

Onley Town Council
Regular Monthly Meeting
Minutes of April 7, 2025
Onley Town Office, 25308 Lankford Highway, Onley, VA

Council Members Present: Ned Finney, Mayor
Bill Ferguson, Vice-Mayor
Daniel Bloxom
Jason Campbell
Brian Corbin
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

The invocation was given by Councilman Lang. Councilman Zember 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; Campbell – yes; Corbin- yes; Ferguson- yes; Lang– yes; Zember - yes. MOTION PASSED

Commission/Committee Reports

Public Works Garage Committee – Ms. Rillo reported that the electrical bids will be opened later tonight. She told Council that there is a need for gravel in the area where Bundick’s had to dig and in front of the old building where there is existing gravel. She said that she spoke with Carl Lee Gray today and he quoted her a price of \$1,000.00 per truck load of crush and run. He also told her that it needs to be dug out before anything is done. She also plans to contact AW Custis and John C. Miller for quotes. Mr. Lang asked Ms. Rillo to find out if this is something that we can potentially use as a base layer for pavement. Mr. Corbin suggested that she also contact Hill Sand & Gravel for an estimate.

Procurement Policy Committee – Mr. Corbin reported that the Procurement Policy is now complete. He believes that it is about 90% the same as the old one. He did note that the committee removed the back page that contained a confusing chart, added a couple of new sections and changed some wording and dollar amounts. Council will read over it and vote at next month's meeting.

Town Office Construction Committee – Ms. Rillo reported there was no meeting this month. She noted that Ms. Salazar saw Norman Pitt recently and he asked her to let everyone know that he is a trained architect.

Old Business

Council will meet on April 23, 2025, at 6:00pm to continue working on the 2025-2026 Proposed Draft Budget.

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New Business

Ms. Rillo reported that she only received one response to the Public Works Garage Electrical RFP. It came in the mail on April 4, 2025, and was sealed. She opened it at this time. It is from Parks Electrical Service in Exmore, Virginia in the amount of \$20,815.94. A copy of the bid will be attached to the minutes. Mayor Finney asked Council if they would like to extend the deadline since we only received one bid. Mr. Lang said he would like to give them another week. Mr. Corbin said he and Ms. Rillo have contacted about ten different people and had no response. Ms. Rillo agreed with Mr. Corbin, adding that she spoke with several companies and gave out four bid packets but only had one returned. Mr. Corbin said he doesn't feel we should keep holding this up, hoping other people will bid. Ms. Rillo asked Mr. Bundick if legally we can extend the date. Ms. Salazar said that she doesn't believe that we can, adding that if we are going to do that, we need to decline this bid and re-bid the project.

Motion: To accept the bid from Parks Electrical in the amount of \$20,815.94 for the Public Works Garage Electrical by Brian Corbin and seconded by Woody Zember. Roll Call Vote: Bloxom -yes; Campbell – yes; Corbin- yes; Ferguson- yes; Lang– yes; Zember - yes. MOTION PASSED

Ms. Rillo presented Council with two mockups of six anniversary banners with pricing. She asked Council to decide so she can order them and get them installed. She added that Carl Gray will install the anniversary banners for \$300.00-400.00. She also presented them with several choices and pricing for holiday banners, explaining that she would like to order some now using the funds left in the current budget and purchase the rest from the 2025-2026 budget. She also had a quote for more holiday lights in the amount of \$5,635.00.

Motion: To order the light blue anniversary banners by Jason Campbell and seconded by Daniel Bloxom. Roll Call Vote: Bloxom -yes; Campbell – yes; Corbin- yes; Ferguson- yes; Lang– yes; Zember - yes. MOTION PASSED

Motion: To purchase ten pole mounted holiday lights for \$5,635.00 by Jason Campbell and seconded by Daniel Bloxom. Roll Call Vote: Bloxom -yes; Campbell – yes; Corbin- yes; Ferguson- yes; Lang– yes; Zember - yes. MOTION PASSED

Motion: To spend the remaining balance in the budget (*Christmas lights decorations line item*) on holiday banners by Jason Campbell and seconded by Daniel Bloxom. Roll Call Vote: Bloxom -yes; Campbell – yes; Corbin- yes; Ferguson- yes; Lang– yes; Zember - yes. MOTION PASSED

Mr. Lang asked that Council consider increasing the zoning fee that we charge for a roof permit. He said that we are much lower than other towns. Ms. Rillo stated that we charge \$50.00 for any construction permit, including roofing. Mr. Campbell said he doesn't feel that we have enough roof permit requests to make much of a difference. Mr. Corbin said he's just not in favor of raising fees, people already pay enough in taxes. Ms. Salazar added that another Council Member and a citizen asked her to mention that they feel some of our other zoning fees (Re-zoning & SUP's) are too high. She added that part of the reason that the re-zoning fee is \$1,000.00 is if a re-zone is approved, a new zoning map will have to be created which can be expensive. Ms. Rillo said she does not feel the cost of a SUP is excessive because of the work that is involved. Mayor Finney polled Council and Mr. Lang was the only Council Member that wanted to change the zoning fees. He would like it noted that he only wanted to make changes to the roofing/construction fees – not all of the zoning fees. No action (on this matter) was taken at this time. Ms. Salazar asked Council to approve the purchase of two 55-gallon drums of Biomist for mosquito spraying (\$5,174.98). She said the money is in the budget and we are down to about half of a drum.

