

# REGULAR COUNCIL MEETING A G E N D A

TOWN OF CHINCOTEAGUE

May 4, 2015 - 7:00 P.M. - Council Chambers - Town Hall

CALL TO ORDER

INVOCATION BY COUNCILMAN TAYLOR

PLEDGE OF ALLEGIANCE

INTRODUCTION OF STUDENT GOVERNMENT DAY STUDENTS

OPEN FORUM / PUBLIC PARTICIPATION

STAFF UP-DATE

AGENDA ADDITIONS/DELETIONS AND ADOPTION:

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1. Consider Adoption of the Minutes
  - Regular Council Meeting of April 6, 2015 (Page 2 of 61)
  - Council Budget Workshop Meeting of April 8 & 14, 2015 (Page 15 of 61)
2. Joint Public Hearing on the Zoning Ord., Building Height, Result of Freeboard (Page 20 of 61)
3. Bid Award for a Contract to Repave the Island Nature Trail (Page 25 of 61)
4. Possible Adoption of the Revised Title VI Policy – Pony Express Trolley (Page 26 of 61)
5. Resolution on the Annual Spring Clean-up, Paint-up, Fix-up Week (Page 53 of 61)
6. Resolution on the 2016 VA Dep. of Transportation Rev Sharing Litter Grant Program (Page 54 of 61)
7. Resolution on Designating Hurricane Awareness Week (Page 55 of 61)
8. Proclamation in Recognition for National Public Works Week (Page 56 of 61)
9. Proclamation in Recognition for National Police Week (Page 57 of 61)
10. Proclamation for Safe Boating Week (Page 58 of 61)
11. Proclamation for Poppy Day (Page 59 of 61)
12. Proclamation in Recognition of the 20<sup>th</sup> Anniversary of the Chincoteague Island Library (Page 61 of 61)
13. Mayor & Council Announcements or Comments
14. Closed Meeting in Accordance with Section 2.2-3711(A) (1) of the Code of Virginia.
  - Personnel Matters

ADJOURN:

**MINUTES OF THE APRIL 6, 2015**  
**CHINCOTEAGUE TOWN COUNCIL MEETING**

**Council Members Present:**

John H. Tarr, Mayor  
Ellen W. Richardson, Vice Mayor  
J. Arthur Leonard, Councilman  
Gene W. Taylor, Councilman  
Ben Ellis, Councilman  
John N. Jester, Jr., Councilman  
James T. Frese, Councilman

**CALL TO ORDER**

Mayor Tarr called the meeting to order at 7:00 p.m.

**INVOCATION**

Councilman Ellis offered the invocation.

**PLEDGE OF ALLEGIANCE**

Mayor Tarr led in the Pledge of Allegiance.

Mayor Tarr welcomed the Police Chief Randy Mills and congratulated him on his new position within the Police Department.

**OPEN FORUM/PUBLIC PARTICIPATION**

Mayor Tarr opened the floor for public participation.

- Mr. Barry Abell read a statement to Council about the Chincoteague Island Waterman's Memorial, the Waterman's Cross at the Curtis Merritt Harbor and the efforts of the local Boy Scouts and himself. He explained the timeline of his and the Scouts' project. He expressed his concerns and the problems that he has with the Town allowing and taking over his project and renaming this portion of the Harbor "Mariner's Point" as opposed to the "Chincoteague Island Waterman's Memorial" without talking to him. He listed his issues along with how hard he and his son have worked on this project. He also listed how the problems should be resolved. He asked that Council update the verbiage in the Comprehensive Plan from "Waterman's Memorial" to the "Chincoteague Island Waterman's Memorial". He feels that it should be up to the people of Chincoteague to decide what they want, how it should be named and how this project should proceed.

Mr. Abell stated that they have come a long way in 9 years and they shouldn't lose focus on the fact that all of this effort, kindness and good will were all made in the name of the Chincoteague Island Waterman's Memorial along with making a great park for the Town of Chincoteague. He added that because of the lack of funds for a bronze statue at the Robert Reed Downtown Waterfront Park the Waterman's Cross at the Harbor may be the only Waterman's Memorial the Island will ever get. He read a portion of the response from Miss Gail Taylor, "This is the first I'd heard of the memorial. From firsthand experience, I know how events that happened in the

article (i.e., The Marine Electric Sinking) can devastate a family. The memorial will be something we can all do to see that those lost at sea are not forgotten and they too, once loved, had lives and dreams.”

Mr. Abell gave Council his information packet.

- Mr. Terry Howard approached Council regarding the Chincoteague Island Waterman’s Memorial. He recalled the discussions in previous Council meetings and feels they should be careful of how they proceed. He stated that the Chincoteague Island Waterman’s Memorial couldn’t be more appropriate of what they’re trying to do at the Harbor. He suggested changing it in a vote from “Mariners Point” to “Chincoteague Island Waterman’s Memorial” because that’s what it is.

- Mrs. Angie Abell supported her husband and advised that at home she plays the devil’s advocate explaining that it’s the Town’s property and they can call it whatever they want. She added that Mr. Abell has done so much work and people have donated a lot of money for this. She suggested naming it Chincoteague Island Waterman’s Memorial at Mariners Point. She feels that the Scouts’ projects are being thrown away and doesn’t feel that Council would want that.

