

January 13, 2020

The regular monthly meeting was held on Monday, January 13, 2020 in the Council Chambers on Dunne Ave. The meeting started at 7:00 pm.

Present: Vice Mayor John Parks; Council: Dan Matthews, Sam Welch, Vince Savona; Public Works Director Danny Siegert; Police Chief Greer; and Clerk Letitia Greer. Absent: Mayor Marshall. Councilman Russell arrived at 7:07; Councilwoman Nash arrived at 7:40.

Visitors: Shannon Alexander, Grayson Williams, Paul Muhly, Chris Hamlin, Beth McHenry, Carl Thornton, Kristi Hamlin, Alan Russell, Debbie Russell, Ricky Taylor, Marilyn Wohlrab, Cara Burton, Scott Smith, Kim Smith, Diann Bendix, Ernie Swisher, Ellen Johnson, Jerry McCorkle, Corey Harte, Karon Eichelberger, Rick Bull, Kenny Midgett, Linda Robinson, Boyd Robinson, Ryan Tilghman

Vice Mayor Parks opened the meeting and Councilman Welch led the Invocation and Pledge of Allegiance.

S Alexander, Director of Planning, ANPDC, introduced herself and G Williams, Project Manager. S Alexander handed out copies of the proposed Facade Improvement Program Committee Membership & Bylaws; she stated they needed to be approved before the 24 month DHCD contract starts on February 1, 2020. Councilman Matthews explained the facade improvement program and shared the proposed committee. D Matthews explained that the committee needs to be formalized, the document formalizes the committee.

S Alexander shared that Hill Studio and the branding company will be coming to Parksley March 2-4, 2020 and will be meeting with the project management team as well as all of the committed property owners.

C Hamlin requested the council adopt a resolution declaring the Town of Parksley a 2nd amendment sanctuary town. C Hamlin stated that almost all Virginia counties as well as the towns of Chincoteague and Exmore have expressed concern. C Hamlin suggested the town join them. He stated that the proposed laws are about controlling people, not reducing crime.

B McHenry asked if there were any ordinances concerning the sidewalks in town. She stated there are areas in town with cars parked on sidewalks and some areas have broken glass, plywood, and garbage; it is dangerous to walk on the street. Vice Mayor Parks stated the council was working on an ordinance regarding people parking in their yards. Councilman Matthews stated that the council intended to schedule a public hearing for zoning ordinances, including a sidewalk ordinance. B McHenry asked if it would take care of the broken glass. Vice Mayor Parks stated that it would take care of cars parking across sidewalks. Councilman Russell stated that he picks up broken beer bottles from the parking lot every Sunday, every Sunday.

P Muhly asked the council to support C Hamlin's proposed resolution declaring Parksley a 2nd amendment sanctuary town; Parksley would be joining 115 counties, cities, and towns in the Commonwealth. P Muhly stated it's not a law, it's pledging support. P Muhly passed around copies of the proposed resolution.

C Thornton stated that C Hamlin and P Muhly had covered the proposed resolution making Parksley a 2nd amendment sanctuary town and he hoped the town would make a decision soon. He asked that everyone consider the feelings of others regarding the 2nd amendment.

B McHenry stated that she is against the proposed resolution, some people should not be allowed to own guns. She recognized that it is a legal right to own a weapon.

J McCorkle asked what difference the proposed resolution would make; he asked if law enforcement officers would have to enforce laws passed by the legislature since that is their job. J McCorkle stated it should not be up to the police to decide which laws to

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enforce; he asked if Chief Greer would have to enforce the laws that are on the books. Police Chief Greer stated that every police officer has taken the same oath, to uphold the constitution. J McCorkle stated he is allowed to defend himself and his house. J McCorkle asked if officers would have to enforce the laws, regardless of whether or not they agreed with them.

C Hamlin stated the oath the officers take is an oath to the Constitution of the United States, not an oath to their boss, or other member of government. C Hamlin stated the proposed resolution is meant to serve as a measure of discontent with the laws proposed in Richmond.

Councilman Russell stated he would like a breakdown of payroll moving forward, what goes where. Clerk Greer asked for clarification. Councilman Russell stated who gets paid what, how many hours maybe so he has a better eye on what we're doing.

