committee by Bill Ferguson and seconded by Brian Corbin.

Roll Call Vote: Corbin- yes; Custis-yes; Ferguson- yes; Harmon – yes; Pierson – abstain; Zember - yes

MOTION PASSED

Planning Commission & BZA Vacancies – Ms. Salazar updated council, noting that there has been no interest from anyone regarding the Planning Commission and the BZA. She stated that if a special use permit is sought by a resident, a planning commission is needed for approval. She noted that a minimum of five people is required to have a planning commission and at the moment there are only two members. Councilwoman Custis confirmed that the by-laws state that a minimum of five members is required. Ms. Salazar stated to council that if anyone knew someone that would like to join, please let her know.

Appoint Planning Commission Council Liaison – Ms. Salazar read Councilwoman Custis' letter of interest to be the Planning Commission Council Liaison.

Motion: To accept Councilwoman Custis's request to be the Planning Commission Liaison by Claudia Harmon and seconded by Bill Ferguson.

Roll Call Vote: Corbin- yes; Custis-abstain; Ferguson- yes; Harmon – yes; Pierson – yes; Zember - yes

MOTION PASSED

Town Committee Appointments/Open Letters of Interest – Ms. Salazar noted that she received two letters of interest; Deborah Bliss submitted a letter of interest to serve on the Community Spirit Committee and Woody Zember submitted a letter of interest to serve on the Beautification Committee. Ms. Salazar noted to council that when discussing the Community Spirit Committee with Mr. Bundick prior to this meeting, he expressed some liability concern for the town. Mr. Bundick stated that he would like to look at the ordinances and see what liability coverage is available for all the committees and boards for the town. He recommended having liability coverage for all committees and boards. Councilwoman Pierson explained that she would like to establish the committee to help with residents with repairs and errands. She noted that the town is not involved in the process, but simply would post the request for the residents. She also stated that the committee themselves would not be the volunteers. Councilwoman Pierson also noted that Councilman Ferguson would like to serve on the Community Spirit Committee. Mayor Hart inquired if himself and Councilman Corbin should be re-appointed to the building committee due to the new term. Ms. Salazar stated that she believed it was appropriate to do so. Mayor Hart also inquired about the George N. McMath Park Committee, but due to Councilwoman Custis being temporarily absent because of interrupted internet service, Ms. Salazar did not want to speak for her.

Motion: To appoint Deborah Bliss to the Community Spirit Committee by Rose Pierson and seconded by Bill Ferguson.

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Roll Call Vote: Corbin- yes; Custis-yes; Ferguson- yes; Harmon – yes; Pierson – yes; Zember - yes

MOTION PASSED

Motion: To appoint Bill Ferguson to the Community Spirit Committee by Rose Pierson and seconded by Woody Zember.

Roll Call Vote: Corbin- yes; Custis-absent; Ferguson- abstain; Harmon – yes; Pierson – yes; Zember - yes

MOTION PASSED

Motion: To re-appoint Mayor Hart and Councilman Corbin to the Building Committee by Bill Ferguson and seconded by Rose Pierson.

Roll Call Vote: Corbin- abstain; Custis-absent; Ferguson- yes; Harmon – yes; Pierson – yes; Zember - yes

MOTION PASSED

Motion: To re-appoint Woody Zember to the Beautification Committee by Rose Pierson and seconded by Bill Ferguson.

Roll Call Vote: Corbin- yes; Custis-absent; Ferguson- yes; Harmon – yes; Pierson – yes; Zember - abstain

MOTION PASSED

Motion: To re-appoint Mayor Hart, George McMath, Councilwoman Pierson, and Judge Vincent to the Historic Preservation Committee by Bill Ferguson and seconded by Brian Corbin.

Roll Call Vote: Corbin- yes; Custis-absent; Ferguson- yes; Harmon – yes; Pierson – abstain; Zember - yes

MOTION PASSED

Due to Councilwoman Custis' absence, Mayor Hart announced a five-minute recess at 7:29pm. The meeting resumed at 7:34pm with Councilwoman Custis present.