- Mr. Richard Conklin also supported Mr. Abell. He feels what he is doing is good adding that he has worked very hard. He stated that Mr. Abell has taken this project to heart. He presented Council with a few pictures and explained that the watermen suffer and work hard. He stated that Chincoteague became famous because of the oysters. He added that people came for the oysters and stayed in the Atlantic Hotel out of town. He also stated that they were shipping the oysters on the schooners and that’s how Chincoteague got started. He stated that if you’re a native of Chincoteague, a relative or yours worked on the water. Mr. Conklin stated that some of those people lost their lives and they should have a memorial. He also stated that they built Chincoteague and they are our forefathers and should be honored. He asked Council not to change the name on the Scout project to Mariners Point, it should be Chincoteague Island Waterman’s Memorial.

- Ms. Carol Abell Fisher Payne also supported Mr. Abell. She stated that she is a teacher at the high school. She also stated that she was fortunate to be married into the Barry Fisher family where she could recall many stories that Daddy Harvey Colona told. She stated that there isn’t a day that she doesn’t quote him. She recalled a few stories. She stated that she was proud to tell her daughter and will teach her grandchild the stories from Chincoteague. She also added that she teaches it in her classroom. She expressed that her brother is trying to support and keep this Island what the Island is. Ms. Payne stated that it is a small town fishing village that was started by people that had nothing. She added that we are extremely fortunate that people come here and enjoy what we have. She asked that Council keep this as part of our culture.

- Mr. Jon Richstein, owner of Sundial Books, also supports Mr. Abell and what he is doing for the Waterman’s Memorial. He stated that what upsets Mr. Abell was that Council hasn’t consulted him in the name change. He asked Council to keep the name of the Chincoteague Island Waterman’s Memorial.

- Mrs. Evelyn Shotwell, Director of the Chamber of Commerce, thanked Council for their support with a couple of the recent events. She also thanked them for helping with the Easter Decoy Show and moving tables. She stated that it was a good show. She also stated that they received the Trail Blazer Award for the Friday Afternoons on the Porch from the State Tourism Corporation. She again thanked council for their continued support.

Mayor Tarr stated that he has been trying to get up with Mr. Abell. He advised that Council has been on record for the last 9 years supporting the Waterman's Memorial. He stated that the name change needs to be discussed. He added that they have to review who owns the property, who decides what goes there etc. He stated that Council has supported this project for years and is still here. He suggested sitting to a table and work it out.

Councilman Ellis asked when the name was changed.

Councilman Jester advised that the park was named Mariners Point in 2012. He stated that the confusion on the sign was never any intent to change the name of the Memorial. He also stated that he received a call from the father of the Scout doing the sign with the question of "what's the area called". He advised that his response was "the area is called Mariners Point". Councilman Jester stated that it wasn't meant to say that they have changed the name of the memorial. He stated that the park is Mariners Point and the memorial is the ship's mast.

Mr. Abell interjected about where the memorial was to be put according to the minutes.

Mayor Tarr advised that Council has the minutes.

Mrs. Abell advised that they called the father of the Scout that put the sign up and asked why the sign was worded that way. She stated that he advised that it was protocol and the Town made him do it that way. She explained that this is why they're here. They want the correct information on the sign.

Mayor Tarr stated that Council understands the issue.

Councilman Jester stated that when the Scout came before Council to put a kiosk there it wasn't specifically focused on the ship's mast.

Mr. Abell also asked that the advertisement be taken off the sign.

## **STAFF UPDATE**

### **Planning Department**

Town Planner Neville advised that the report is included in the packet. He also advised that the Planning Commission voted to recommend a Zoning Ordinance amendment to Council of Sec. 6.6.11 which would require a minimum of 4 parking spaces for small commercial businesses such as wayside stands. He stated that this has been an issue over the past few years. He also stated they want to make sure there is an adequate pull off area and parking area which is not included in the Zoning Ordinance at this time. He added that the Planning Commission will be

meeting again April 14<sup>th</sup> and they will review requirements for land development applications to include conformance with the Comprehensive Plan.

Town Planner Neville also mentioned the plans for Phase II Playground Equipment. He briefly reviewed an idea in the Refuge Comprehensive Conservation Plan to make sure that the Army Corps of Engineers can assist the Town to work on the design of the recreational beach area and what it would take to be resilient to major storms. He added that they are currently in front of Congress for authorization of a feasibility study project. He provided an update on the Safe Routes to Schools project. He also mentioned the FLAP Grant applications for improvements along Maddox Boulevard by constructing sidewalks and bike paths, and shoulder improvements along the Causeway. He stated that the 20% match is covered by U. S. Fish & Wildlife and the National Park Service.

### **Police Department**

Chief Mills stated that the Police Department has received 230 calls for service in March. He reported that they have completed the winter Deer Depopulation Program with a decrease in the numbers.

### **Public Works Department**

Public Works Director Spurlock stated that in addition to his report they have started construction of the sidewalk at the foot of the bridge. He added that Branscome will begin work on the Robert Reed Park expansion.

Councilman Jester asked if there was a time frame of the paving of South Main Street.

Public Works Director Spurlock stated that the asphalt plant hasn't reopened as of yet and he doesn't have a date they are to begin work.

They discussed the sidewalk work.

