

Onley Town Council  
Public Hearing & Regular Monthly Meeting  
Minutes of February 7, 2022  
Onley Baptist Church, 25501 W. Main St., 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  
Lt. Patrick Coulter, OPD  
Jamy Salazar, Clerk/Treasurer

**Call to Order**

Mayor Hart called the meeting to order at 5:58pm.

**Invocation & Pledge of Allegiance**

The invocation was given by Councilman Ferguson and the Pledge of Allegiance was led by Councilwoman Harmon.

**Adoption of Agenda**

Mayor Hart asked Council to consider adding a presentation from the Eastern Shore Public Library (given by Al McMath) to the agenda just after the public hearing.

**Motion: To adopt the agenda with the change 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

**Public Hearing – Selling Town Owned Property on Front Street**

Mayor Hart called the public hearing to order at 6:01pm.

Ms. Salazar read the rules for public participation.

Ms. Salazar presented the information on selling the town-owned property on Front Street. A copy is attached.

No one signed up to speak so there was no public comment on selling the town-owned property on Front Street.

**Motion: To adjourn the public hearing at 6:05pm 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

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

**Presentation – Eastern Shore Public Library**

Mr. Al McMath presented Council with information about the Eastern Shore Public Library. A copy of the presentation is attached. Mr. McMath asked Council to consider donating (from ARPA funds) \$10.00 per town resident for a total of approximately \$5,000.00. He added that Accomack County's attorney, Jan Proctor, has devised a plan to use ARPA funds for this purpose.

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**Motion: To start researching how we can use ARPA funds to make a \$10,000.00 donation to the Eastern Shore Public Library by Billye D. Custis and seconded by Woody Zember. Roll Call Vote: Corbin-no; Custis-yes; Ferguson- yes; Harmon – yes; Pierson – yes; Zember - yes. MOTION PASSED**

#### Old Business

Council asked Mr. Bundick to reach out to HRSD and make sure that we will not need the town-owned property on Front Street for the construction of a pump station.

**Motion: To proceed with advertising the sale (via sealed bids) of the town-owned property on Front Street pending the outcome of the HRSD issue and giving us the option to reject any bids 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**

Mr. Bundick stated that Senator Lewis & Delegate Bloxom have promised their remaining ability for submission to the General Assembly to someone else so we will need to wait until special session for our charter change to be submitted.

Ms. Bliss stated that due to illness, there is no Planning Commission report.

In the matter of ARPA funds for employee bonuses, Mr. Ferguson said that he would like to give some ARPA funds to our fire departments. Mr. Bundick will meet with the county attorney and find out exactly how we can spend ARPA funds. He will also investigate the matter of bonuses for Lt. Coulter and Sgt. Long as well as possible equipment purchases.

Mayor Hart has not moved forward with the logo signs since we are planning to move to a new location. Mayor Hart reported that he has signed the contract with Four Corners Inc. securing the new town office location. He added that we are holding a public hearing at the March meeting to declare our intention to use the CARES Act reimbursement for this purpose. Mr. Corbin questioned how we can move forward with this project when it was not included in the budget. Ms. Salazar explained that this money is revenue that we were not expecting so now we are making the public aware that we have received it as well as how we are going to spend it. She added that while it is not a requirement, it is good practice.

**Motion: To form a committee (Billye D. Custis, Arlene Evans and Jamye Salazar) to handle the town office relocation to Four Corners by Claudia Harmon and seconded by Woody Zember. Roll Call Vote: Corbin- yes; Custis-abstain; Ferguson- yes; Harmon – yes; Pierson – yes; Zember - yes. MOTION PASSED**

#### New Business

**Motion: To appoint Mike Joynes to the BZA 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 offer the citizens of Onley half off the ORA fees up to May 15th, \$275.00 for single and \$525.00 for family memberships, up to \$5,000.00 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**

#### Committee Reports

Ms. Pierson reported that the **Community Spirit Committee** has planned an event on Scams & Frauds for February 23<sup>rd</sup> at 1:00 at St. Peter's Catholic Church.

Mr. Corbin reported that the **Sidewalk Project Committee** submitted plans to VDOT on January 11<sup>th</sup> and he received a call from a VDOT representative stating they are reviewing the proposal this week.

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Mr. Corbin reported that the **New Town Office Building Committee** has researched the possibility of acquiring a metal building. He distributed some information about their findings. A copy will be attached. Mr. Bundick stated that the town will need to advertise for bids if they take that route. Council asked the committee to prepare something that can be sent out for bids to review at next month's meeting.

Mr. Ferguson (**Public Works Committee**) reported that the mower has been picked up and serviced. They are planning to install a larger light bar on the public works truck. They are planning a meeting for Thursday and asked that everyone on the committee attend.

Ms. Custis reported that the **Budget Committee** has met and has requested that each department get their budget returned to them by March 1<sup>st</sup>.

