

**Onley Town Council
Public Hearing(s) & Regular Monthly Meeting
Minutes of June 6, 2022
Onley Town Office, 25308 Lankford Highway, Onley VA**

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

Council Members Absent: Rose Pierson, Vice-Mayor

Staff Present: Carl Bundick, Town Attorney
 Lt. E. Jess Long, OPD
 Jamye 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 Councilman Ferguson.

Adoption of Agenda

Mr. Corbin asked to add item 7F. Discussion of Ordinance #004-06.

Motion: To adopt the agenda with the addition by Bill Ferguson and seconded by Brian Corbin. Roll

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

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

Mayor Hart called the public hearing to order at 6:03pm. Ms. Salazar read the Rules for Public Participation. Ms. Salazar presented the Re-Appropriation of Balance of Funds Remaining for George N. McMath Park. Billye D. Custis signed up to speak as a resident. She expressed her unhappiness with the condition of McMath Park. Woody Zember agreed with Ms. Custis. There was a discussion about the condition of the park as well as the matter of locking the park gate. Several people raised their hands to speak, and Mayor Hart stated that this was not the time for Council comments. Ms. Harmon asked if she was being denied the opportunity to speak. Mayor Hart reiterated that there would be no Council comments. He then adjourned the hearing at 6:15pm.

Public Hearing – Re-Appropriation of Funds Remaining for the Purpose of Building a New Town Hall

Mayor Hart called the hearing to order at 6:15pm. Ms. Salazar presented the Re-Appropriation of Funds Remaining for the Purpose of Building a New Town Hall. No one signed up to speak. Mayor Hart adjourned the public hearing at 6:17pm.

Regular Meeting (cont'd)

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Presentation – Light House Ministries

Vickie Sams from Light House Ministries spoke about the needs of their organization and asked that Council consider donating. Council asked Ms. Sams to put together (in writing) some of their needs as well as costs.

Old Business

Ms. Salazar and Ms. Custis asked to note that the amount that is being re-appropriated for McMath Park is now \$10,324.33. Ms. Salazar explained that the amount advertised was before the recent expense of lights, signs, and bricks (expenditures on McMath park budget). Council discussed amending this amount later since some felt that this amount may not be enough to maintain the park for the year.

Motion: To re-appropriate the balance of funds (\$10,324.33) for McMath Park by Brian Corbin and seconded by Bill Ferguson. Roll Call Vote: Corbin- yes; Custis-yes; Ferguson- yes; Harmon – yes; Pierson – absent; Zember - yes. MOTION PASSED

Mr. Corbin stated that he would like to recommend that we amend the amount for building a town hall. Council advised that we could do that at a later date. **Motion: To re-appropriate \$666,847.05 for the purpose of building a new town hall by Bill Ferguson and seconded by Woody Zember. Roll Call Vote:** Corbin- yes; Custis-yes; Ferguson- yes; Harmon – yes; Pierson – absent; Zember - yes. MOTION PASSED

Council discussed the need to hire a person specializing in ARPA funds based on a recommendation from Mr. Corbin to purchase two patrol vehicles and move ahead with the sidewalk project using ARPA funds. Council agreed to proceed with mosquito spraying, hire a contractor and purchase a truck.

Motion: To purchase a 1998 Dodge pickup for \$2,000.00 by Brian Corbin and seconded by Woody Zember. Roll Call Vote: Corbin- yes; Custis-yes; Ferguson- yes; Harmon – yes; Pierson – absent; Zember - yes. MOTION PASSED

Council instructed Ms. Salazar to open and read the sealed bids received for the sale of the 2014 and 2016 Chevrolet Impalas. A list of bidders/bids is attached. **Motion: To accept the two bids from Steven Tiede in the amount of \$3,511.00 each for the 2014 and 2016 Impalas (total \$7,022.00) by Brian Corbin and seconded by Bill Ferguson. Roll Call Vote:** Corbin- yes; Custis-yes; Ferguson- yes; Harmon – yes; Pierson – absent; Zember - yes. MOTION PASSED

Ms. Bliss reported that the Planning Commission has not met so there is no report.