### **General Government**

Town Manager Ritter reported that EMS responses for March were 54 which were the same as March of 2014, ALS response was 32, BLS 15 and all others were 7. He also reported that they put their new ambulance in service. He reported that the tide gauge link has been emailed to Council. He stated that Downtown Improvement Project Phase 2D drawings and specifications have been submitted to VDOT to hopefully begin after the Christmas Parade and completed by next spring. Town Manager Ritter also stated that the Robert Reed Park Extension has started and should be completed June 15<sup>th</sup>. He stated that Southern Software and staff have been working on conversions. He advised that the quarterly newsletter has been submitted.

Vice Mayor Richardson asked why there is a difference of \$2,000 on real estate tax.

Town Manager Ritter advised they are above the budgeted amount however, the amount is less than what was collected last year at this time.

## **AGENDA ADDITIONS/DELETIONS AND ADOPTION**

Councilman Frese motioned, seconded by Vice Mayor Richardson to adopt the agenda as presented.

Unanimously approved

### **1. Consider Adoption of the Minutes**

- **Regular Council Meeting of March 2, 2015**
- **Council Workshop Meeting of March 19, 2015**

Mayor Tarr reported of a change on page 6 as Councilman Jester wasn't present at that meeting.

Councilman Taylor motioned, seconded by Councilman Jester to adopt the minutes of the March 2, 2015, Regular Council Meeting and March 19, 2015 Council Workshop Meeting as corrected. Unanimously approved.

### **2. Public Hearing, Ordinance to Vacate Subdivision Lot Lines in Oyster Bay II**

Mrs. Christina Smith requested a simple vacation of lot lines between lots #295 and # 295A in Oyster Bay Community II. She explained that 295A is an odd shaped property as reviewed in the building plan. She feels it would make a much nicer building plan with the appropriate setbacks making it one nice lot.

Mayor Tarr opened the public hearing at 7:53p.m.

Mrs. Cathy Bradley, from the Board of Directors of Oyster Bay II, asked if this is granted would the community fee collections be affected. She explained that currently they collect fees for each of the two lots and wanted to know that if the vacation of the lot line is approved would they still be able to collect 2 fees for the lot.

Mayor Tarr responded that he couldn't answer that.

Town Attorney Burge advised that the Town shouldn't answer that as it is a question for her Board. She stated that her understanding that when an interior lot line is vacated to become one, notwithstanding a factoring for frontage and size of lot, she feels the two lots shall become one. She added that this is not Council's call to make this determination.

Mr. Terry Bradley, resident of Oyster Bay II, explained that their concern is decreased revenue. He stated that this is a private community and should be a decision of the Association.

Mayor Tarr responded that this is a proper way to vacate a lot line in a subdivision.

Town Attorney Burge stated that the authority to vacate is in the governing body, not in the home owners' association.

Mr. Terry Howard asked if it has been properly advertised and is there any irrefutable harm to any of the other properties.

Mayor Tarr advised that it has been advertised and researched. Mayor Tarr closed the public hearing. He asked for comments from Council.

Councilman Frese motioned seconded by Councilman Taylor to approve the vacation of the lot line between lots #295 & #295A, Oyster Bay II. Unanimously approved.

**3. Public Hearing, Ordinance to Vacate Subdivision Lot Lines on Grace Street.**

Mrs. Sierra Birch explained that they want to vacate the lot line between lots #31 and #32 on Grace Street.

Mayor Tarr opened the public hearing at 7:58p.m.

There was no public comment.

Mayor Tarr closed the public hearing. He advised that it has been properly advertised. He asked for comments from Council.

Vice Mayor Richardson motioned seconded by Councilman Leonard to approve the vacation of the lot line between lots #31 & #32 on Grace Street. Unanimously approved.

**4. Discuss Possible Adoption of the Revised Flood Ordinance Ch. 30 of the Town Code**

Town Planner Neville reminded Council that what is being considered is the adoption of several of updates required by Mr. Charlie Banks the State Floodplain Coordinator. He stated that there seems to be a benefit to the community of also adopting the freeboard standard. He added that at the last workshop they proposed to adopt a 2' freeboard requirement and that would be consistent with what was adopted by Accomack County and a number of Virginia communities. He stated that it offers the benefit of additional discounts of the Flood Insurance Program. He called Council's attention to the ordinance sections referring to the adoption of the freeboard standard. He explained that they would retain the current requirements for existing structures and this section would not apply to areas no longer mapped in the floodplain.

Town Planner Neville explained the proposed changes further.

There were comments, a few questions and brief discussions about the revisions.

Councilman Ellis motioned, seconded by Councilman Taylor to adopt the amendments to the Town Floodplain Management Regulations to incorporate the new FEMA Flood Insurance Study, Flood Insurance Rate Maps and amendments including a local 'freeboard' standard taking effect May 18<sup>th</sup>, 2015. Unanimously approved.

**5. Cemetery Committee Report of February 24, 2015.**

**• Proclamation Designating April 11<sup>th</sup> – 17th as Cemetery Clean-up Week**

Vice Mayor Richardson stated that they are asking for approval of the Proclamation. She advised that the cleanup day will be on Saturday, April 11<sup>th</sup> at 9:00 a.m. to noon at the Greenwood Cemetery. She asked for volunteers.

Mayor Tarr read the Proclamation.



## PROCLAMATION

WHEREAS, throughout our community there are many cemeteries and family burial grounds; and

WHEREAS, over the years many of the loved ones of those buried in our cemeteries have moved away or are no longer able to tend to these cemeteries; and

WHEREAS, many organizations and individuals throughout our community have volunteered to assist in the cleanup of those sites and common areas within these cemeteries; and

WHEREAS, these organizations and individuals need assistance from all citizens to accomplish their cleanup goals to beautify and preserve our family burial grounds.

