

**Town of Onancock
Town Council Meeting
Wednesday, January 18, 2023
Town Council Work Session
6:00 PM**

1) Call to order and Roll Call:

Mayor Fletcher Fosque called the meeting to order at 6:00 PM and roll was called. Mayor Fletcher Fosque and Councilmembers, Brandon Brockmeier, Ray Burger, Cindy Holdren, Joy Marino, and Sarah Nock were present. A quorum was established. Councilmember Maphis Oswald arrived at 6:02 PM and was marked present. Town Manager Matt Spuck, Town Clerk Debbie Caton and Deputy Clerk Mariellen Mearsheimer were also present.

2) The Pledge of Allegiance was recited.

3) Work Session

a) Discussion with Board of Friends of Onancock School regarding Pavilion located at school.

- Mayor Fosque welcomed Councilmember Brockmeier as the newest council member. He also reminded the audience of the regular Town Council meeting scheduled for Monday, January 23, 2023. The mayor stated the purpose of this meeting was a joint work session between the Town Council and Friends of Historic Onancock School (HOS). The meeting will be conducted as a work session and no votes would be recorded.
- Terry Swain – 45 Ames St made an opening statement for the HOS and spoke to the mission of the school and how that coincides with Onancock being a small art town and would benefit from the Pavilion. Also, business owners need the additional foot traffic to be prosperous.
- Councilmember Oswald asked if there was a financial plan in place that can be reviewed so once the project begins; HOS can complete and maintain the structure? She requested the plan on uses for the pavilion.
 - Haydon Rochester spoke on behalf of HOS. The HOS board met with representatives from Onancock Residents Group (ORG) on January 10, 2023 to sort out parking, noise level and other issues. Two other meetings are currently scheduled. In response to Councilmember Oswald’s request, Mr. Rochester said the previous plan is worthless because they did not anticipate this amount of conflict with concerned residents; therefore, the HOS board can not proceed with soliciting donors or launching a capital campaign.
- Councilmember Holdren asked for a rough idea of the impact of routine fundraising and any controversy surrounding the cancelation of donor events?
 - Haydon Rochester spoke on behalf of HOS. The fundraising for the pavilion is essentially dead because without a plan for uses of the pavilion, it is tough to go to donors to ask for money. For regular funding,

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the main obstacle is the current board are volunteers and are occupied with other things. This restricts the opportunity to plan events.

- Councilmember Oswald stated section 12 of the lease states, “peaceful and quiet possession and use of the premises” and taking on concert level events negates the lease.
 - Haydon Rochester spoke on behalf of HOS. This is directed at HOS. The tenant will have the “peaceful and quiet possession and use of premises.” He would rather the question of quiet be directed by the community not the lease. HOS is talking to residents and hope to work this out. IF the community can’t stand it, HOS will make the decision to continue or discontinue construction.
- Councilmember Nock asked presuming there is an agreement to be found among the school, especially near neighbors and neighbors in town, will the school be open to a documented agreement with guidelines on when and how the pavilion will be used?
 - Haydon Rochester spoke on behalf of HOS. He stated the structure will be built to last 75 years, the principle of an agreement is acceptable, but it needs to heed to the rights of the facility so that it will be workable throughout the lifetime of the structure.
- Councilmember Nock stated she missed the piece at the March 2022 meeting that stated the intent was to have the pavilion be a funding mechanism to maintain the school for maintenance needs. She asked how realistic is it that concerts will suffice to generate the funding stream needed to keep the main building updated?
 - Haydon Rochester spoke on behalf of HOS. He stated the original plan could have potentially generated \$100,000/ year but that is no longer on the table. The revenue stream directly correlates with the configuration that is agreed upon for uses of the pavilion. If events must be small and local, it will not do the job.
- Councilmember Oswald asked if the Director’s salary is the major reason the revenue is needed from the pavilion uses? Councilmember Burger stated the future building repairs is the major need.
 - Cynthia Downing spoke on behalf of the HOS. She stated what sustains the Director’s salary is generated from the current tenants. HOS is sustaining itself and any excess was spent for repairs that could be afforded. The major upcoming expenses are window replacement, roof replacement and upgrading the HVAC system.
 - Haydon Rochester reiterated the original financial plan is no longer valid.

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- Councilmember Marino asked if the funds were available to build the pavilion in March 2022 when HOS asked for permission to build?
- Councilmember Holdren suggested HOS come back to Town Council with issues that can not be resolved with the Onancock Residents Group.
- Two meetings are scheduled for the January 24, 2023 and January 31, 2023 between the HOS board and ORG. The meetings are not public as they want to focus on resolutions. The results will be reported back to Town Council.
- All residents have access to review the construction documents and architectural plans.
- Councilmember Oswald asked if there is a loan attached to construction of the pavilion? Haydon Rochester answered that currently there is a promissory note with Rick King as “reimbursement”. When fundraising options and the capital campaign plan stopped because of resident response; previously ordered material and work from subcontractors required payment. Mr. King will be paid back once fundraising can start again.

4) Public Comments

- Mary Clements – 59 Market St. – Ms. Clements suggested one source for all forms of communication. She also read into public record suggestions for noise, parking, trash, and other issues. This letter is available with published minutes.
- Rick Turner – 3 Onancock St – Mr. Turner credited the town council for their concern with all issues concerning Town residents. In March 2022, Town Council approved the construction of the pavilion. He is bewildered as to why all these questions were not asked and the possibility of tabling the request did not happen. He urged everyone to visit the HOS
- Brenda Smith – 12 Market St – she complimented the HOS board on the upkeep of the building and surrounding areas and congratulated them on continued success. She is very happy the Town Council and HOS are going the extra mile to accommodate all the needs of residents.
- Priscilla Hart – 21 Market St – Ms. Hart remembers the meeting in March 2022 when Rick King from HOS said the funding was available to build the pavilion. She asked if there are any liens on the property. Mr. King was not available to answer the question because he left to attend another meeting. Ms. Hart then asked how much money is owed. Mr. Rochester said they owe roughly \$50,000 with no specific time frame to pay back and it would be up to Mr. King to call in the loan.
- Patsy Felthousen – 5 Ames St – The pavilion project is already in the red because of unsold Amazon stock gifted to HOS. The original project was

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quoted at \$350,000 but the budget has grown almost \$200,000. She also noted Cape Charles and Salisbury are two nearby communities with outside areas for live music and the concerts are free during the summer.

5) Council Comments

- Councilmember Brockmeier thinks the HOS and ORG meeting is the best way to move forward for resolution. He is looking forward to the feedback.
- Councilmember Marino agreed with Councilmember Brockmeier and added that she along with Councilmembers Nock and Holdren attended the VML conference where they learned of Civility Oath. She feels the most important take away is transparency.
- Councilmember Oswald referred to the meeting in March 2022, when the unanimous decision by Town Council to move forward with construction of the pavilion was made. She feels the decision was made without questions or concern because a trust factor was already established between Town Council and HOS.
- Councilmember Nock thanked everyone for attending. She is distressed to hear of a smear campaign in any direction as she has heard of massive amounts of animosity. She hopes the Town can work towards a plan that is agreeable to everybody. She hopes we can find healing with all the issues that have come to light.
- Councilmember Holdren agreed 100% with Councilmember Nock.
- Councilmember Burger – no comments

6) Adjourn – Councilmember moved to adjourn the meeting. Councilmember Brockmeier seconded. The motion passed with 6-0 vote. The meeting adjourned at 7:32 PM.



Mayor, Fletcher Fosque



Town Clerk, Debbie Caton