

**Onley Town Council  
Emergency Meeting  
Minutes of May 26, 2022  
Onley Town Office, 25308 Lankford Highway, Onley VA**

Council Members Present:      Brian Corbin  
   Bill Ferguson  
   Claudia Harmon  
   Woody Zember

Council Absent:                      Matt Hart, Mayor  
   Rose Pierson, Vice-Mayor  
   Billye D. Custis

Staff Present:                         Carl Bundick, Town Attorney  
   Jamye Salazar, Clerk/Treasurer

**Call to Order**

In the absence of Mayor Hart & Vice-Mayor Pierson, Ms. Salazar called the meeting to order. She stated that this is a properly advertised emergency meeting called upon at the request of Council Members Brian Corbin, Claudia Harmon, and Woody Zember. She stated that there is quorum and in the absence of Mayor Hart & Vice-Mayor Pierson, Council will need to choose someone to preside over the meeting.

**Motion: To appoint Councilman Ferguson to preside over the meeting by Brian Corbin and seconded by Woody Zember. Roll Call Vote:** Corbin- yes; Custis-absent; Ferguson- yes; Harmon – yes; Pierson – absent; Zember - yes. MOTION PASSED

Ms. Salazar asked to speak to the matter of Mr. Ferguson voting while presiding over the meeting. She stated that during Arlene Evans’ employment with the town, she spoke with Roger Wiley from VML about this matter and Mr. Wiley told Ms. Evans that it is okay for a Council Member to vote while presiding over a meeting. Ms. Salazar further explained that the Council Member is acting in the absence of the mayor, but is not in fact the mayor, so they may retain their vote.

**Invocation & Pledge of Allegiance**

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

**Adoption of Agenda**

**Motion: To adopt the agenda by Claudia Harmon and seconded by Brian Corbin. Roll Call Vote:** Corbin-yes; Custis-absent; Ferguson- yes; Harmon – yes; Pierson – absent; Zember - yes. MOTION PASSED

**Mosquito Spraying**

Mr. Corbin stated that back in March 2022, we advertised for mosquito spraying services. We had no response. He now feels that we need to resolve the matter of mosquito spraying services. He presented Council with two options – (1) to hire Billy Joe Tarr as a part-time employee to spray the town or (2) to hire Mr. Tarr as a contractor to spray the town. He added that Mayor Hart has decided that he no longer wants mosquito spraying in town, but he (Mr. Corbin) has researched the matter and the CDC stated that when done properly, it is not harmful to people or pets. Mr. Bundick spoke about the town’s sovereign immunity as well as our liability insurance coverage.

**Motion: To spray the town as we have done in year’s past with an opt-out provision for residents who may not want their property sprayed by Brian Corbin and seconded by Claudia Harmon.**

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Ms. Harmon asked if we were going to hire Mr. Tarr as an employee or contractor. Council stated that they would prefer hiring as a contractor. At this time, Ms. Salazar told Council that she has two statements that were left with her to read at the meeting if Council so wished. Council agreed and Ms. Salazar read statements from Mayor Matthew Hart and Mr. Fred Gardner. A copy of both will be attached. At this time, a vote was taken on the above motion.

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

**Purchase/Rental of Truck for Mosquito Spraying**

Mr. Corbin presented Council with two options: (1) purchase of a 1998 Dodge Dakota for \$2,000.00 or (2) rent commercial trucks from U-Haul for 58 days for \$1,400.00 (total- 116 days - \$2,800.00).

**Motion: To proceed with the investigation of renting and/or purchasing a truck for mosquito spraying by Brian Corbin and seconded by Woody Zember. Roll Call Vote:** Corbin- yes; Custis-absent; Ferguson- yes; Harmon – yes; Pierson – absent; Zember - yes. MOTION PASSED

**Mosquito Spray Training for Current Employee**

Mr. Corbin told Council that Mr. Tarr has offered to train Mario Hernandez to help him acquire his spraying license. Mr. Ferguson, Mr. Corbin, and Mr. Zember spoke in favor of it. Ms. Harmon said while she is not opposed to it, she would like to proceed slowly, and really educate ourselves about the process.

**Closed Session**

**Motion: To go into Closed Session (6:48pm) 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 hiring a Mosquito Spraying Employee and training current employee by Woody Zember and seconded by Claudia Harmon. Roll Call Vote:** Corbin- yes; Custis-absent; Ferguson- yes; Harmon – yes; Pierson – absent; Zember - yes. MOTION PASSED

**Open Session & Certification of Closed Session**

**Motion: To return to Open Session (7:00pm) by Claudia Harmon and seconded by Woody Zember. Roll Call Vote:** Corbin- yes; Custis-absent; 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 – absent; Corbin- yes; Custis-absent; Ferguson- yes; Harmon – yes; Pierson – absent; Zember - yes. MOTION PASSED

At this time, Council called Mr. Tarr on the telephone and advised him that he was on speaker phone and who was in attendance. Mr. Corbin asked Mr. Tarr if he can come to work for us as a contractor. He stated that would mean Mr. Tarr will need to have a business license and proper insurance coverage. Mr. Tarr agreed.

**Closed Session**

**Motion: To go into Closed Session (7:09pm) 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**

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**Matters pertaining to hiring a Mosquito Spraying Employee and training current employee by Bill Ferguson and seconded by Woody Zember. Roll Call Vote:** Corbin- yes; Custis-absent; Ferguson- yes; Harmon – yes; Pierson – absent; Zember - yes. MOTION PASSED

**Open Session & Certification of Closed Session**

**Motion: To return to Open Session (7:11pm) by Brian Corbin and seconded by Woody Zember. Roll Call Vote:** Corbin- yes; Custis-absent; 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- absent; Corbin- yes; Custis-absent; Ferguson- yes; Harmon – yes; Pierson – absent; Zember - yes. MOTION PASSED

**Motion: To hire Billy Joe Tarr to spray for the Town either in the capacity of an employee or as an independent contractor for the year 2022 by Brian Corbin and seconded by Claudia Harmon. Roll Call Vote:** Corbin- yes; Custis-absent; Ferguson- yes; Harmon – yes; Pierson – absent; Zember - yes. MOTION PASSED

**Adjourn**

**Motion: To adjourn at 7:14pm by Claudia Harmon and seconded by Brian Corbin.**

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

Respectfully Submitted,



Jamye Salazar, Clerk/Treasurer

Matthew D. Hart, Mayor