NOW, THEREFORE, I, Mayor John H. Tarr do hereby proclaim the week of April 11<sup>TH</sup> through 17<sup>TH</sup>, 2015, as Cemetery Cleanup Week within the Town of Chincoteague and call upon our citizens to volunteer to organize and assist in the cleanup of our Island cemeteries.

DATED this 6<sup>th</sup> day of April, 2015.

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John H. Tarr, Mayor

ATTEST:

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Robert G. Ritter Jr., Town Manager

Vice Mayor Richardson added that cleaning of the cemeteries can happen any time of the year.



**6. Public Works Committee Report of March 3, 2015**

Mayor Tarr stated that most of this was reviewed in Public Works Director Spurlock's report.

There were no comments.

**7. Harbor Committee Report of March 5, 2015**

- **Transient Mooring Permit Curtis Merritt Harbor**
- **Transient Mooring Permit Robert Reed Park & Town Dock**

Councilman Leonard stated that they fully discussed the permit process. He also advised that they had a vessel go down and floated within a day. He advised of the new Transient Mooring Permits which is presented to Council for approval.

Vice Mayor Richardson asked how long the waiting list was.

Councilman Leonard advised that it is very long. He stated that there is a pecking order which is the Chincoteague watermen at the top, then Chincoteague residents, Accomack County working watermen and then all others. He added that the all others list needs to be purged.

Town Manager Ritter stated that there will be a mail-out with the new application giving 30 days to respond before the list will be purged.

There was discussion about purging the list.

Town Manager Ritter advised that he emailed the new Transient Mooring Permits to the Harbor Committee and they liked it. He reminded Council that the transient mooring will begin soon.

Councilman Jester motioned, seconded by Councilman Frese to adopt the Transient Mooring Permits for the Curtis Merritt Harbor, the Robert Reed Park & the Town Dock. Unanimously approved.

**8. Recreation and Community Enhancement Committee Report of March 12, 2015**

- **Discuss Possible Purchase of Playground Equipment**

Councilman Jester stated that they have been working on the playground equipment for Memorial Park. He also stated that they would like to make a recommendation for the next purchase. He described the structures. He added that they were looking at the rocket theme however, the expense was too great. He explained the recommendation in the packet adding a plastic curbing as a border which is safer. He discussed the funds from the receipts at the grocery store. He also mentioned an idea of a dog park. Councilman Jester stated that they are looking into a sign recognizing all those making the new playground equipment possible.

There was discussion about equipment for the older kids, replacing the existing equipment and placement. They also discussed the age limit signage for the equipment.

Councilman Leonard is concerned with the existing rusty equipment that could potentially be dangerous. Councilman Taylor expressed concern for having enough separation between the different age group playgrounds.

Town Manager Ritter stated that if the playground company says it's good for a few more years then it's better to have the equipment than to remove it and have nothing.

Public Works Director Spurlock advised that it is structurally sound.

Town Planner Neville explained why there were two separate contracts.

Councilman Jester motioned, seconded by Councilman Leonard to approve the purchase of the playground equipment for the 5 – 12 age group for Phase II, Veterans Memorial Park playground improvements not to exceed \$28,379.39 (including freight). Unanimously approved.

Councilman Frese motioned, seconded by Vice Mayor Richardson to approve the purchase of (3) benches, ramp, safety mats and assisted installation for Phase II, Veterans Memorial Park playground improvements, not to exceed \$11,502.66, plus site preparation, mulch, labor and equipment. Unanimously approved.

**9. Ordinance Committee Report of March 12, 2015**

- **Discuss Changes to Chapter 62, Utilities, Division 2, Rates, Charges and Billing, Section 62-59, Water Billing Adjustments, (a)(2)**
- **Discuss Changes to Chapter 26, Fire Prevention and Protection, Article III, False Alarms.**

Councilman Leonard explained that they discussed the water bill leaks and adjustments. He advised they lost 4.5 million gallons of water due to leaks because of a horrible winter. He added that the next item was the false alarms of the motels. He stated that the firemen are risking their lives to go to these false alarms. He added that other municipalities charge for false alarms, which corrects the problems. He stated that there is a system of commercial verses residential charges. He advised that the fees will be collected by the Town because the Fire Company can't do it. He referred to the packet for details.

Public Works Director Spurlock explained the intent of changes to the Water Bill Adjustments. He stated that the intent is to eliminate or reduce the amount of water loss because of ruptured pipes. He advised of the 4.5 million gallons of water loss noting that the numbers still coming in. He also mentioned the adjustment totals to date adding that they haven't all come in yet. Public Works Director Spurlock explained that you can't request the adjustment if the leaks were in unoccupied properties. He stated that they have to mail the CCR (Water Quality Report) this year and they can add the changes in the Ordinance to the water customers.

Councilman Taylor stated that it certainly encourages customers to winterize their homes.

Mayor Tarr stated that they have had a 5 year adjustment for quite some time. He feels that all the plumbers and rental agencies should be notified.

Councilman Frese asked about the 5 year adjustment.

Mayor Tarr explained that there is a once in every 5 years adjustment. He added that in this Ordinance that will still be in effect.

