

**Onley Town Council  
Regular Monthly Meeting  
Minutes of October 7, 2024  
Onley Town Office, 25308 Lankford Highway, Onley, VA**

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

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**

Councilman Lang gave the invocation. Councilman Zember led the Pledge of Allegiance.

**Adoption of Agenda**

Mr. Corbin asked to add under New Business, item #7D. Limbs/Yard Clean-up and Ms. Rillo asked to add under New Business, item #7E. Rescind a motion from August 1, 2022, to charge for FOIA requests.

**Motion: To adopt the agenda (with the additions) by Kate Hill and seconded by Bill Ferguson. Roll Call**

**Vote:** Bloxom -yes; Corbin- yes; Ferguson- yes; Hill – yes; Lang– yes; Zember - yes. MOTION PASSED

**Commission/Committee Reports**

**Planning Commission** – Mr. Corbin reported that he did not attend the last Planning Commission meeting, but he believes that Ms. Bliss was given some additional information that needs to be incorporated into the Comprehensive Plan. He does not know if that has been done. He recommended that Council accept it as written at next month’s meeting. Ms. Salazar reminded everyone that the motion was made to send it to the A-NPDC. She stated that she did that and Elaine Meil from A-NPDC has reviewed it and made some recommendations. Ms. Salazar sent those recommendations to Ms. Bliss on August 15 via email, but she has not had a response from her as of tonight’s meeting. Mr. Corbin stated that Ms. Bliss has resigned, effective at the end of this year, and he is concerned that if we don’t get this done before she resigns, we will lose a lot of time and information. Ms. Rillo stated that Ms. Bliss is the only one that can make changes to the copy. Mr. Corbin plans to attend the next meeting and bring this up because he feels that we need to move forward with this before progress is lost. Ms. Salazar said that the next Planning Commission meeting has been moved from October 16<sup>th</sup> to October 23<sup>rd</sup>.

**Public Works Garage Committee** – Ms. Rillo reported that the building is coming from North Carolina, very close to the area that was just hit by Hurricane Helene, so this may affect the delivery date. She has reached out to them to let them know that the site/pad is finished. She will need to order a telehandler to have on site for a week for the purpose of constructing the building. She presented Council with two

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quotes for the rental: Sunbelt - \$2,529.28 and United - \$2,583.90. They will be attached to the original minutes. She asked for Council to approve the expenditure of up to \$3,000.00 on the credit card to cover this cost.

**Motion: To authorize Susan Rillo to spend up to \$3,000.00 on the rental of a telehandler (going with the best deal) by Rodney Lang and seconded by Bill Ferguson. Roll Call Vote:** Bloxom -yes; Corbin- yes; Ferguson- yes; Hill – yes; Lang– yes; Zember - yes. MOTION PASSED

Ms. Rillo presented Council with a quote from Bundick’s Well & Pump to hook up the water and septic to the building at a cost of \$2,397.00. A copy will be attached to the original minutes. Council took no action on this quote. Ms. Rillo reported that ANEC cannot give her an estimate for electric installation until an electrician is hired and the temporary pedestal is installed, but they did tell her that we will need a completely new service – we cannot hook into the current electric that is there. At this time, Ms. Rillo stated that we will also need lighting, plumbing, bathroom fixtures, a work sink and a wall around the bathroom. She said that we only have \$1,906.55 in the public works garage budget so she asked that Council discuss where the remaining funds will come from for the completion of the project. She suggested that Council take funds from the \$56,905.61 designated for playground equipment at McMath Park. She presented Council with new quotes for playground equipment (removing the swings) in the amount of \$25,842.00. Several council members spoke against using the park funds and the removal of the swings. Mr. Corbin suggested that we use a portion of the \$666,847.05 set aside for building the town hall since we are not using those funds at this time. Council agreed with Mr. Corbin, with the understanding that any funds left after the purchase of the playground equipment also be allocated to the garage project.

**Motion: To re-allocate \$75,000.00 from the Town Hall Construction Budget to complete the Public Works garage (send to Public Hearing) by Brian Corbin and seconded by Rodney Lang. Roll Call Vote:** Bloxom -yes; Corbin- yes; Ferguson- yes; Hill – yes; Lang– yes; Zember - yes. MOTION PASSED

**Procurement Policy Committee** – Mr. Corbin reported that they have not had a meeting yet, but they are hoping to have one on Wednesday.

**Old Business**

Ms. Salazar stated that per Council’s request, she advertised for bids for the 2023-2024 audit. She received only one bid. The bid is from Robinson Farmer Cox Associates in the amount of \$10,450.00. She added that the bid was received within the proper time frame and met all requirements of the RFP/RFB. She added that this is the same company that will be performing our 2022-2023 audit, and they will be here next week to complete it. Mr. Corbin asked if we budgeted that much for this audit. Ms. Salazar responded that we only budgeted \$8,000.00 so we are short by \$2,450.00. Several council members expressed concern that it was quite a jump in price but acknowledged that we must have an audit, and RFCA seems to be the only firm interested in completing one for the town.