Ms. Harmon said that she would like Council to consider donating the entire \$5,000.00 to the ORA – not just up to that amount based on the number of resident memberships. **Motion: To donate the entire \$5,000.00 committed to the ORA (with the stipulation that town resident’s applications are still approved by the town) by Claudia Harmon and seconded by Woody Zember. Roll Call Vote:** Corbin- yes; Custis-yes; Ferguson- yes; Harmon – yes; Pierson – absent; Zember - yes. MOTION PASSED

New Business

Motion: To appoint Billye D. Custis, Claudia Harmon, Jeannette Edwards, and Jamye Salazar to the 2022 Town Manager Search Committee by Brian Corbin and seconded by Bill Ferguson. Roll Call Vote: Corbin- yes; Custis-yes; Ferguson- yes; Harmon – yes; Pierson – absent; Zember - yes. MOTION PASSED

Ms. Custis reported that Ms. Edwards has also offered to serve on the Personnel Committee.

Motion: To renew the current Anthem employee health insurance at an increase of 4.27% by Claudia Harmon and seconded by Bill Ferguson. Roll Call Vote: Corbin- yes; Custis-yes; Ferguson- yes; Harmon – yes; Pierson – absent; Zember - yes. MOTION PASSED

Council considered two estimates (one unsolicited) received for cleaning the new town office. They had several questions about the unsolicited estimate. Ms. Salazar will try to get answers. No decision was made.

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At this time, Council amended the motion to adopt the agenda replacing 8A. Community Spirit Committee with 8A. New Town Office Building. Everyone agreed.

There was much discussion about the obstruction of the parking lot next to Onley Post Office. Mayor Hart and Mr. Bundick stated that they feel there is a prescriptive easement allowing the use of the property. Council expressed their desire to stop all communication with the church about the issue adding that it is private property and they do not wish to get into a legal disagreement with the church. Mayor Hart warned Mr. Ferguson and Ms. Custis about speaking on the matter and asked that they disclose that they are Onley Baptist Church members. Ms. Custis stated that she occasionally attends church there but is not a member. Mayor Hart asked when she last attended. Mr. Corbin said that is not anyone's business and she does not have to disclose that. As the conversation became heated, Mayor Hart called for a five-minute recess (7:28pm).

Mayor Hart reconvened the meeting (7:34pm). **Motion: To have the town attorney and anyone representing the town stop all communication with Onley Baptist Church about the parking matter (at Onley Post Office) by Brian Corbin and seconded by Claudia Harmon. Roll Call Vote:** Corbin- yes; Custis-yes; Ferguson- abstain; Harmon – yes; Pierson – absent; Zember - yes. MOTION PASSED

Mayor Hart stated that adding things to the agenda the night of the meeting is not acceptable unless it is an emergency. He added that the agenda is created ahead of time and allows for plenty of time for Council to add items. Council would like to check with VML and other towns about this matter. Mr. Corbin stated that a couple of residents have received Ordinance #004-06 violation notices. He said that the ordinance is vague, doesn't allow people enough time to resolve the issues, and he feels that it has been used to single out certain people. Mayor Hart explained that Ms. Evans did the letters when she worked here and he mailed them once she was gone, but he can't answer for her. Council agreed that everyone should be treated equally when enforcing this ordinance and some Council members feel that may not be what has happened up to this point. Mr. Corbin asked Council to consider giving the alleged violators 60-days to resolve the issues. No decision was made.

Committee Reports

Town Office Building Committee – Mr. Corbin reported that the committee would like to move forward with a pole building using the plans for the building that was originally to be built by Wert, adding some things that were not included in the original plan such as a site plan and stormwater management. They will need to purchase another set of plans. **Motion: To spend \$8,500.00 for a new set of plans for a pole building by Woody Zember and seconded by Bill Ferguson. Roll Call Vote:** Corbin- yes; Custis-yes; Ferguson- yes; Harmon – yes; Pierson – absent; Zember - yes. MOTION PASSED

Sidewalk Project Committee – Mr. Corbin reported that VDOT will not support our request for a right turn on red at the Coastal and Main Street intersection until we present them with a resolution. Mr. Bliss said that we also need a resolution about sidewalks too. We also need to pursue one of the two grants to cover the cost or possibly use ARPA funds. Council asked Mr. Bundick for help with these matters.