Councilman Ellis motioned, seconded by Councilman Frese to approve the changes to Chapter 62, Utilities, Division 2, Rates, Charges and Billing. Section 62-59, Water Billing Adjustments, (a)(2). Unanimously approved.

**AN ORDINANCE AMENDING  
WATER BILL ADJUSTMENTS**

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF CHINCOTEAGUE that Chapter 62, Utilities, Article II, Division 2., Rates, Charges, and Billing, Section 62-59, Water Bill Adjustments, (a) (2) of the Town of Chincoteague, Virginia, is hereby amended to read as follows:

ARTICLE II

Sec. 62-59. Water bill adjustments.

(a) Adjustments to correct inaccurate readings. Adjustments to water bills to correct inaccurate readings shall be made in accordance with the following:

- (1) Adjustments to water bills may be applied by the town to correct inaccurate reading of meters or incorrect readings caused by faulty meters. During the reading cycle, the town will automatically check anomalous readings to ensure accuracy.
- (2) Generally, adjustments shall be granted for all plumbing systems and material types. Leaks which occur as the result of ruptured pipes at unoccupied properties shall not qualify for adjustment. Unoccupied for purposes of this provision shall be defined as having had no person present for greater than seventy-two hours.

At their April 6, 2015, meeting a motion was made by Councilman Ellis, seconded by Councilman Frese, this Ordinance was adopted by the Town Council of the Town of Chincoteague.

**Ayes:**

Vice Mayor Richardson  
 Councilman Frese  
 Councilman Jester  
 Councilman Ellis  
 Councilman Leonard  
 Councilman Taylor

**Nays:**

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6 Approved / 0 Disapproved this 6<sup>th</sup> day of April, 2015.

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John H. Tarr, Mayor

Mayor Tarr stated that the 2<sup>nd</sup> part of the Ordinance Committee meeting was a request to discuss the changes to Article 3. False Alarms. He stated that Council has a new Ordinance entitled False Alarms. He asked for discussion.

Councilman Taylor stated that he doesn't have any problems with the Ordinance except the outcome of a class 1 misdemeanor. He feels that's a little hard.

Councilman Jester advised that this is consistent with other communities throughout the country. He feels that the only way they will repair a faulty alarm system is to force them with the Ordinance.

Town Manager Ritter commented.

Mayor Tarr explained that there is a new form developed that the Fire Company will fill out on-site of a false alarm. He added that some false alarms are considered good false alarms and some are because of faulty equipment at which time they will be noted on the form and forwarded to the Town.

Councilman Frese asked who would be charged.

Mayor Tarr stated that the owner of the business will be charged.

Councilman Frese gave an example of someone on vacation when the false alarm happened.

Councilman Jester explained that they are allowing 2 warnings and the 3<sup>rd</sup> time they will be charged.

Councilman Frese doesn't understand how someone can be guilty if they're out of town.

Town Attorney Burge responded that this is a very good point because the judge may not charge them. She explained that if they bring a receipt of repairs at the court date the judge could say repairs have been made and dismiss the case. She added that it could also go the other way.

Councilman Jester added that the action is that they need to take care of this. He feels that if they have a false alarm 3 times, then charge them \$100.

Town Manager Ritter referred to details of the packet. He stated that there are 3 chances in 90 days and after that 90 days is up the slate is wiped clean. He added that if there are 4 in that 90 days there will be a charge of \$100.

Councilman Frese asked how someone can be charged criminally for nonpayment.

Town Manager Ritter stated that if they aren't going to pay the fine, there should be a penalty with the judge deciding what the offense would be.

Town Attorney Burge stated that they are talking about 2 different things. She stated that their either issuing a summons which gets them into the criminal system or a civil ticket could be issued for them to pay. She added that the way this is written there is a criminal penalty where there is a summons that would be written and executed in court.

Councilman Taylor wants this Ordinance but wants it with a civil penalty. He agrees that if they don't pay then take them to court. He stated that he doesn't care if they double the penalty. He has a problem with a class 1 misdemeanor creating a criminal record.

Town Attorney Burge advised that she wasn't asked to review this particular Ordinance and she is asking individual questions as she reviews it. She would like to review the State Code's underlying authority to even have the ordinance. She added that it may even provide the civil or criminal penalties.

Town Manager Ritter advised that this was tailored off of other communities.

Town Attorney Burge is unsure if the State Code provides for civil penalties.

Town Manager Ritter expressed the seriousness of a faulty alarm system.

Councilman Frese agrees but feels that they shouldn't be charged criminally. He feels it's ridiculous and is morally wrong.

Councilman Jester stated that this is if they are negligent and doesn't maintain a safe place. He agrees with Town Attorney Burge.

Mayor Tarr stated that they should let the Town Attorney review it. He advised that his concern is that they have someone witness a violation but the Town is the one enforcing the violation. He isn't sure this will hold up in court.

There were a few brief comments. Council concurred to postpone a decision on this Ordinance until it can be researched further.

#### **10. Possible Revision to Sec. 2.24 of the Zoning Ordinance, Building Height, Result of Freeboard**

Town Planner Neville stated there is a problem in the Zoning Ordinance with the freeboard regulations and the maximum building heights. He stated that the recommendation is that Council start looking at the definition of building height, getting a recommendation from the Planning Commission and possibly having a public hearing. He added that Council suggested measuring the building height from the freeboard elevation if that applies.

