

Onley Town Council
Regular Monthly Meeting
Minutes of January 4, 2021

Regular Monthly Meeting of the Onley Town Council held electronically via Zoom, on the 4th day of January 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

Call to Order

Mayor Hart called the meeting to order at 6:30pm

Invocation & Pledge of Allegiance

The invocation was given by Bill Ferguson and the Pledge of Allegiance was led by Rose Pierson.

Adoption of Agenda – Councilwoman Pierson requested that 9.D. Re-establish/Form Town Committees be removed from the agenda and placed on a workshop meeting agenda for a later date.

Councilwoman Custis stated that there should be discussion before re-establishing. Mayor Hart recommended that discussion of this could happen at the upcoming budget workshop. Councilwoman Pierson also requested that 9.F. Discussion of Changing Council Meeting Time Back to 6:00pm be added. Councilman Zember and Ms. Salazar noted to council that Councilman Zember was not able to get sworn in before the meeting, and therefore is technically not a council member at this time, until he is sworn in.

Motion: To adopt the agenda with changes made by Rose Pierson and seconded by Brian Corbin.

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

MOTION PASSED

Re-Adopt Emergency Ordinance to Effectuate Temporary Changes in Certain Deadlines & To Modify Public Meeting and Public Hearing Practices & Procedures to Address Continuity of Operations

Associated with Pandemic Disaster – Ms. Salazar reviewed with Council that the Ordinance has expired and although Governor Northam’s budget over-rides the Ordinance, the council is advised to re-adopt as a precaution. She noted that the only thing that has changed on the Ordinance was the date.

Motion: To Re-Adopt the Emergency Ordinance to Effectuate Temporary Changes in Certain Deadlines & To Modify Public Meeting and Public Hearing Practices & Procedures to Address Continuity of Operations Associated with Pandemic Disaster by Billye D. Custis and seconded by Rose Pierson.

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

MOTION PASSED

Re-Adopt Resolution Authorizing the Adoption of Procedures of Electronic Public Hearings to Ensure the Continuity of Government During the COVID-19 Pandemic Disaster –

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Motion: To Re-Adopt Resolution Authorizing the Adoption of Procedures of Electronic Public Hearings to Ensure the Continuity of Government During the COVID-19 Pandemic Disaster by Billye D. Custis and seconded by Rose Pierson.

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

MOTION PASSED

Appointment of Vice-Mayor – Councilman Corbin made a motion to appoint Rose Pierson as Vice-Mayor. Councilwoman Harmon noted that Councilwoman Pierson received the least number of votes from the residents for her re-election as councilmember, and she inquired what the residents would think of the decision to have her as vice-mayor. Mayor Hart noted that former Vice-Mayor Finney also received one of the lowest number of votes from all the council members. He noted that in he did not believe that this directly affects someone’s ability to be a good vice-mayor. Councilwoman Custis noted that the most votes went to Councilwoman Harmon and therefore she believes the voters have the most confidence in her.

Motion: To appoint Rose Pierson as Vice-Mayor by Brian Corbin and seconded by Bill Ferguson.

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

MOTION PASSED

Consideration of Minutes – Ms. Salazar noted that there was a sentence added to the minutes.

Motion: To accept the minutes with the change made from December 7, 2020 as written by Billye D. Custis and seconded by Rose Pierson.

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

MOTION PASSED

Police Report & Schedule (February 2021) – Chief Spivey presented council with the police report and the February schedule. Chief Spivey also noted that due to the increase of COVID-19 cases in the area along with the traffic stops that can lead to interaction from out-of-state residents, he would like to take more precaution with the department. Councilman Corbin stated that Chief Spivey should adjust as he sees fit, and Councilwoman Pierson agreed. Councilwoman Custis inquired about the officers using sick leave. Chief Spivey noted that the officers will most likely be using sick leave if necessary.

Mayor Hart interrupted discussion for Mr. Samuel Cooper to swear in Woody Zember as a council member. Chief Spivey continued regarding possible changes in the department and COVID-19. All council members agreed that the department should do what they need to do to stay safe.

Sergeant Long reviewed that the Safe Communities Executive Order from President Trump ordered that the department devise some policies. He noted which issues have already been addressed in training, along with which issues needed to be added to the policy changes. Sergeant Long read the policy changes to council. Councilwoman Custis inquired if these changes have been looked at by VML, and both officers replied yes. Sergeant Long gave an overview of the changes made when officers start their shift. Chief Spivey noted that the department is hoping to be implementing the body cameras by February 1.