Ms. Pierson (**Golf Cart Committee**) reported that they are still waiting on VDOT to get back with the approval of the four streets in Lakewood Development. She added that they are also waiting for Mr. Bundick to get them the golf cart ordinance.

Ms. Evans (**Personnel Committee**) reported that she thinks they need to continue meeting to update some other things in the office.

**Motion: To have the Personnel Committee review the Town of Onley's Personnel Policy by Woody Zember and seconded by Bill Ferguson. Roll Call Vote: Corbin- yes; Custis-yes; Ferguson- yes; Harmon – yes; Pierson – yes; Zember - yes. MOTION PASSED**

The **Police Department Technology Committee** has not met yet so there was no report. Ms. Bliss volunteered to lead the committee.

**Motion: To add Lt. Coulter to the Police Department Technology Committee 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**

## Department Reports

### Police Report & Schedule

Lt. Coulter presented his report to Council along with the February and March schedules. There was a small discussion about scheduling and weekend coverage.

Ms. Salazar reported that Lt. Coulter and Sgt. Long lost 80 hours and 73 hours (respectively) of vacation hours that they were unable to rollover into the new calendar year due to the department being short staffed.

**Motion: To pay Lt. Coulter and Sgt. Long for the vacation hours lost from the CARES reimbursement funds 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**

### Treasurer's Report

Ms. Salazar gave her report informing Council that the seizure acct has been closed per their request. She added that there are two meals tax delinquencies and one TOT delinquency. She reported that the auditors will be here for two days next week. She answered several questions about her report.

Ms. Custis asked that Council consider adding a lock to the garage since we have purchased some equipment for Public Works. Council agreed and asked Ms. Salazar to have a lock installed.

Ms. Custis mentioned that a camera was recently installed in the police department area of the town office. She stated that in the past, we were told that we shouldn't have cameras back there due to it being a police department. Lt. Coulter agreed that it can be a violation of someone's rights if it is not a

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properly secured system. Ms. Salazar expressed concern that the audio from the camera system had been turned on without her or anyone else's knowledge.

**Motion: To turn off the camera in the police department 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 February and March 2022 schedules 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

**Motion: To pay the payables 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

#### **Mayor/Zoning Report**

Mayor Hart reported that he has handled various issues this month, most of them are personnel related and will be discussed in closed session. He reported that Chief McPherson has left his position as Chief of Police. In the matter of zoning, he had nothing new to report.

#### **Attorney's Report**

Mr. Bundick reported that he has worked closely with Mayor Hart on the issues that he will be speaking about in Closed Session. He has also further researched the golf cart ordinance.

#### **Consideration of Minutes**

Ms. Custis stated that at the January 6<sup>th</sup> meeting, she made the comment that the Town of Onley offers eight paid holidays to its employees, she would like the minutes to reflect that we actually offer twelve.

**Motion: To accept the minutes of the January 6, 2022, Regular Monthly Meeting with the notation 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

**Motion: To accept the minutes of the January 18, 2022, Emergency Meeting 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

#### **Public Comments**

Rodney Lang said that he thinks the decisions that the Council have been making lately will reflect at the polls. He thinks that the way Chief McPherson was treated was unfair. He feels that micro-managing employees is a problem and asked why no one ever offered to help Chief McPherson.

#### **Council Comments**

Mr. Zember thanked everyone in attendance and added that he's happy with the decisions that were made tonight.

Mr. Ferguson thanked the employees. He agreed with Mr. Lang that we need to stop micro-managing our employees.

Ms. Harmon said that she thought we were doing well but she knows there are some bad thoughts and feelings. She added that the thing she wants now is to see us work with the employees that we have. She knows that we can learn from some past things, but feels we need to move forward for the town. She also offered to help Ms. Salazar in the office and concluded by saying that she hopes that her fellow Council Members do not turn against each other.

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Ms. Pierson thanked our employees and said she is excited about some of the things that she heard tonight concerning the construction of a new building.

Ms. Custis said that she has worked with Sgt. Long and Lt. Coulter this past week on some things, and she was very pleased with how well things went. She added that she offered her help to the former Chief of Police on several occasions, and she was never contacted. She also offered to cover the office for Ms. Salazar as needed. She feels that a lot of things have been told that are not true.

Mr. Corbin said that he feels there is too much micro-management of the town employees. He added that we have let go four employees or contractors within the last six months and that is a high turnover for a town of this size. He gave numerous examples to support his statement. Lastly, he stated that he is alarmed at how much the cost of the Public Works Department has increased adding that part of the reason for Mr. Simpson's termination was to save money and that is not happening.

#### Closed Session

**Motion: To go into Closed Session at 8:38pm 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 related to the former Chief of Police's position; performance issues within the Police Department and Procedures for Handling Personnel matters 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 9:35pm 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**

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.**

#### Adjourn

**Motion: To adjourn at 9:37pm 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,



Jamye Salazar, Clerk/Treasurer



Matthew Hart, Mayor