Town Planner Neville also stated that Council requested information on other ways to measure the roof structure above 3 stories. He stated that in checking with communities of Delaware,

Maryland, Virginia and the Carolinas, 2/3 of the ordinances measure it one way and 1/3 measures it another. He asked Council if they want to refer this to the Planning Commission and adopt a chance before May 18<sup>th</sup>, they would have to advertise a joint public hearing on May 4<sup>th</sup>. There was further comments and discussion.

Mayor Tarr also suggested sending the matter of wayside stand parking to the Planning Commission and adding this to the public hearing.

Councilman Frese motioned, seconded by Councilman Jester to send these matters of building height limits and wayside stand parking to the Planning Commission and schedule a public hearing. Unanimously approved.

#### **11. Mayor & Council Announcements or Comments**

Councilman Jester stated that there is a great deal of confusion about the mariner's cross. He feels that when things are installed they need to consider; ownership, maintenance, liability and approval of what is allowed on signage. He stated that they need to be clear with price and procedures.

Councilman Ellis congratulated Chief Mills. He also mentioned the Chamber's webinars regarding infrastructure. He encouraged everyone to watch them for future plans and ideas.

Councilman Taylor understands that Mr. Abell's feelings are hurt. He feels that everyone should thank him for the work he's put into this. He added that they will work together to get it resolved and make it happen. He stated that they don't want advertising on the sign and they'll work hard to get it resolved together. He added that it is the Town's land and the Town is liable.

Mayor Tarr stated that there will be no Public Safety Committee meeting tomorrow night. He reminded Council of the Council workshop for the budget review on Wednesday.

#### **Adjourn**

Councilman Frese motioned, seconded by Councilman Leonard to adjourn. Unanimously approved.

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Mayor

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Town Manager

**Minutes of the April 8, 2015  
Town Council Special Meeting**

**Council Members Present**

John H. Tarr, Mayor  
Ellen W. Richardson, Vice Mayor  
Ben Ellis  
John N. Jester, Jr.  
J. Arthur Leonard  
Gene W. Taylor

1. Call to Order.

Mayor Tarr called the meeting to order at 9 a.m. for the purpose of discussing the Town's Proposed FY'16 Budget.

2. Invocation.

Councilman Taylor offered the Invocation.

3. Pledge of Allegiance.

Mayor Tarr led in the Pledge of Allegiance.

4. Agenda.

Mayor Tarr asked that a Closed Session be added to the agenda as the first order of business. Councilman Frese made a motion, seconded by Councilman Leonard to adopt the agenda as amended.

5. Closed Meeting in Accordance with Sec. 2.2-3711(A)(3) of the Code of Virginia to Discuss the Acquisition of Land for Public Purposes or Disposition of Publicly held Land.

Councilman Taylor motioned, seconded by Councilman Frese to convene a closed meeting under Section 2.2-3711(A)(3) of the Code of Virginia to discuss the acquisition of land for public purposes or disposition of publicly held land. The motion was unanimously approved.

Councilman Leonard motioned, seconded by Councilman Frese to reconvene in regular session. The motion was unanimously approved.

Vice Mayor Richardson motioned, seconded by Councilman Frese to adopt a resolution of certification of the closed meeting.

WHEREAS, the Chincoteague Town Council has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711(A)(1) of the Code of Virginia requires a certification by this Town Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Chincoteague Town Council hereby certifies that to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Town Council.

VOTE: Ayes- Richardson, Frese, Leonard, Jester, Ellis, Taylor  
Nays- None  
Absent- None

6. Proposed FY'16 Budget.

Proposed Expenditure for all funds and departments were discussed at length by Council. The Town Manager is proposing 2% Cost of Living Adjustment to be effective in July 2015. Town Manager Ritter proposed a Pay for Performance increase of 1% to an employee's salary that Exceeds Expectations and a 2% increase for Exceptional performance.

The fire company has requested the Town to add one additional shift for EMS from Memorial Day to Labor Day. Town Manager Ritter stated that EMS Supervisor Rush feels that adding the additional shift in July only will cost \$35,000. Town Manager Ritter and EMS Supervisor Rush are to meet with the fire Company before the next budget meeting to discuss the adding and funding of additional EMS personnel.

The proposed FY'16 Budget has \$186,800 from the Recreation-Tourism Expense for the Town's match to the Main Street, phase 2D project (Fire house to Bridge Street).

Mayor Tarr asked that the \$5,500 for the Retiree Prescription Assistance come from the funds that have been saved from previous years for that purpose. Revenue needs to be adjusted with new line item – Transfer from Retiree Prescription Assistance \$5,500.

Mayor Tarr asked that \$30,000 be budgeted for Property Acquisition Reserve. The Dispatcher salaries are to be reduced by \$30,000.

Mayor Tarr asked that quotes be obtained to have the minute books back to 1908 be scanned and a copy in the Town Office, Library, and Museum. Mayor Tarr asked that the documents be searchable.

Mayor Tarr asked that \$8,000 be added to Recreation-Tourism Expense from the Recreation-Tourism Reserve for advertising of Town Events, Boat Ramps, Transient Boat Slips, etc.

Police Chief Mills asked for \$4,000 be added to the police expenses for Accreditation Certification. The Accreditation process requires us to pay for motel rooms and a meal



for the review team. The review team only comes here every four years. Police Officers' salaries line item will be reduced by \$4,000 to fund this expenditure.