**Motion: To accept the bid from Robin Farmer Cox Associates in the amount of \$10,450.00 by Brian Corbin and seconded by Woody Zember. Roll Call Vote:** Bloxom -yes; Corbin- yes; Ferguson- yes; Hill – yes; Lang– yes; Zember - yes. MOTION PASSED

**New Business**

Ms. Salazar stated that we received a letter from ACSO asking for a donation to the DARE program. She added that it stated SPOTS on the agenda and that is her mistake. She apologized for the error.

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**Motion: To donate \$500.00 to the ACSO DARE program by Bill Ferguson and seconded by Kate Hill.**

**Roll Call Vote:** Bloxom -yes; Corbin- yes; Ferguson- yes; Hill – yes; Lang– yes; Zember - yes. MOTION PASSED

Ms. Salazar asked for Council’s permission to issue an RFB for the installation of holiday lights and the Christmas tree at the park.

**Motion: To issue an RFB for the installation of holiday lights and the Christmas tree at the park by Bill Ferguson and seconded by Woody Zember. Roll Call Vote:** Bloxom -yes; Corbin- yes; Ferguson- yes; Hill – yes; Lang– yes; Zember - yes. MOTION PASSED

Mr. Ferguson stated that there have been some issues with 911 address numbers not being visible from the street. He reminded everyone of the importance of having those numbers visible in the event of an emergency. He added that Ms. Salazar has posted a reminder on the town website, and he would like a reminder placed in the next town newsletter.

Mr. Corbin said that last year we had yard cleanups through the winter months, and he would like Council to consider doing that again this winter. Ms. Rillo said that the clean-ups have already been scheduled, and notification was put in the newsletter that was mailed recently.

Ms. Rillo asked Council to rescind a motion made at the August 1, 2022, meeting mandating charges for FOIA requests. She explained that we cannot profit from FOIA requests and that if we were to charge \$30.00 per hour as stated in the motion, that is more than some employees make, which would constitute a profit. She added that FOIA fees can be subjective, meaning that if we are taken to court by someone, it’s up to the judge to decide if the fees were appropriate. She reminded everyone that we cannot set FOIA fees high to deter FOIA requests. Some council members were hesitant but reluctantly agreed, stating that they feel some FOIA requests are being made as a form of harassment. Mr. Bundick said he is concerned that FOIA is being abused but there are no statutes under FOIA that provide for punishment in the event of abuse. He suggested that we ask Delegate Bloxom to look at what can be done (if anything) through the General Assembly to avoid abuse of the process. Mr. Ferguson expressed concern that FOIA is being used to harass our town employees and he would like everyone to know that there are provisions in place for unnecessary harassment of our staff. Mr. Bundick asked about the provisions. Ms. Salazar stated that she believes Mr. Ferguson is referring to our Harassment Policy that was adopted last year, but she does not think that it speaks to FOIA requests, and it certainly does not preclude us from responding to them. She agreed with Mr. Bundick that reaching out to Delegate Bloxom may be the only way to go, adding that there are some state agencies that have corrective action procedures when they feel that they are being used to harass individuals. She gave an example using the Department of Social Services. She added that while she does understand that this is not exactly the same thing, perhaps the General Assembly might have some influence on the FOIA Council to implement corrective actions in the future.

**Motion: To rescind the motion (made August 1, 2022) to charge for FOIA requests and investigate whether corrective action procedures through Delegate Bloxom and the General Assembly can be taken by Bill Ferguson and seconded by Woody Zember. Roll Call Vote:** Bloxom -yes; Corbin- yes; Ferguson- yes; Hill – yes; Lang– yes; Zember - yes. MOTION PASSED

Mr. Bundick said that he will contact VML and see what can be done in the way of the Harassment Policy and report his findings to Council at next meeting.

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**Department Reports**

**Police Report**

Chief Long presented Council with his written report. He also gave them a copy of the monthly speed sign data. He pointed out that the construction on the highway has slowed people down and that has affected numbers for the month. He added that there have been some issues with the stop light on Coastal Blvd. & Route 13 due to line painting which has caused some problems. Ms. Rillo said that she just spoke to Eddie Eder from VDOT, and she believes that has been resolved. Mr. Zember asked Chief Long to put the speed sign along Coastal Blvd. Mr. Corbin thanked Chief Long for the speed sign information but asked if there is a way that he could condense the report, stating that there seems to be a lot of unnecessary information. Chief Long agreed to both. Chief Long presented Council with the quote from Tyler Technologies in the amount of \$21,110.00 for the purchase of the software program needed for the E-Summons system. Ms. Salazar said the funds will come from the E-Summons account which currently has a balance of \$32,439.60. She asked Chief Long if he is aware of any other costs that will need to come from that account. Chief Long said only the yearly costs associated with the system as we move forward.