Golf Cart Committee - The Golf Cart Ordinance needs to be reviewed by Council before it can be sent to public hearing. There was a discussion (no decision) about how the inspection process will be handled.

Public Works Committee – Mr. Ferguson is still working on the SOP's. There was a discussion about who is responsible for the work at the park – he asked for clarification about who is responsible and added that Mario has requested full-time, so it makes sense to add the park to his duties and make him a full-time employee. Mayor Hart stated that if we do that, we do not need Dean any longer. Mr. Ferguson stated that Dean should be kept on in order to help with two-man jobs when required, but it doesn't seem like he has been properly maintaining the park. Mr. Ferguson also expressed a desire for uniforms

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for the public works employee. **Motion: To purchase uniforms for Public Works personnel as follows: 10 shirts (to be shared), two pants (Mario) and one pair of boots (Mario) by Woody Zember and seconded by Bill Ferguson. Roll Call Vote:** Corbin- yes; Custis-no; Ferguson- yes; Harmon – no; Pierson – absent; Zember - yes. MOTION PASSED

Personnel Committee – Ms. Harmon asked if Ms. Evans is still serving with her and Ms. Custis on this committee. Ms. Salazar responded that she does not think so, but she can get clarification. **Motion: To add Jeannette Edwards to the Personnel Committee by Billye D. Custis and seconded by Woody Zember. Roll Call Vote:** Corbin- yes; Custis-yes; Ferguson- yes; Harmon – yes; Pierson – absent; Zember - yes. MOTION PASSED

Budget Committee – Ms. Bliss had nothing to report and asked to have this removed from the agenda until further notice.

Police Technology Committee – Ms. Bliss had nothing to report and asked to have this removed from the agenda until further notice. Ms. Custis asked if the items that were approved have ever been ordered. They did not have an answer. **Motion: To replace Sgt. Coulter with Lt. Long on the Police Technology Committee by Brian Corbin and seconded by Bill Ferguson. Roll Call Vote:** Corbin- yes; Custis-yes; Ferguson- yes; Harmon – yes; Pierson – absent; Zember - yes. MOTION PASSED

Department Reports

Police Report & Schedule

Lt. Long reported that the monthly report is not complete since there have been some issues with data storage at the office due to the video from the camera systems. He believes that this issue is now resolved. He spoke about the National Night Out and recommended that we participate. Council agreed and made it part of Community Spirit. He reported that he has implemented park patrols, foot patrols and business checks while businesses are open. Council discussed purchasing a vehicle with ARPA funds. Lt. Long recommended staggering the purchase of vehicles.

Treasurer's Report

Ms. Salazar reported that the website will be updated with the new zoning ordinance and recent minutes since the new scanner has been delivered. She reported that they are still working on the Alpine Nutrition delinquencies. She gave the Treasurer's Report.

Motion: To pay the payables by Bill Ferguson and seconded by Brian Corbin. Roll Call Vote: Corbin- yes; Custis-yes; Ferguson- yes; Harmon – yes; Pierson – absent; Zember - yes. MOTION PASSED

Mayor/Zoning Report

Mayor Hart stated that he has already spoken about everything as it was reached on the agenda. One zoning permit was issued for the construction of a building over by the Moore's property. He is concerned about the property across from CVS because there is a big hole there, so he has reported it to the county. Lastly, he thinks the old Burger King building is being demolished but there is no permit on file.

Attorney's Report

Mr. Bundick stated that he feels there has been a good discussion about what we should and shouldn't be involved in. His intent is always to answer questions and concerns but never to offend anyone. Ms. Harmon asked about the finality of his recommendations. Mr. Bundick said that he only gives theories

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based on the information provided to him. Ms. Custis referenced the VML handbook (page 32) and stated that the local government attorney is the Council's counsel.