7. FLAP Grant from Fish & Wildlife.

The Fish & Wildlife Service presented the opportunity for the Town to apply for a FLAP Grant to continue the bicycle lane improvements along Maddox Boulevard. The DOT Volpe Center will assist in writing the grant and there is no monetary commitment needed at this time. The project is for bicycle lane and sidewalk improvements on Maddox Blvd from Deep Hole Road to the Traffic Circle. Council was in agreement.

8. Recess of Meeting.

Councilman Frese made a motion, seconded by Councilman Leonard to recess the meeting until Tuesday, April 14, 2015 at 9 a.m. The motion was unanimously approved.

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Mayor

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Town Manager

**Minutes of the April 14, 2015  
Chincoteague Town Council Recessed Special Meeting**

**Council Members Present**

John H. Tarr, Mayor  
Ellen W. Richardson, Vice Mayor  
Ben Ellis  
John N. Jester, Jr.  
J. Arthur Leonard  
Gene W. Taylor

1. Call to Order.

Mayor Tarr called the meeting to order at 9 a.m. to continue discussion of the Town's Proposed FY'16 Budget.

2. Invocation.

Councilman Taylor offered the Invocation.

3. Pledge of Allegiance.

Mayor Tarr led in the Pledge of Allegiance.

4. EMS Additional Service.

EMS Supervisor Rush stated that a meeting was held with the fire company (Mr. Thornton, Mr. Reed and Mr. Clark) to discuss the fire company's request to add an additional EMS person on each shift from Memorial Day to Labor Day. This additional service will cost approximately \$30,000 and will be for FY'16 (July and August 2015 and June 2016). Since the Town did not budget this item in FY'15, the fire company will reimburse the Town of Chincoteague for June 2015 cost. It was the consensus of Council that the \$30,000 be found within the proposed budget to fund the additional EMS services.

5. Proposed FY'16 Budget.

Council review the changes in expenditures as discussed at the last meeting along with the changes to accommodate the additional EMS services.

Council discussed revenues proposed for the FY'16 budget. Some minor adjustments were made and incorporated to balance the budget for each of the funds; General, Main Street, Harbor, Trolley, and Water.

The rates schedule for annual slip rental at the Harbor was discussed. The new rates include a 3% increase for annual rentals. Council discussed the rates and the fact that even though this is part of the proposed FY'16 budget, Council is being asked to vote on the rate schedule prior to the budget public hearing. Council is very uncomfortable with this practice. Town Manager Ritter stated that renewal rental agreements need to be mailed by May 1 in order to be paid by June 1. Council asked that in the future this

matter be brought before Council prior to the budget process so that the public could provide input for any proposed increase.

Councilman Leonard made a motion, seconded by Councilman Jester to increase the Harbor annual rates by 3%. The motion was unanimously approved.

It was the consensus of Council to advertise a Public Hearing for the Proposed FY'16 Budget for June 1, 2015.

6. Purchase of a Side Arm Mower.

The FY'15 Budget included the purchase of a side arm mower within the Roads Department for \$25,000.00. Public Works Director Spurlock has located a used mower in Wakefield Virginia for approximately \$38,000.00. Public Works Director Spurlock went to Wakefield to inspect the mower and recommends that it be purchased. He asked that the additional money needed for the purchase come from the Mosquito Control Drainage Reserve.

Vice Mayor Richardson made a motion, seconded by Councilman Leonard to purchase the Side Arm Mower recommended by the Public Works Director at an approximate cost of \$38,000. The motion was unanimously approved.

7. Adjournment of Meeting.

Councilman Jester made a motion, seconded by Councilman Leonard to adjourn the meeting. The motion was unanimously approved.

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Mayor

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Town Manager



## STAFF REPORT

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To: Planning Commission  
From: Bill Neville, Director of Planning  
Date: April 14, 2015 (**Updated to include PC recommendation 4/15/15**)  
Subject: Zoning Ordinance Revision (Section 2.24 – Building Height)

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❖ **Consider possible revisions to the Town zoning ordinance as a result of adopting a local ‘freeboard’ standard**

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Amendments to the Town of Chincoteague floodplain management regulations recently approved by the Town Council will be included in Town Code Chapter 30-Floods. With adoption of a 2 foot freeboard standard, new construction or substantially improved structures will be required to raise the lowest floor above the Base Flood Elevation, this could affect permitted building height based on the current definition found in Town Code Appendix A – Zoning (Section 2.24).

***Article II. Definitions - Sec. 2.24. Building Height***

*The vertical distance measured from base flood elevation at the site of the structure to the highest point of any roof.*

In addition within each of the Town zoning districts (R1, R2, R3, R4, A, C1, C2, C3, C4, PSP, POS, RC) there is a maximum building height regulation as follows:

***Height Regulations***

- (1) Buildings may be erected up to 36 feet in height above base flood elevation. No structure shall exceed three stories in height. Exception: enclosures below the base flood elevation used for incidental storage, parking garages, and means of egress shall be exempt from being considered a story if such total space is less than 600 square feet in area, however the height restriction still applies.*
- (2) No accessory building shall be more than 25 feet in height.*
- (3) Chimneys and flues shall not be more than six feet above the height of the main buildings upon which they rest.*
- (4) Church spires, belfries, monuments, flagpoles, television antennae and radio aerials may be no higher than 70 feet above mean sea level (excluding public utilities).*