Motion: To approve the purchase of two 55-gallon drums of Biomist at a cost of \$5,174.98 by Jason Campbell and seconded by Bill Ferguson. Roll Call Vote: Bloxom -yes; Campbell – yes; Corbin- yes; Ferguson- yes; Lang– yes; Zember - yes. MOTION PASSED

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At this time, Mayor Finney asked Derica Carty to address the Town Council about her zoning matter. Ms. Carty said that she purchased a home (*here in Onley*) in 2022. She stated that at the time of the purchase, her real estate agent told her that she would be able to do short-term rentals. She added that she had to purchase this home for a 1099 exchange, or the federal government would have taxed her 20%. Only months after purchasing the home (thinking she was going to be able to rent it) she found out from Susan Rillo and the Town Attorney that the town outlawed short-term rentals. She said that this is a problem for her, and it is causing a financial burden. At that time, she asked to be “grandfathered in” and the Town Council considered it but ultimately denied it. She said that she is here tonight asking the Council to reconsider their decision. She wrote a letter about a year ago indicating that she employs people to help with the rental. She said this is her second home – she lives in Maryland and needs someone here locally to help with the house. She said that she would like to avoid having to get a lawyer to help with trying to get the house rented. She said that a traditional rental is not an option since there are not a lot of people that can afford the rent on this type of property. She added that the rental of her home adds to the tax base for the town and the county and the people that rent her home enjoy being there. She acts as a concierge service for the renters and recommends many local areas for them to visit. She said there was an incident with some bikers that rented her house, unfortunately, she thought they were pedal bikes – not motorized bikes. She added they were here raising money for charity.

Mr. Bundick asked to reply to Ms. Carty. Mayor Finney agreed. Mr. Bundick said that a realtor cannot bind the town to any permitted use. He added that whomever the realtor was, that person was trying to make a sale, but they had no authority to bind the town to a particular zoning usage. He said this Council has debated the issue, had a discussion, and informed you (Ms. Carty) that short-term rentals are not available in the Town of Onley. He said that as far as trying to say you will bring litigation to get your right back, the Council has decided once and for all and we have corresponded back and forth with you for some time trying to get you in compliance with the town. He said while your starting point was with the realtor, it should have been with the Town of Onley. Ms. Carty said that is fair, but one of the reasons that you hire a realtor is for guidance. She said that when she followed up with the realtor, the realtor said she didn’t know that this was going to happen. She reiterated that the issue is that the change was made after she purchased the property. She said the realtor did not give her false information – short-term rentals were legal when she purchased the property. Mr. Bundick interjected that it was not legal since it was not a permitted use under the town’s zoning. He added that the question had not been submitted to us for a particular use in that format. He told her that her complaint should be against her realtor. He said that the statute of limitations for that may be an issue. He then added that the request that she would want to make is the formal request of the Council and then the Council will debate whether they want to re-visit that issue. Speaking directly to Ms. Carty, he said the decision not to permit short-term rentals in this town was not made with you in mind. He further added that this decision was made without knowledge of what you were doing with your property. He said the incident with the motorcycle tenants was what brought the issue to the Town Council. Ms. Carty agreed with the statement about the motorcycle tenants. Ms. Carty said that she had the understanding that is why she is here tonight – with a request for Council to reconsider their decision. She thanked Mr. Bundick for the clarification. She asked to be “grandfathered”. Mr. Bundick said the proper question is for reconsideration because Council is not going to give a “grandfathered” status to a use that was not permitted. At this time, Ms. Carty made the request of Council to reconsider allowing short-term rentals. Ms. Rillo stated that realtors carry error and omissions insurance to protect them against things like this happening. She advised Ms. Carty that this might be a route that she can take if things do not work out with the town. Mayor Finney said his issue is that when she bought the property, short-term rentals were legal. He asked Ms. Carty when she applied. Ms. Carty said she did not know what the

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process was at the time. She did not apply for anything, only spoke with her realtor who said she could do this. She added that early in the process, her house flooded, and she was concerned about getting that fixed. Once she fixed that issue, she utilized some of the short-term rental sites to rent the house. Mayor Finney polled Council and asked if they would like to revisit the issue. Mr. Campbell apologized to Ms. Carty, stating that he just feels that short-term rentals are a bigger issue, and he cannot vote to allow her to circumvent the ordinance unless Council wants to re-visit to allow everyone. Mayor Finney stated that the issue is the timing. He said we were allowing them when she purchased the house and then we stopped. Mr. Bundick, Ms. Rillo and Ms. Salazar immediately corrected Mayor Finney by saying that short-term rentals were never permitted as an allowable use in the town's zoning ordinance.