Councilman Savona made the motion to pay the bills as submitted. Motion was 2nd by Councilwoman Welch. Ayes - Russell, Savona, Matthews, Welch. No - none. Motion passed unanimously.

Councilman Matthews made the motion to approve the previous months minutes, including the public hearing, as submitted. Motion was 2nd by Councilman Savona. Ayes - Russell, Matthews, Welch, Savona. No - none. Motion passed unanimously.

Unfinished Business

Code of Ethics - Councilman Matthews stated we are still waiting on the attorney.

Council Reports

Councilman Russell asked if anyone knew what happened to the Parksley sign coming into town; it's gone. Public Works Director Siegert stated that it was the last of the old ones, he plans to have it replaced. Councilman Russell stated he didn't know if someone had stolen it. Public Works Director Siegert stated it had fallen down.

Councilman Russell stated that a gentleman had asked him if the door on the public toilet had been fixed yet. Public Works Director Siegert stated it had been.

Councilman Russell stated he had been asked by a lady to ask Public Works Director Siegert to look at her alley; the alley between Adelaide and Cooke. Public Works Director Siegert stated they had been drug the previous week.

Councilman Russell stated the Christmas decorations looked great, they looked wonderful.

Councilman Russell stated he thought Dr. Nash had started working on putting things together for the Golden Spike festival; he knows he has. Councilman Russell stated that Dr. Nash and Dan's wife have been planning something.

Councilman Russell presented a calendar that he was told would go all over the country and Parksley is in it; the picture of the museum is the only picture on the calendar that is of a place, not a bird.

Councilman Russell stated he would like to see a brainstorming session on how the council can have a better income stream for the town; they need to figure out some way to produce cash for the town coffers. Councilman Russell reminded everyone that they managed to get pretty much the whole festival paid for by selling raffle tickets and other means. Councilman Russell stated that he had two ideas - maybe he could get someone to go around to all of the beautiful towns on the Eastern Shore and take photographs and put it in a calendar for the town to produce and sell; his other thought was a discount card similar to what Grace Church does if

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they do not do that this year. Councilman Russell stated this money could be used to hold taxes down, hold a special event, or salary increases for employees or whatever; our infrastructure is in bad shape, we need a police car, we need a trash truck, we need our water tower redone, we have sewage issues. Councilman Russell said the town cannot do that without more of an income stream more than taxes. Councilman Russell would like someone else to come up with a couple ideas. Councilman Russell stated it would take some work, but \$50,000 could save the taxpayers some money; sooner or later, the town will have to have a tax increase or make some hard decisions on what the luxuries the town could afford.

Councilman Welch had no updates.

Vice Mayor Parks stated he had not received a start date from Beauchamp Construction on the fire hydrant work; he will reach out to them.

Councilman Matthews had no updates that fall under old business.

Councilman Savona stated he had some concerns from the public brought to his attention. Councilman Savona stated he heard a rumor that the town will no longer have a police force, that is untrue to the best of his knowledge. Councilman Savona stated the town is down one officer since one had resigned, the town needs to figure out the hours of coverage and the compensation for those hours. Councilman Savona stated that Chief Greer is currently salaried and has requested an addition ten hours of overtime pay to cover the hours.

Councilman Savona stated the town does not have the funds to pay for a new officer because the town does not have the funds to train a new police officer. Councilman Savona stated the money allocated to the currently vacant position would fund the overtime hours Chief Greer had requested.

Police Chief Greer stated that the police department is covering the same amount of hours now that they were covering when they had three full time officers. Chief Greer stated it is not fair for the town to have less coverage because the police department is down one employee. Chief Greer stated the town cannot afford to send someone to the police academy; the cost is higher now because the on-campus dorms have been closed so the town would have to pay for a hotel for the employee for twenty weeks. Historically, the employees have stayed on-campus at no cost to the town; the cost to the town now would be approximately \$40,000. Chief Greer stated the police have cut back their hours, but not drastically; they are working seven days per week.

D Bendix stated that normally salary does not include overtime whether they worked ten hours, twenty hours, forty hours or over, regardless of how many hours worked; her husband worked at Perdue and worked a lot of hours. Councilman Savona stated that the council determined his salary when the police department was fully staffed; he can't expect him to work a ton more hours because he is salary and the department is short one person. Councilman Matthews stated Chief Greer's salary was based on the assumption the town would continue to have three police officers; he would not have agreed to put him on salary, he would've left him as an hourly employee.