Motion: To adopt the Police Department policy changes and the Use of Force, Body Cameras and Duty to Intervene policies as submitted by Sergeant Long and Chief Spivey by Rose Pierson and seconded by Bill Ferguson

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

MOTION PASSED

Motion: To approve the February 2021 Police Schedule by Bill Ferguson and seconded by Brian Corbin.

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

Treasurer’s Report – Payables December 2020) – Ms. Salazar presented council with the Treasurer’s Report for December 2020. A copy of this is available at the town.

Motion: To pay the payables for December 2020 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

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 December 2020. A copy of this is available at the town office.

Property at 25571 E. Main St./New Town Office Committee Report – Councilman Corbin spoke due to Councilwoman Pierson resigning from the committee. He reviewed the history of the committee and requested that council move forward with the plans for Berecah to be put out for bid. Councilman Ferguson stated to council that he does not believe that the Floor Store building and the Onley Baptist Church office building will be adequate for a town office. He requested that council dismiss any plans for purchasing these buildings. Councilwoman Harmon presented council with questions regarding the possibility of purchasing the buildings to emphasize that details and numbers were not presented to council regarding both buildings. Councilman Corbin responded, stating that he would have looked at the Floor Store, but was told via email from Ms. Salazar that the owner did not want to sell the Floor Store to the town. Councilwoman Custis made note that the closing date was before the end of the year, and that the council was not ready to decide before the closing of the Floor Store with Mayor Hart. She also noted that after speaking to the seller, she was told that Mayor Hart did not show up for the closing. Mayor Hart responded and told council that he sent out an email stating that he was not going to close until council decided if they wanted to buy it or not. He also noted that he did email the attorney for the closing and let her know the situation before the closing date. Councilwoman Custis and Councilwoman Harmon both noted that they did not want to decide on the Floor Store until they found out how much it was. Councilwoman Harmon stated that she did in fact say to Mayor Hart that she did not think that the Floor Store was a good fit, but when she found out the price and went to look at it with Ms. Salazar and Councilwoman Custis, she thought that it may be possible to purchase after all. Mayor Hart stated that until the council decides in the form of a motion to not buy the Floor Store, he will not close on it. Councilman Corbin inquired about the email that Ms. Salazar sent regarding the Floor Store. Ms. Salazar stated that Councilman Corbin was correct, and that it read that Councilwoman Custis spoke with Mrs. Nottingham about the Floor Store and she said she wanted to follow through with the purchase with Mayor Hart instead of allowing the town to buy it. Councilwoman Harmon wanted to make note that she does not want to pursue the Onley Baptist Church office but she does want to pursue the Floor Store.

Motion: To put out the Berecah plans for bid by Brian Corbin and seconded by Rose Pierson.

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

Motion: To not pursue the Floor Store or the Onley Baptist Church office building for the future Onley Town Office by Brian Corbin and seconded by Bill Ferguson.

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Roll Call Vote: Corbin- yes; Custis-no; Ferguson- yes; Harmon – no; 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 December 2020. A copy of this is available at the town office. She also noted that she would like to request council ask for Chris Isdell to come to a meeting and give a report on the ditches around the park. Councilwoman Custis stated that John Dennis will be putting the playground equipment together. She requested that if anyone has a problem with John Dennis doing the work, to speak on record. All members of council stated that they had no problem with him doing the work.

Amended 2020-2021 Budget – Ms. Salazar provided council with copies of the budget and stated that Councilwoman Custis had suggestions for changes, which Ms. Salazar agreed with these changes. Council discussed setting a budget meeting for some day next week.

Attorney Vacancy (Open RFP's) – Ms. Salazar stated that the town had received one RFP for the attorney vacancy from Carl Bundick, of Accomack. She read the proposal to council. Council discussed Mr. Bundick's credentials and history with Ms. Salazar. Councilman Ferguson made note to council that he will be abstaining from voting due to having Mr. Bundick as his attorney in the past.

Motion: To accept the application for Carl Bundick for town attorney by Rose Pierson and seconded by Claudia Harmon.

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

Planning Commission & BZA Vacancies – Ms. Salazar stated that she has had no interest in new members for Planning Commission and the Board of Zoning Appeals and asked council to notify her of anyone interested.

New Business

Town Council Code of Ethics & Model of Excellence – Ms. Salazar reported that this is something that was done at the last term, and she requested that a motion be made to implement it for this term as well.

Motion: To adopt the Town Council Code of Ethics and Model of Excellence 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

Re-Appoint Town Manager & Chief of Police -

Motion: To re-appoint Jamye Salazar for town manager for the year 2021 by Billye D. Custis and seconded by Claudia Harmon

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

Motion: To re-appoint John Spivey as Chief of Police for the year 2021 by Billye D. Custis and seconded by Woody Zember.