The result of the poll is as follows: Campbell – no; Ferguson – no; Bloxom – yes; Corbin – no; Zember – abstain; Lang – no.

At this time, Mayor Finney apologized to Ms. Carty but stated the Council has decided not to re-visit the issue. Ms. Carty thanked the Council and left the meeting.

Ms. Salazar reminded Council that they adopted a Donation Policy a few months ago. Since it is now the last quarter of the year, it is now time to start considering some of those requests. She said we have received several requests this past month – one to sponsor the Bloxom Fireman's Music Festival and two from the Nandua Middle & High School Beta Clubs, respectively. She reminded Council that according to state code, any donations we give must directly benefit the Town of Onley. She also expressed concern that with the sponsorship of the music festival, tickets to the event and bar vouchers were included. She cautioned against this for obvious reasons. Her question to Council is if they want to know about every request or do they prefer that she and Ms. Rillo "weed out" the requests/organizations to whom we cannot donate. Mr. Lang said he likes hearing about all of them. Billye D. Custis said she thought a committee was going to review the requests. Ms. Rillo said that no one is following the policy because they are not submitting financials. Ms. Salazar said that before anyone gets any money, financials would need to be submitted to her. Mayor Finney asked Council if they are okay with allowing the office to initially review the donation requests before bringing them to Council. Council agreed.

Department Reports

Police Report

Chief Long presented Council with the monthly report(s) for his department. He stated that he has not had any applicants to fill the vacancy in the police department, but he will discuss further in the Closed Session.

Treasurer's Report

Ms. Salazar stated that she has worked on the following this month: the accident claim, the Workman's Comp claim, collecting delinquent meals and transient occupancy tax, and BPOL's, quarterly IRS taxes, quarterly VEC tax, the 2025-2026 proposed budget, re-typed the draft procurement policy so we have it in an editable format, completed the VA Department of Taxation IRMS training program that consisted of 20 classes – is now certified to use that system so that we can collect bank franchise tax, collected two severely delinquent real estate accounts through Mr. Elliott's office, and is working on an ongoing issue with our SAMS number. She then presented her financial report to Council in writing. Mr. Zember had several questions. He expressed concern about the amount of the electric bill at the town office. Mr. Corbin asked who is responsible for the accident claim – the town or the person that hit our vehicle. Ms. Salazar explained that she is required to open a claim with VRSA, our insurance company. They will

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take over things and subrogate it so that the person at fault is responsible along with their insurance company. She added that the check for the vehicle repair has been received and was deposited today.

Motion: To pay the March 2025 payables by Daniel Bloxom and seconded by Bill Ferguson. Roll Call

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

Ms. Salazar said there is a CD maturing tomorrow at Atlantic Bank in the amount of \$528,108.42. She presented Council with rates from the local banks. Her recommendation is to roll it over at Atlantic Union into a 19-month CD with a rate of 3.75%.

Motion: To rollover the CD in the amount of \$528,108.42 maturing at Atlantic Union into a 19-month CD at Atlantic Union with a rate of 3.75% by Jason Campbell and seconded by Daniel Bloxom. Vote:

Bloxom -yes; Campbell – yes; Corbin- yes; Ferguson- yes; Lang– yes; Zember - yes. MOTION PASSED

Town Manager's Report

Ms. Rillo apologized for not sending her weekly report last week, adding that she was very busy. She stated that she and Ms. Salazar got the newsletter out last week. She has had an inquiry from Carol Moran's son about the water for her building on Front Street. He expressed an interest in living there and has been told he cannot due to zoning. He said he plans to convince his mother to apply to have it re-zoned. He also mentioned some business ideas and discussed several options with her, including a residence for disabled veterans. She has already spoken to the health department and there are some things that they will need to address with them before they can proceed with a re-zone application. She will keep Council informed at this unfolds. Due to Percy Smith's accident, Dean Savage has been helping on a part-time basis with public works. Lucas Woermer is also another option for helping Percy when Dean is not available. The truck has been taken to ES Auto Body for repair. The mosquito truck has been serviced in preparation for spraying. She asked Council when they would like to start spraying. Council agreed to start April 21,2025. The egg hunt was a big success with about 50-60 children participating. She thanked her daughter, Jennifer, Mr. Campbell and his son, Jacob, and Ms. Salazar and her daughter, Abby, for their help. Mr. Corbin asked her if she noticed that one of the doors on the new garage building is not installed properly. She said that she has, and she has already contacted the company via email and is waiting for a response. Mr. Bloxom said he saw someone riding the lawn mower with the weed eater in his lap – he said that's not safe, and he should be told not to do that. Ms. Rillo will speak to them about this.