Police Chief Greer stated that the police department covers sixteen to eighteen hours per day. Councilman Savona stated the police schedule is not published.

Department Reports

Chief Greer stated that Councilman Russell was correct in stating that a town could continue to receive 599 funds without a police department; however, the town would have to have a written agreement with the county in which the county agreed to provide

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equal or greater coverage to the town. Chief Greer stated the town would have to pay the county the deputy's overtime rate for every hour they work in town. Councilman Russell stated he wasn't suggesting the town do that; he only brought it up because he had been told the police had to burn up a certain number of hours on the clock to get the 599 grant money, which turned out to not be true.

Councilman Russell stated that he wasn't suggesting to do away with the police department, he wasn't saying anything like that. Chief Greer stated people had heard that and that's why they were at the meeting. Councilman Russell stated you could talk about anything, that doesn't mean you're going to do it; the council had talked about spending \$10000 on flowers and that went all over town. Councilman Russell stated you could talk about anything, that doesn't mean you're going to do it; is anything so bad, you can't talk about it. Councilman Russell stated we don't have to burn up a bunch of hours to get the 599 grant as we have been told, there was no truth to it; when he spoke to the guy, he actually said the town doesn't need a police department to get it. Councilman Russell stated that, in no way, did he want to do away with the police department; he was just clearing the air on the hours we have to burn up.

Councilman Savona stated he researched police coverage using 2011 FBI data; it showed that Parksley should have 3.6 police officers. Councilman Savona stated that if the town expects 2 officers to cover that work, the town should be able to adjust the compensation for them accordingly.

Councilman Russell stated that he would like to have 5 police officers; we have to pay what we can pay.

Public Works Director Siegert had no updates.

Clerk Greer had no updates.

New Business

Councilman Matthews suggested scheduling a public hearing for zoning changes for the same date as the February council meeting. Clerk Greer asked that it be scheduled for March to give more time to come up with more potential ordinances if needed. Vice Mayor Parks stated to schedule the hearing for 6:30 pm March 9, 2019.

Councilman Russell stated he would like to send Dollar General another letter; something came up the previous week and the regional manager wasn't available to meet. Councilman Russell would like to send them another letter to rattle their cage on this; he is trying to get them to expand their store, make it a Dollar General Plus.

Councilman Welch suggested the following drug testing policy - drug testing for all new hires, in case of incident or suspicion. Councilwoman Nash stated that she thought this was already the policy.

Councilman Matthews stated current policy states testing would occur for safety sensitive positions, upon being extended a conditional offer before work, when there is a reasonable suspicion to believe that an employee is in an impaired state, or involved in an on-duty accident, or endangers others, and on random basis for safety sensitive positions. Councilman Matthews stated the current policy does not define what a safety sensitive position is; he suggested defining safety sensitive positions. Councilman Matthews stated the council had not determined who the third party provider would be and how much it would cost.

Councilwoman Nash stated she had information because she had already discussed it with Wayne; for this drug testing round they are doing, they decided to go with CVS and they have hair sample kits; that way people don't have to leave work, have a neutral

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person take the samples, and mail them to their pharmacy. Councilwoman Nash stated they had a neutral person, they agreed on Karon Eichelberger and she is here and she agreed to do it; that's the way they are going to do it. Councilwoman Nash stated that Karon would do it so no one would have to leave work or go anywhere or pee in front of anybody. Councilwoman Nash stated it's \$20.

Councilman Matthews asked what a safety sensitive position is; Councilwoman Nash stated she didn't know. Clerk Greer stated she didn't understand why they would pick someone in town to come pluck her hair. Councilwoman Nash stated it was because Clerk Greer wanted someone neutral at the last meeting. Clerk Greer stated she didn't think that was neutral. Councilman Matthews stated the town needs an independent third party to do it as well as the random part.

Councilman Matthews asked how much it was going to cost. Councilwoman Nash stated the kits were \$20 and Wayne told her to buy them; those are not for the random testing, just for the initial testing. Councilman Matthews said the current policy states they do drug tests for safety sensitive positions and asked for a definition of safety sensitive positions.