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

Resolution of Bank Signatories – Ms. Salazar explained that the practice has been that Ms. Salazar, Mayor Hart and the Vice-Mayor have been signers for checks and withdrawals. She recommended having a fourth signer in case it is needed. Councilwoman Custis, Councilwoman Harmon and Councilman Zember stated that they were in favor of a fourth signer. Councilwoman Pierson stated that she did not think a fourth signer is necessary. Councilman Ferguson stated that he would like to be the fourth signer if no one else had a preference. Ms. Salazar read the motion as follows:

Whereas, It is the policy of the Town of Onley to require two authorized signatures on all Town bank account transactions; and

Whereas, It is the policy of the Town of Onley that the Mayor, Vice-Mayor, one Council Member and the Town Manager have signatory authority on all Town bank accounts; and

Whereas, Matthew D. Hart was elected Mayor for the term beginning January 1, 2021 and ending December 31, 2022; and

Whereas, Rose M. Pierson, was elected Vice-Mayor by his/her fellow Council Members for the term beginning January 1, 2021 and ending December 31, 2022; and

Whereas, the Onley Town Council appointed William R. Ferguson as Council Member signatory at the January 4, 2021 Town Council Meeting; and

Whereas, The Town Council appointed Jamye Salazar as Town Manager at the January 4, 2021 Town Council Meeting; and

Whereas, said Matthew D. Hart must be added as an authorized signatory on the Town of Onley banking accounts; and

Whereas, said Vice Mayor Rose M. Pierson, must be added as an authorized signatory on the Town of Onley banking accounts; and

Whereas, said Council Member William R. Ferguson, must be added as an authorized signatory on the Town of Onley banking accounts; and

Whereas, said Town Manager Jamye Salazar must be added as an authorized signatory on the Town of Onley banking accounts;

NOW, THEREFORE, BE IT RESOLVED, on this date, January 4, 2021 that the Council for the Town of Onley does hereby authorize Mayor Matthew D. Hart, Vice-Mayor Rose M. Pierson, Council Member William R. Ferguson and Town Manager Jamye Salazar as authorized signers.

Motion: To adopt the resolution that was read by Ms. Salazar 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

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Discussion of Purchasing A/V Equipment for Town Meetings – Ms. Salazar stated that Councilwoman Custis spoke to her about having A/V equipment and Ms. Salazar asked how council felt about the idea.

Motion: To instruct Ms. Salazar to investigate pricing for audio and video equipment for town meetings and report her findings at the budget workshop 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 Changing Council Meetings Back to 6:00pm

Councilwoman Custis stated that 6:00pm would be too early due to it being a schedule conflict with her family.

Motion: To change the council meetings back to 6:00pm by Rose Pierson and seconded by Brian Corbin.

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

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

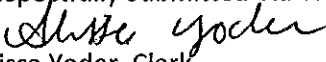
Council Comments- Councilman Zember apologized for technical difficulties that he had during the meeting. He also noted that it was a productive meeting, and he thanked everyone for attending. Councilman Ferguson thanked Chief Spivey for helping with the technical aspects of the meeting and he noted that it was an efficient meeting. He noted that when a person is entrusted with much, much is expected, and he looks forward to working with everyone. He thanked everyone for the opportunity. Councilwoman Harmon thanked Chief Spivey for his help with the meeting. She also thanked Councilman Ferguson for his sincere prayer. Councilwoman Harmon also noted that although she may have a difference of opinion, she intends to work with every member for the town's sake. She also noted that all members should ask for God's council because "God puts us where he wants us". Vice-Mayor Pierson stated that she believed it was a successful meeting because problems have been resolved. She thanked those that voted for her to be Vice-Mayor. Councilwoman Custis congratulated Vice-Mayor Pierson on becoming Vice-Mayor. She also thanked Ms. Salazar and Ms. Yoder for their help. Councilwoman Custis noted that if there is any hearsay about what she has said, she would appreciate that the issues get addressed directly to her instead of with others. Councilman Corbin stated that he appreciates being a member of the council and he believes they all can work together and move closer to our goal. He also noted that Chief Spivey and Ms. Salazar do a great job, and that Chief Spivey went above and beyond to help with the meeting. Councilman Corbin noted that he is a big believer in prayer and that it is "the greatest tool at our disposal".

Adjourn

Motion: To adjourn at 8:34pm 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

Respectfully Submitted Via Video and Audio Recording,


Alissa Yoder, Clerk


Matthew Hart, Mayor