

**Onley Town Council  
Special Meeting  
Minutes of September 11,2024  
Onley Town Office, 25308 Lankford Highway, Onley, VA**

Council Members Present: Ned Finney, Mayor  
Bill Ferguson, Vice-Mayor  
Daniel Bloxom  
Brian Corbin  
Rodney Lang  
Woody Zember

Council Members Absent: Kate Hill

Staff Present: Carl Bundick, Town Attorney  
E. J. Long, Chief of Police, OPD  
Susan Rillo, Town Manager  
Jamye Salazar, Clerk/Treasurer

**Call to Order**

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

**Invocation & Pledge of Allegiance**

Vice-Mayor Ferguson gave the invocation. Councilman Lang led the Pledge of Allegiance.

**Adoption of Agenda**

**Motion: To adopt the agenda by Daniel Bloxom and seconded by Rodney Lang. Roll Call Vote:** Bloxom -yes; Corbin- yes; Ferguson- yes; Hill – absent; Lang– yes; Zember - yes. MOTION PASSED

**Public Works Garage Construction**

Brandon Patterson from JHP Construction spoke about an issue that has been raised at the public works garage construction site. He explained that when they started removing the topsoil and got about 3” away from the subgrade, they discovered bricks, glass, tires, metal, etc. They also found a footer that went approximately 14’ across the building to the length of 40’ all the way to the abandoned roadway. He distributed pictures (attached to original minutes). He stated that he cannot put concrete on top of that, so they had to undercut the entire area of the building an additional two feet. He notified Ms. Rillo of this issue last week and gave her an initial quote of approximately \$10,000.00 to make the changes. He stated that as of today, the cost is at about \$10,475.00 but he assured Council that the entire estimate for the work should be no more than \$12,800.00. (attached to original minutes). He stated that the center drain, and the toilet drain were completed today and tomorrow they will finish the water and the electrical sub-outs. They are set to pour the concrete with Chaney at 8:00am on Tuesday morning. He brought the floor drain (which will be the center drain) for Council to see, stating that it will sit in the center of the floor of the 35’x50’ building and the concrete will slope 1” into the drain. Mr. Corbin questioned the amount changing from \$10,000.00 to \$12,800.00. Mr. Patterson explained that the \$10,000.00 was just a ballpark estimate that was given (at Ms. Rillo’s request) on the day the problem was discovered. Mr. Corbin asked if they look at worst case scenarios when they bid on a project and if they prepare for things like this to happen. Mr. Patterson said they do in some instances, he added that had they known a building was once on that site, they would have suggested digging some test holes to see what was down there. Mr. Corbin asked how firm he can be that he won’t go over the \$12,800.00. Mr. Patterson assured Mr. Corbin that they will not be over that amount. Mr.

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Bloxom asked Mr. Patterson if the remainder of that existing building was now gone. Mr. Patterson said they only worked inside the garage construction perimeter – they did not access anything outside of that perimeter so he cannot answer that question. He suggested that test holes be dug every 50 square feet before another project is done in that area.

Mr. Lang asked about the process for laying the concrete. Mr. Patterson explained the entire process including laying the stone, grid ties, the concrete and the vapor barrier. Mr. Lang suggested that next time they do a job that involves digging on the Eastern Shore, they have a contingency plan because you never know what you might find.

At this time, Mayor Finney thanked Mr. Patterson for his time and asked that he remain at the meeting to answer any questions that may arise while Council is discussing the issue.

Mr. Corbin stated that he has a problem with the way that this whole thing happened. He read an email received from Ms. Rillo making Council aware that there was an issue at the work site (attached to the original minutes). Mr. Corbin stated that the Council must authorize a \$10,000.00 expense and he would like to know who authorized this company to continue working. He added that Ms. Rillo should have issued a stop work order until Council could meet, discuss this issue, and make a proper decision. Mr. Bloxom agreed and said he was surprised to see that they were still working after getting Ms. Rillo's email. Mayor Finney said that he suggested to Ms. Rillo that we have a Council meeting. At this time, Mr. Corbin assured Mr. Patterson that the problem was not with him or his company and explained that someone from the town should have stopped them from working until Council met and approved the additional expense. Mr. Corbin asked Mr. Bundick if he was correct in saying this. Mr. Bundick said that Mr. Corbin is correct and stated that when he was made aware of this issue, he was told that it had been discussed with the mayor and no meeting would be called. Mr. Corbin reiterated that spending large sums of money without Council's approval has got to stop. Mr. Zember agreed with Mr. Corbin stating that we need to set spending limits. Mr. Corbin said we have but procedures haven't been followed. Mayor Finney said that he told Mr. Patterson that Council would need to have a meeting, but they proceeded to work anyway. Mr. Lang said he suggested a meeting to Ms. Rillo and asked that she have a final price ready for Council to approve. Mr. Corbin asked Ms. Salazar if we could have had an emergency meeting without advertising it. Ms. Salazar said we could have had an emergency meeting, but it would need to be advertised. Ms. Salazar said that she was out of the office last Thursday having a medical procedure, but she did tell Ms. Rillo that a meeting was necessary after hearing the circumstances via a telephone call from Ms. Rillo. She added that once she returned to work on Friday morning, she notified the Council and advertised the meeting.

Mayor Finney said the company that was used 15 years ago to tear down the building is no longer in business so we cannot go after them for leaving us with this mess. Mr. Lang said he did not see anything of concern like liquids leaking from the ground. Mr. Patterson said that there was a DEQ inspection, and everything was fine.

Billye D. Custis said that the flower shop building was between the alley and the town office and not at all in the location of the garage site. She added that Mark Hill told her that he hauled all the concrete from that building away. She does not believe that the debris found was from the flower shop building. She stated that there were two other buildings in that space when she was a child. She asked Ms. Salazar for her recollection of when the flower shop building was demolished. Ms. Salazar agreed with Ms. Custis and stated that she does not believe that the debris is from the flower shop building either. She added that the material from that building was sorted and anything that could be recycled was, which resulted in Marcor Environmental giving us a better price for the demolition.

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John Dennis said that GMB drilled test holes twice on that lot and that report should be around the office. Mr. Corbin said that he read the GMB report, and those samples were only about 6" deep – not deep enough to find this debris. Mr. Dennis said he believes that they drilled 3'.

**Motion: To accept the estimate in the amount of \$12,800.00 by Bill Ferguson and seconded by Daniel Bloxom. Roll Call Vote:** Bloxom -yes; Corbin- no; Ferguson- yes; Hill – absent; Lang– yes; Zember - yes.  
MOTION PASSED

Mr. Bloxom requested that if any more money is needed – even if it's \$1.00 – Council is notified immediately, and a meeting is called.

Mr. Zember asked to explain why he voted yes. He stated that he doesn't agree with the way things happened but since the work is done, he knows we must pay the contractor.

**Adjourn**

**Motion: To adjourn (6:30pm) by Bill Ferguson and seconded by Rodney Lang. Roll Call Vote:** Bloxom - yes; Corbin- yes; Ferguson- yes; Hill – absent; Lang– yes; Zember - yes. MOTION PASSED

Respectfully submitted,



Jamye L. Salazar, Clerk/Treasurer



Henry E. Finney, Mayor