

Onley Town Council
Regular Monthly Meeting
Minutes of January 6, 2022
Onley Town Center, 25020 Shore Parkway, Onley VA

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

Staff Present: Carl Bundick, Town Attorney
Chuck McPherson, Chief of Police, OPD
Jamy Salazar, Clerk/Treasurer

Call to Order

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

Invocation & Pledge of Allegiance

The invocation was given by Councilman Corbin and the Pledge of Allegiance was led by Councilwoman Custis.

Adoption of Agenda

Motion: To adopt the agenda with the following changes: move item(s) 6A1. To 15A. and move 8B. to 15B. by Billye D. Custis and seconded by Claudia Harmon. Roll Call Vote: Corbin- no; Custis-yes; Ferguson- no; Harmon – yes; Pierson – yes; Zember - yes. MOTION PASSED
Before the vote was taken, Mr. Corbin asked the reason for the change. Ms. Custis said that decisions made about these items may be affected by the closed session discussion.

Presentation – Northern Accomack Community Cats

Margie Spangler explained what her organization does and asked that Council consider donating as well as encouraging town businesses to support their mission.

Department Reports

Chief McPherson presented his report and stated that the February schedule is not done. Ms. Custis told Chief McPherson that beginning January 1, 2022, the officers need to have a day off for holidays – the previous motion allowing them to work and be paid double hours has expired. Chief McPherson and Ms. Custis spoke at length about this matter with each having a different interpretation.

Motion: From January 1, 2022, any employee that works on any of the eight holidays recognized by the Town of Onley gets another day off within that pay period 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 *This was corrected at the 2/7/2022 meeting by Ms. Custis. The town has 12 paid holidays.

Chief McPherson stated that the Body Camera Policy is scheduled for a review and update this year. He provided a copy to Council and advised them to review it. There was a discussion about an interaction between a citizen and an officer and the use of the officer's body camera.

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Mayor Hart stated that in order for the cameras to store all of the data, we will need to upgrade our data storage. Chief McPherson added that we need to acquire another server because the police data cannot be stored on the same server as the general office data, for security purposes.

Mayor Hart stated that he has advised the Chief that we are extremely over budget on overtime and moving forward all overtime needs to be approved by himself or the Council. There was a discussion about this along with a discussion about how the schedule is being done in general. Council asked for more consistency in the shifts as well as adjustments for time in court and the use of vacation hours.

Old Business

Mr. Bundick said that once the minutes from the December 27th meeting are adopted, he will get the charter change information to Senator Lewis for the upcoming session.

Mr. Bundick told Council that to sell the town-owned property on Front Street, a public hearing is necessary.

Motion: To hold a Public Hearing at the February 7th Regular Meeting to hear comments on selling the town-owned property on Front Street by Brian Corbin and seconded by Rose Pierson. Roll Call Vote: Corbin- yes; Custis-yes; Ferguson- yes; Harmon – yes; Pierson – yes; Zember - yes. MOTION PASSED
Ms. Bliss reported that the Planning Commission is moving along with the review of the Zoning Ordinance and are hoping to have something to present in February. She asked for Council's approval to have a member of the Planning Commission attend meetings virtually. Council agreed. Mr. Bundick stated that the order appointing Mr. Doughty and Ms. Bliss to the BZA was delivered to the court today.

New Business

Ms. Harmon asked Council to move the July 2022 regular meeting to Monday, July 11th. Council agreed.

Motion: To adopt the 2022 Council meeting schedule moving the July meeting to July 11th by Claudia Harmon and seconded by Woody Zember. Roll Call Vote: Corbin- yes; Custis-yes; Ferguson- yes; Harmon – yes; Pierson – yes; Zember - yes. MOTION PASSED

Motion: To re-appoint Jamye Salazar to the position of Clerk/Treasurer by Billye D. Custis and seconded by Woody Zember. Roll Call Vote: Corbin- yes; Custis-yes; Ferguson- yes; Harmon – yes; Pierson – yes; Zember - yes. MOTION PASSED

Motion: To re-appoint Carl Bundick to the position of Town Attorney 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

Mr. Bundick asked Council to consider increasing his rate of pay from \$100.00 per hour to \$175.00 per hour adding that this is the amount paid to the previous attorney.