Councilman Matthews stated the drug tests were voted on, but the policy doesn't have the language to do that; the council shouldn't write that policy. Councilman Matthews stated the town needs a lawyer and an HR person since it deals with health information and privacy. Councilman Matthews stated that if the town writes something incorrectly to save time, the town could be in trouble; the town would be spending an unknown amount of money, with an unknown person, an unknown amount of times per year when we have to fix the crumbling infrastructure and we're complaining about paying the police too much. Councilman Matthews said the town doesn't have the money to do this until the town knows how much it will cost. Councilman Matthews stated there are procedures in place for supervisors who believe they have an employee on drugs; Councilman Matthews is not aware of anyone being under suspicion or having a complaint against them.

Councilman Matthews stated that members of the council cannot say they have money to do things that they each want and not have money to spend on things they don't want. Councilman Russell stated that is why he wants the town to make more money. Councilwoman Nash stated the drug tests had been voted on and they would start January 15. Councilman Matthews stated the council voted on changing the language; Councilwoman Nash stated the council voted on it and Wayne broke the tie.

Vice Mayor Parks asked Clerk Greer to send the attorney an email regarding the language needed for updating the drug testing policy.

D Bendix asked Councilman Matthews how the town cannot afford the drug tests, but can afford to give Chief Greer a raise when he is already on salary. Councilman Matthews stated that the council cannot pick and choose what they do and don't have money for.

Councilman Russell stated he was trying to do right by the town.

Public Works Director Siegert asked when the council decided they could spend money, Wayne cannot make a decision on that. D Siegert stated it had to be voted on and then he, Chief Greer, or Clerk Greer could order it or buy it. Councilman Russell stated that each person could spend \$500. Public Works Director Siegert stated that is illegal.

Councilwoman Nash stated that the hair test kits were \$20, the analysis is \$59, and the shipping is free. Councilman Savona stated the cost is actually \$79 per kit.

Councilman Russell stated they are only trying to cover the town's butt; if something happens, he wants to be able to say they weren't aware of a problem as far as they knew. Councilman Matthews stated that the town has policies and procedures in place if

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there is an accident. Clerk Greer stated the town is insured. Vice Mayor Parks stated the attorney would have to review the wording.

Councilman Matthews made the motion to adopt the Facade Improvement Committee Bylaws presented earlier. Motion was 2nd by Councilman Russell. Ayes - Russell, Nash, Matthews, Welch. No - none. Motion passed unanimously.

Councilman Savona made the motion to pay Chief Greer up to 10 hours of overtime per week in addition to his current salary. Motion was 2nd by Councilman Matthews. Councilman Russell asked what that would make Chief Greer's total salary. Councilman Welch asked if Chief Greer would be changed back to hourly. Councilman Savona stated that he would continue to be on salary, but would be paid up to 10 hours of overtime per week based on his salaried rate. Ayes - Savona, Matthews, Welch. No - Russell, Nash. Motion passed.

Vice Mayor Parks stated that the town would need to hire a certified law enforcement officer so the town would not have to pay for the police academy and lodging. Chief Greer stated it wouldn't be helpful to the police department if they had to send someone to the academy. Councilman Matthews stated we could afford to pay the salary, but could not afford to pay the training. Vice Mayor Parks stated we should look for someone already certified.

Councilman Russell stated he hoped that one day the town could get the sewage system up and running to the point where new businesses could be added to it; that way, the town would generate enough revenue to hire another police officer.

Vice Mayor Parks asked Clerk Greer to re-advertise for part-time help for public works. Vice Mayor Parks asked Clerk Greer to advertise for a certified law enforcement officer.

Councilman Matthews made the motion to form a sewage committee and appoint Councilman Parks and Councilman Savona to that committee. Motion was 2nd by Councilman Savona. Ayes - Russell, Nash, Savona, Matthews, Welch. No - none. Motion passed unanimously.

Councilman Russell read the proposed 2nd amendment resolution.

Councilman Russell made the motion to adopt the proposed 2nd amendment town resolution. Motion was 2nd by Councilman Savona. Ayes - Russell, Welch, Nash, Savona. No - Matthews.

Councilman Savona made the motion to adjourn. Motion was 2nd by Councilman Russell. Ayes - Russell, Nash, Savona, Matthews, Welch. No - none. Motion passed unanimously.

Meeting adjourned at 8:08 pm.



Clerk



Mayor