Council updated Councilwoman Custis about the motions that have been passed. Mayor Hart discussed the appointments with Councilwoman Custis. Councilwoman Custis stated that until she gets council's input on the George McMath Park, she does not want to be re-appointed. She requested "guidance and help" from council. She noted that she has two pages of things that need to happen at the park. Councilman Zember requested that council obtain copies of the list, and Councilwoman Pierson inquired about hiring a public works employee specifically for the park. Councilman Zember and Mayor Hart agreed that someone should be hired for the park. Ms. Salazar made note that the public works contract will expire in June and council may want to consider changing the contract for June.

New Business

Council Member Apology – Councilwoman Pierson stated that she believed Councilwoman Harmon made offensive remarks at the last meeting on January 13th, and Councilwoman Harmon stated that she would apologize if she was wrong in her remarks. Councilwoman Pierson inquired if Councilwoman Harmon had any proof that some council members met prior to the January 13th meeting. If not, Councilwoman Pierson stated that she will make a motion that Councilwoman Harmon apologize to council. Councilwoman Custis noted that the minutes should be changed to reflect the statements that Councilwoman Harmon made, however Ms. Salazar noted that the video/audio for the meeting was not recorded and therefore no changes should be made. Councilwoman Harmon stated, "I hear what you're saying, however, at this time I will make no comments". Councilwoman Pierson stated that according to Robert's Rules, the council can ask for Councilwoman Harmon's Censure. Councilwoman Harmon stated

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again that she will make no comments. Councilman Ferguson stated his disapproval of the accusation, noting that this council is not having secret meetings and would only like to move forward with issues as they have been elected to do. Mayor Hart agreed with Councilman Ferguson's statements. Councilman Corbin that he also believed that Councilwoman Harmon owes council an apology. Councilwoman Harmon inquired with Mr. Bundick about what her options should be in response to Councilwoman Pierson, Councilman Ferguson Councilman Corbin and Mayor Hart. He made note that is not aware of the comments made by Councilwoman Harmon, but from what has been said at this meeting her comments did not harm the council in any way. He also noted that he would like an opportunity to look at Robert's Rules about the subject. He told Councilwoman Harmon that her appropriate response would be to the issue of censuring. Mayor Hart informed Mr. Bundick about what happened at the January 13th meeting due to that meeting not being recorded, at which time Councilwoman Harmon objected. Mayor Hart noted that everyone can hear, and they can correct him if he is inaccurate. Councilwoman Harmon objected again and stated that Councilwoman Pierson was correct to say that if she were wrong, she would apologize. She thanked Councilman Corbin but stated that she will not make any other comments tonight. She said that she stated her opinion. Mr. Bundick stated that from the information that was given to him, he believes that she has a right to state her opinion. He also stated that he believes that from the information given to him tonight, it does not rise to the level of slander or defamation. Councilwoman Custis stated that "after what we've been through, and if we want to work together, I don't think we're heading in the right direction". Council continued to discuss the January 13th remarks. Mr. Bundick noted that he has heard the word "opinion" used by three different individuals, so he is "not sure what the benefit of the motion is". Councilman Zember stated that he is not comfortable with the wording of the motion. He also stated that although he is offended by the remarks, he does not want the new council to turn into the old council. Council continued to discuss the January 13th remarks.

Motion: If there is no proof given, to have Councilwoman Harmon apologize to council regarding the statement she made about council members meeting prior to the January 13th meeting by Rose Pierson and seconded by Brian Corbin.

Roll Call Vote: Corbin- yes; Custis-no; Ferguson- abstain; Harmon – abstain; Pierson – yes; Zember - abstain

MOTION PASSED

Re-Appoint Clerk and Treasurer -

Motion: To re-appoint Alissa Yoder for town clerk for the year 2021 by Bill Ferguson and seconded by Rose Pierson

Roll Call Vote: Corbin- yes; Custis-yes; Ferguson- yes; Harmon – yes; Pierson – yes; Zember - yes

MOTION PASSED

Motion: To re-appoint Jamye Salazar as town treasurer for the year 2021 by Billye D. Custis and seconded by Rose Pierson.