**Motion: To accept the quote from Tyler Technologies in the amount of \$21,110.00 for the E-Summons software by Rodney Lang and seconded by Bill Ferguson. Roll Call Vote:** Bloxom -yes; Corbin- yes; Ferguson- yes; Hill – yes; Lang– yes; Zember - yes. MOTION PASSED

Chief Long said that Eric Nottingham has ordered the equipment needed for the new patrol car, but it has not been installed yet. The in-car cameras installation has been scheduled with Axon, but they have not given us a final date.

**Treasurer's Report**

Ms. Salazar asked if there were any questions about her written report. There were none. She reported that the auditors will be here next week to perform the 2022-2023 audit. She said that we received a thank you note for the gift card from a resident and gave Council a copy of the note. She noted a decrease in the PNC Bank merchant account, explaining that once the balance in the account reaches \$5,000.00, \$3,500.00 is automatically transferred to the PNC regular checking account. She asked Council's permission to transfer \$100,000.00 from the PNC money market account to the PNC regular checking account. She explained that we have had an exceptionally large number of expenses this month.

**Motion: To transfer \$100,000.00 from the PNC Bank money market account to the PNC Bank regular checking account by Bill Ferguson and seconded by Woody Zember. Roll Call Vote:** Bloxom -yes; Corbin- yes; Ferguson- yes; Hill – yes; Lang– yes; Zember - yes. MOTION PASSED

**Motion: To pay the September 2024 payables by Daniel Bloxom and seconded by Kate Hill. Roll Call Vote:** Bloxom -yes; Corbin- yes; Ferguson- yes; Hill – yes; Lang– yes; Zember - yes. MOTION PASSED

**Town Manager's Report**

Ms. Rillo reported that mosquito spraying has finished for the season. The truck needs some work so Percy will drop it at Shore Tire next week. She plans to have some back up lights installed on the truck as well. The pond liner at the park is still a work in progress. She is planning to replace it with a fiberglass liner. Council suggested that a fence be installed around the pond and fountain. She reported that three new businesses opened in town last week.

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**Attorney's Report**

Mr. Bundick reported that he has spent the bulk of the month discussing the FOIA issues and the manner in which to respond to them.

At this time, Mr. Zember left the Council table.

**Consideration of Minutes**

**Motion: To adopt the minutes of the September 4, 2024, Regular Monthly Meeting by Kate Hill and seconded by Daniel Bloxom. Roll Call Vote:** Bloxom -yes; Corbin- yes; Ferguson- yes; Hill – yes; Lang– yes; Zember - absent. MOTION PASSED

**Motion: To adopt the minutes of the September 11, 2024, Special Meeting by Daniel Bloxom and seconded by Rodney Lang. Roll Call Vote:** Bloxom -yes; Corbin- yes; Ferguson- yes; Hill – abstain; Lang– yes; Zember - absent. MOTION PASSED

Mr. Corbin asked Ms. Salazar if it's safe to say that we spent more money this month than we made. Ms. Salazar agreed with that statement and explained that we had numerous large expenses like the purchase of the patrol vehicle, the upfit and computer for the vehicle, the Food Lion gift cards and the concrete pad costs and changes just to name a few.

At this time, Mr. Zember returned to the Council table.

**Public Comments**

Jason Campbell thanked Council for the donation to the DARE program.

**Council Comments**

**Ms. Hill** said that it is upsetting to think about the things that are happening down south, and she is grateful for the barrier islands that protect us. As a realtor, she is thankful for where we live.

**Mr. Lang** asked to explain why he made some of his decisions tonight. He stated that as a Council person, he feels that it is his job to vote for what is best for the town and its' citizens. He said he will never vote for anything that will hurt the town. He asked that everyone continue to communicate their concerns to him and the other Council Members. He thanked everyone for coming to the meeting.

**Mr. Bloxom** thanked everyone for coming to the meeting. He thanked the employees for working the National Night Out event, adding that it was a nice time. He thanked Jason Campbell for the ACSO event at Sawmill Park on Friday night and said his family had a great time.

**Mr. Corbin** said he is thankful that we have gotten as far as we have on the garage project. He believes that we have learned some things that we can use when building the town hall.

**Mr. Zember** thanked everyone for coming to the meeting. He said that he knows it looks like we've spent a lot of money, but it is going to pay off in the end. He asked that the incoming Council cut back on spending so much and concentrate on building a new town office.

**Mr. Ferguson** said he does want to move forward with building a new town office. He thanked the town employees and said he is sorry for the difficulties that they must endure.

**Mayor Finney** said it bothers him that we have a person that is calling around to different agencies and making complaints about everything that the town does. He doesn't remember a time when someone complained every day about something. He feels bad that Ms. Rillo and the police department must contend with this behavior every day. He stated that the Council has done a lot of good things. He

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appreciates the citizens and always wants them to be able to have a say in things, but he does not like the harassment.

**Adjourn**

**Motion: To adjourn (7:09pm) by Bill Ferguson and seconded by Kate Hill. Roll Call Vote:** Bloxom -yes; Corbin- yes; Ferguson- yes; Hill – yes; Lang– yes; Zember - yes. MOTION PASSED

Respectfully submitted,



Jamye L. Salazar, Clerk/Treasurer



Henry E. Finney, Mayor