Motion: To increase Carl Bundick's rate of pay to \$175.00 per hour by Rose Pierson and seconded by Bill Ferguson. Roll Call Vote: Corbin- yes; Custis-yes; Ferguson- yes; Harmon – yes; Pierson – yes; Zember - yes. MOTION PASSED

Ms. Harmon asked that Council start thinking about what events they want to hold at the park this year so we can get them on the calendar. Ms. Pierson stated that the Community Spirit Committee is working on some things, but COVID is making things difficult.

No decision was made about ARPA fund public safety bonuses. Mr. Ferguson suggested that Council investigate the possibility of donating ARPA money to our surrounding fire companies. Ms. Custis suggested using ARPA funds to purchase the vacation hours that cannot be rolled over from last year. Council gave Mayor Hart permission to investigate options for a sign at the town office containing the new town logo.

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Mayor Hart asked Council to consider the possibility of adding GPS trackers to the patrol and public works vehicles. There was a discussion about the current in-car camera system which contains GPS.

Motion: To appoint Bill Ferguson, Debbie Bliss, Brian Corbin, and Chuck McPherson to a committee to act as a liaison between Council and the Police Dept. researching this matter and matters like it by Bill Ferguson and seconded Rose Pierson. Roll Call Vote: Corbin- yes; Custis-yes; Ferguson- yes; Harmon – yes; Pierson – yes; Zember - yes. MOTION PASSED

Mayor Hart and Council decided against permanently changing the meeting location at this time. Mayor Hart asked Council to consider putting money in the next budget for new banners displaying the new town logo as well as new hardware.

Ms. Harmon asked to discuss the town website, adding that she found some things missing. Ms. Salazar reminded Council that the website crashed in November, and it is almost completely restored. Council asked Ms. Salazar to address the matter with Go Daddy and give them an update as soon as possible.

Committee Reports

Community Spirit – Ms. Pierson said that they will be meeting this month to discuss some events.

Sidewalk Project – Mr. Corbin reported that they met last week with a VDOT representative, and the next step is to sketch a plan and write a letter of intent for approval by VDOT. Once approved, VDOT will put us in touch with the grant writers. They are hoping to acquire an 80/20 split grant.

New Town Office Building – Mr. Corbin reported that they are now looking into a pole building. He has sent the floorplan that we are using to Delaware Buildings, and they have returned with a proposal of \$550,000.00-\$625,000.00. Ms. Salazar stated that Four Corner Plaza does have vacant rental property available that may be a suitable option for a town office if Council has any interest in considering that as an option. Council agreed to look at the property as an option.

Public Works – Mr. Ferguson reported that the mower has been paid for and will be picked up this week. The mower will be taken to Fairdale Farms for service and stored in the garage until spring. A new larger lightbar (on the truck) is needed and will be installed soon. At this time, there was a discussion as to why the McMath Park employee is now working for Public Works. Mayor Hart explained that when the Public Works employee needs help doing a two-man job, it makes sense to utilize the McMath Park employee since he is already employed by the town.

Motion: To authorize McMath Park employee, Dean Savage, to work up to an additional 15 hours per week as needed in the Public Works Department while still maintaining 15 hours per week as needed at McMath Park with a pay rate of \$15.00 per hour and an additional \$5.00 per hour if using his personal equipment by Bill Ferguson and seconded by Rose Pierson. Roll Call Vote: Corbin- yes; Custis- no; Ferguson- yes; Harmon – no; Pierson – yes; Zember - yes. MOTION PASSED

Golf Cart – Ms. Pierson reported that VDOT said they do not have any record of who put up the golf cart signs in town. VDOT is still working on completing the map to include four streets in the Lakewood Development.

Personnel – Ms. Arlene Evans presented Council with the committee's recommendation for the final Take-Home Vehicle Policy, explaining the changes that were made. A copy is attached. There was a discussion about this matter including who should have been included in the review of this document.