Consideration of Minutes

Motion: To accept the minutes of the May 2, 2022, Public Hearing(s) & Regular Monthly Meeting by Bill Ferguson. There was no second. MOTION FAILED

Several members of Council requested that Ms. Salazar review the minutes again because they do not feel they are a true reflection of the meeting. Council agreed that anyone that has issues with the minutes meet with Ms. Salazar and make her aware of the issues and Council can review them again next month.

Motion: To accept the minutes of May 16, 2022, Special Meeting by Brian Corbin and seconded by Claudia Harmon. Roll Call Vote: Corbin- yes; Custis-yes; Ferguson- yes; Harmon – yes; Pierson – absent; Zember - yes. MOTION PASSED

Public Comments

John Dennis stated that it will take two weeks to get the park back in the condition that it was when he left. He added that the park work can be done 15-20 hours per week. He also suggested a weekly report. Ned Finney stated that he feels that it should be up to the mayor or town manger to decide what goes on the meeting agendas. He said that he feels that he is being singled out on a lot of things. He said that just tonight, several people from the audience have spoken up and participated throughout the entire meeting and he was unable to speak even once without being interrupted and threatened with removal.

Council Comments

Mr. Ferguson thanked everyone and asked that we remember the fire companies when disbursing ARPA funds.

Ms. Harmon stated that there has been a lot of audience participation tonight and she is still not pleased with how this meeting went, however, it was better than last month. She is alarmed because things seem to be happening without Council's knowledge.

Mr. Zember is disappointed that the meeting was once again too long adding that there has been too much audience participation. He thanked everyone.

Ms. Custis agreed with Mr. Zember and Ms. Harmon. She asked to have the park on the agenda for next month's meeting.

Mr. Corbin is grateful that we have made great strides with mosquito spraying. He stated that while he appreciates what the attorney did, he would like to stay clear of getting into a legal battle with a church.

Closed Session

Motion: To go into closed session (9:29pm) 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, General Government & Public Works: employee evaluations, changing ranks within the Police Department, changing employment status for all employees and discussion of individual employee benefits by Woody Zember and seconded by Billye D. Custis. Roll Call Vote: Corbin- yes; Custis-yes; Ferguson- yes; Harmon – yes; Pierson – absent; Zember - yes. MOTION PASSED

Open Session & Certification of Closed Session

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Motion: To return to open session (10:19pm) by Bill Ferguson and seconded by Claudia Harmon. Roll

Call Vote: Corbin- yes; Custis-yes; Ferguson- yes; Harmon – yes; Pierson – absent; 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: Hart-yes; Corbin- yes; Custis-yes; Ferguson- yes; Harmon – yes; Pierson – absent; Zember - yes. MOTION PASSED

Motion: To give Sgt. Pat Coulter a one-time pay adjustment for \$2,000.00 by Billye D. Custis and seconded by Woody Zember. Roll Call Vote: Corbin- yes; Custis-yes; Ferguson- yes; Harmon – yes; Pierson – absent; Zember - yes. MOTION PASSED

Motion: To raise Lt. Edwin Long's salary to \$54,000.00 by Billye D. Custis and seconded by Woody Zember. Roll Call Vote: Corbin- yes; Custis-yes; Ferguson- yes; Harmon – yes; Pierson – absent; Zember - yes. MOTION PASSED

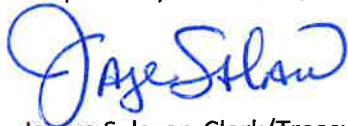
Motion: On July 1, 2022, Jamye Salazar will go to full-time with a salary of \$52,000.00 with benefits by Billye D. Custis and seconded Bill Ferguson. Roll Call Vote: Corbin- yes; Custis-yes; Ferguson- yes; Harmon – yes; Pierson – absent; Zember - yes. MOTION PASSED

Adjourn

Motion: To adjourn at 10:22pm by Billye D. Custis and seconded by Bill Ferguson.

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

Respectfully Submitted,



Jamye Salazar, Clerk/Treasurer

Matthew D. Hart, Mayor