Roll Call Vote: Corbin- yes; Custis-yes; Ferguson- yes; Harmon – yes; Pierson – yes; Zember - yes

MOTION PASSED

Discussion of COVID Relief – Councilman Ferguson stated that there have been other local towns that have provided some relief to their residents and he would like to see Onley do the same. Mayor Hart, Councilwoman Custis, Councilwoman Pierson, and Councilman Zember agreed that the town should

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provide some relief for their residents. Councilwoman Custis inquired about providing relief to the appropriate people, for example, people that are renting. Ms. Salazar noted that she would like to reach out to the Mayor of Melfa to inquire about their process. Council agreed that Ms. Salazar should contact him. Council discussed ways to get relief to the residents in an accurate manner. Chief Spivey noted the legal repercussions for any mistakes made to provide the relief. Chief Spivey read a statement from resident Ashley Belote stating that Melfa did door-to-door deliveries for residents and went to Food Lion and purchased gift cards based on the number of residential homes. Mayor Hart inquired if anyone would like to join a COVID-19 Relief Committee, per the suggestion of Mr. Bundick. Councilman Ferguson, Councilman Corbin and resident Deborah Bliss stated that they would like to be on the committee.

Motion: To establish a COVID-19 Relief Committee consisting of Bill Ferguson, Brian Corbin and Deborah Bliss by Rose Pierson and seconded by Woody Zember.

Roll Call Vote: Corbin- abstain; Custis-yes; Ferguson- abstain; Harmon – yes; Pierson – yes; Zember - yes

MOTION PASSED

Discussion of Employee Drug Testing – Mayor Hart suggested to council that employees who work for the town should be drug tested to ensure the integrity and trustworthiness of the town employees. Chief Spivey updated council that due to new regulation, employers cannot test for marijuana any longer, however employers can be tested for all other drugs. Ms. Salazar noted that due to COVID, the medical center may not be scheduling drug tests. Mr. Bundick noted that if drug tests are implemented, the employee policy will have to be edited to include the specific changes.

Discussion of Public Works RFP – Ms. Salazar provided council with the last public works contract, and asked council to review it to see what they would like to edit. She noted that the RFP will be going out in April or May for a contract to be signed at the June meeting. Councilman Zember suggested to Councilwoman Custis that she made editing suggestions on the contract to include the George N. McMath Park. Councilwoman Custis inquired about hiring a company or having public works employees hired by the town. She also inquired about hiring someone who can also spray for mosquitos. Council discussed the details of possibility hiring an employee, along with contract specifics.

Public Comments – There was no public comment at this time.

Council Comments-

Councilman Zember noted that he is feeling reassured by the progress being made, with council members not letting their emotions or different personalities “get in the way”. He noted that he is happy and proud that things are moving in the right direction. He also welcomed the new attorney and thanked him for all his information he gave during the meeting.

Councilman Ferguson thanked the town employees and welcomed Mr. Bundick. He noted that he has also been impressed with him. Mr. Ferguson added that he would love to provide COVID relief to the residents, as well as hiring a town public works in the future. He also added that “the past is in the past for a reason”.

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Councilwoman Harmon thanked everyone and welcome Mr. Bundick. She stated it is her belief that “we need to look to God as our guider” and she hopes everyone can work together.

Councilwoman Pierson stated that she believes it was a great meeting and the council came to a lot of conclusions. She also noted that it was wonderful to have Mr. Bundick at the meeting and she has learned so much. Ms. Pierson thanked the employees, especially Ms. Salazar and Chief Spivey.

Councilwoman Custis agreed with council on their comments and added that everyone had good points that she agreed with. She added that council needs to “keep it up and move forward”.

Councilman Corbin thanked Ms. Salazar with all her help with the pre-bid meeting. He noted that hopefully next month, they will be “over that hurdle”. He added his thanks to everyone for all of their support.

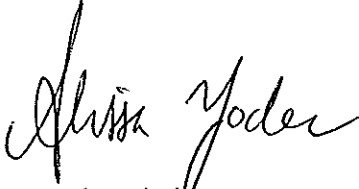
Adjourn

Motion: To adjourn at 9:13pm by Rose Pierson and seconded by Brian Corbin

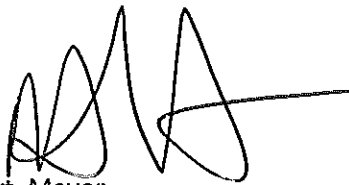
Roll Call Vote: Corbin- yes; Custis-yes; Ferguson- yes; Harmon – yes; Pierson – yes; Zember - yes

MOTION PASSED

Respectfully Submitted Via Video and Audio Recording,



Alissa Yoder, Clerk



Matthew Hart, Mayor