Department Reports (cont'd)

Ms. Salazar reported that there are three businesses in town and one hotel that is delinquent on meals and transient occupancy tax. She made Council aware of two corrections in her financial report. Lastly,

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she told Council that she has submitted the final paperwork to Accomack County with the hopes of collecting about \$52,000.00 in CARES funds. Ms. Harmon asked about a charge at the park for internet

service. Chief McPherson responded that while the internet is free at the park, the security cameras are not, and this charge pertains to them. There was some discussion about his matter.

Motion: To pay the December 2021 payables 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

Mayor Hart reported that throughout the month he has worked with Chief McPherson on some police matters as well as with the Public Works employees. There is nothing new to report for zoning. Mr. Bundick reported that he has worked on the appointments to the BZA as well as some policy matters this month. He will work on the letters to the delinquent tax violators as soon as he can. Ms. Chamberlain was absent but did submit a written copy of the Town Administrators Report.

Consideration of Minutes

Motion: To accept the minutes of the December 6, 2021, Regular Monthly Meeting by Rose Pierson and seconded by Bill Ferguson. Roll Call Vote: Corbin- yes; Custis-yes; Ferguson- yes; Harmon – yes; Pierson – yes; Zember - yes. MOTION PASSED

Motion: To accept the updated minutes (with changes) of the December 13, 2021, Special Meeting by Billye D. Custis and seconded by Woody Zember. Roll Call Vote: Corbin- yes; Custis-yes; Ferguson- yes; Harmon – yes; Pierson – yes; Zember - yes. MOTION PASSED

Motion: To accept the minutes of the December 27, 2021, Public Hearing on Proposed Charter Change(s) 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

Public Comments

John Dennis pointed out some areas in town that need additional litter clean-up. He also suggested that Council implement a time limit on people making presentations at the meeting.

Council Comments

Ms. Pierson commented that the meeting has been very long, and she really isn't comfortable with that. Ms. Custis agreed with Ms. Pierson adding that she is not sure what the answer is.

Ms. Harmon agreed that the meeting was long, and she would like to find a way to shorten it. She added that she is disappointed with the Public Work's situation for the winter.

Mr. Ferguson thinks that while there are bound to be some bumps, he feels that we are moving in the right direction.

Mr. Zember said he is very upset about the length of this meeting. He asked that Council consider splitting the meeting over the course of two nights.

Mr. Corbin said he feels that we are making progress but added that progress costs money.

Closed Session

Motion: To go into Closed Session at 9:31pm 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 performance evaluations and probationary period review for the Onley police

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department and discussion or consideration of Personnel Matters pertaining to General Government employee review 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

Open Session & Certification of Closed Session

Motion: To return to Open Session at 10:46pm 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

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: Corbin-yes; Custis-yes; Ferguson-yes; Harmon-yes; Pierson-yes; Zember-yes; Hart-yes.

Open Session (cont'd)

Motion: To adopt the Take Home Vehicle Policy 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 Chuck McPherson as Chief of Police 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

Mr. Zember wanted it stated that while we are re-appointing Chief McPherson, he is still on probation.

Motion: To allow Officer Rose to have a take-home vehicle, extending the mileage allowance from the town office from 15 miles to 20 miles by Rose Pierson and seconded by Bill Ferguson. Roll Call Vote: Corbin- yes; Custis-no; Ferguson- yes; Harmon – yes; Pierson – yes; Zember - yes. MOTION PASSED

Ms. Harmon reminded Council that moving forward, we must remember and adhere to the rules of the policies that we have created.

Adjourn

Motion: To adjourn at 10:53pm by Rose Pierson and seconded by Billye D. Custis.
Roll Call Vote: Corbin- yes; Custis-yes; Ferguson- yes; Harmon – yes; Pierson – yes; Zember - yes.
MOTION PASSED

Respectfully Submitted,



Jame Salazar, Clerk/Treasurer



Matthew Hart, Mayor