Attorney's Report

Mr. Bundick reported that we have had two shots fired at us tonight about zoning issues, so he advised Council to familiarize themselves with the Town's Zoning Ordinance and processes. He thanked Council for the plant that was sent to him after the death of his sister.

Consideration of Minutes

Motion: To adopt the minutes of March 3, 2025, Regular Monthly Meeting by Daniel Bloxom and seconded by Rodney Lang. Roll Call Vote: Bloxom -yes; Campbell – yes; Corbin- yes; Ferguson- yes; Lang– yes; Zember - yes. MOTION PASSED

Motion: To adopt the minutes of March 19, 2025, Budget Workshop by Woody Zember and seconded by Rodney Lang. Roll Call Vote: Bloxom -yes; Campbell – yes; Corbin- yes; Ferguson- yes; Lang– yes; Zember - yes. MOTION PASSED

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Public Comments

Billye D. Custis said that when she was on the Planning Commission, they spent hours on short-term rentals and when it was presented to Council, no one made a motion to accept it. They did not want a short-term rental ordinance. She mentioned some flooding downtown this afternoon. She said that she was a BETA member, and her parents had to pay her way to things. Lastly, she had a question about a payment that appears to have been posted twice. Ms. Salazar will review it and correct it if that is the case.

Council Comments

Mr. Campbell said the egg hunt was amazing and the town staff made things go very smoothly. He said there was a resident that lives in town who has a business, Panda Beats, who offered his services free of charge during the egg hunt. He provided music and audio equipment which was a nice addition.

Mr. Ferguson thanked everyone for their hard work. He reiterated his condolences to Mr. Bundick in the loss of his sister.

Mr. Bloxom said it was a good meeting and good to see everyone. He is looking forward to the warmer weather.

Mr. Corbin said he is glad that we have made a move forward with the electrical work at the garage. He added that we cannot stop the project because things are “high” – we knew going in that we would be spending money to make this happen.

Mr. Zember said the employees are doing a great job. He thinks the egg hunt went well. The newsletter looked great and was informative. He thinks we just need to keep moving forward.

Mr. Lang agreed with Mr. Corbin’s comment. He added that he thinks we need to finish this public works garage before we start another project. He is happy that things are being presented to Council (by Ms. Rillo) like they’ve asked. He is hoping we will get some police officers hired as soon as possible.

Mayor Finney thanked everyone that was involved in the egg hunt. He agreed with Mr. Corbin’s statement that we are making some progress. He is happy that we are moving forward with some of these projects- no more starting and stopping as was done in the past. We are finally making progress, and he thinks that’s because the Council is different now.

Closed Session

Motion: To go into closed session (7:18pm) 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 Onley Police Department, specifically related to the salaries of current police officers and the upcoming vacancy within the police department by Jason Campbell and seconded by Rodney Lang. Roll Call Vote: Bloxom -yes; Campbell – yes; Corbin- yes; Ferguson- yes; Lang– yes; Zember - yes. MOTION PASSED

Open Session & Certification of Closed Session

Motion: To return to open session (7:39pm) by Woody Zember and seconded by Rodney Lang. Roll Call Vote: Bloxom -yes; Campbell – yes; Corbin- yes; Ferguson- yes; Lang– yes; Zember - yes. MOTION PASSED

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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:** Finney – yes; Bloxom -yes; Campbell – yes; Corbin- yes; Ferguson- yes; Lang– yes; Zember - yes.

Motion: To start the newly hired police officer (TBD) with a salary of \$52,000.00 per year and to give Officer Nathan Anderson a salary increase to \$55,000.00 per year by Rodney Lang and seconded by Bill Ferguson. Roll Call Vote: Bloxom -yes; Campbell – yes; Corbin- yes; Ferguson- yes; Lang– yes; Zember - yes. MOTION PASSED

Ms. Salazar asked Mr. Lang the effective date for Officer Anderson’s salary increase. Mr. Lang said immediately.

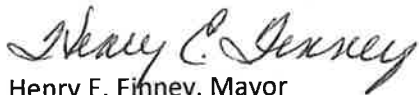
Adjourn

Motion: To adjourn (7:41pm) by Bill Ferguson and seconded by Rodney Lang. Roll Call Vote: Bloxom - yes; Campbell – yes; Corbin- yes; Ferguson- yes; Lang– yes; Zember - yes. MOTION PASSED

Respectfully submitted,



Jamye L. Salazar, Clerk/Treasurer



Henry E. Finney, Mayor