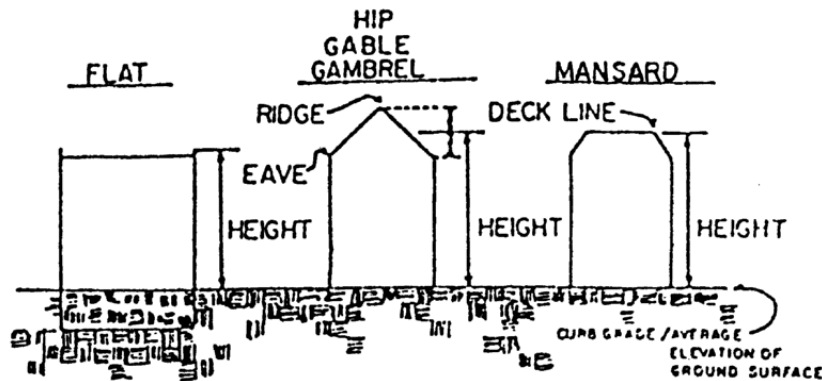
Based on the current zoning regulations which measure building height from ‘base flood elevation’, any freeboard requirement for new construction or substantial improvements would

cause a corresponding reduction in permitted height. Other communities have proposed to solve this limitation by either:

- Increasing the permitted height by the amount of freeboard required (Example – increase from 36 feet maximum height to 38 feet based on a 2 foot freeboard standard), or
- Revise the method of calculating height to be measured from ‘base flood elevation at the site of the structure’ to ‘base flood elevation **plus freeboard** at the site of the structure’ in the Definitions and in each zoning district.

During the Town Council workshop meeting on March 19<sup>th</sup> public comment regarding a proposed new commercial structure also raised a concern regarding the definition of ‘building height’ which currently limits a three story structure to having a flat roof. Council directed staff to provide alternative methods of measuring building height that would allow reasonable construction of various roofs and parapet walls that may exceed the current maximum height of 36 feet.

In general, most zoning ordinances in surrounding communities adopt a standard definition of building height based on the following method of measurement. Several other examples as shown from coastal areas where development occurs in special flood hazard areas and building height is calculated from flood elevation.



- **Height of building.** The vertical distance measured from the established grade to the highest point of the roof surface for low sloped roofs; to the deck line of mansard roofs; and to the average height between eaves and ridge for shed, gable, hip and gambrel roofs. (Source: Chesapeake, VA)
- **Building height** means the vertical distance between the base flood elevation, or ground level if the structure is not in a flood hazard area as defined by the Federal Emergency Management Agency (FEMA), and:
  - (1) The average height level between the eaves and ridge line of a gable, hip or gambrel roof;
  - (2) The highest point of a mansard roof; or
  - (3) The highest point of the coping of a flat roof.
 (Source: Kiawah Island SC)
- **Building height:** The vertical distance measured from the design flood elevation as indicated on the FIRM to the highest point of the roof.  
**Design flood elevation (DFE):** The regulatory flood elevation adopted by the Town of Pawleys Island which is three feet above the base flood elevation (BFE).  
 (Source: Pawleys Island, SC)

Other considerations in reviewing the definition of building height would be to allow an exception for parapet walls that do not extend above a flat roof by more than X feet to encourage screening of rooftop mechanical equipment, and to restrict the use or conversion of any area for human occupancy within a roof area extending above the maximum building height.

The State Building Code definitions regarding building height are attached for reference.

### Staff Recommendation

---

Town Council requested on April 6<sup>th</sup> that the Planning Commission provide a recommendation regarding a possible change to the definition of building height in time for their May 4<sup>th</sup> regular meeting.

Town Staff recommends the consideration of a revised definition of building height, modified from the Kiawah Island, SC example, prior to the effective date of the new Flood Insurance Rate Maps on May 18, 2015.

Definitions:

***Building height*** ~~means~~ *the vertical distance measured at the site of the structure between the surrounding ground level if the structure is not in a special flood hazard area as defined by the Federal Emergency Management Agency (FEMA), the base flood elevation for existing structures, or the base flood elevation plus 2 feet of freeboard for new and substantially improved structures and*

- (1) The average height level between the eaves and ridge line of a gable, hip or gambrel roof;*
- (2) The highest point of a mansard roof; or*
- (3) The highest point of the coping of a flat roof.*

All Zoning Districts

#### ***Height Regulations***

- (1) Buildings may be erected up to 36 feet in height ~~above base flood elevation~~. No structure shall exceed three stories in height. Exception: enclosures below the base flood elevation used for incidental storage, parking garages, and means of egress shall be exempt from being considered a story if such total space is less than 600 square feet in area, however the height restriction still applies.*
- (2) No accessory building shall be more than 25 feet in height.*
- (3) Chimneys and flues shall not be more than six feet above the height of the main buildings upon which they rest.*
- (4) Church spires, belfries, monuments, flagpoles, television antennae and radio aerials may be no higher than 70 feet above mean sea level (excluding public utilities).*
- (5) Parapet walls shall not extend more than six feet above the maximum building height for non-residential structures.*
- (6) Roof area extending above the maximum three story building height shall not be used or converted for human occupancy.*

## Updated Staff Recommendation – April 14, 2015 Handout

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Town Council requested on April 6<sup>th</sup> that the Planning Commission provide a recommendation regarding a possible change to the definition of building height in time for their May 4<sup>th</sup> regular meeting.

Town Staff recommends the consideration of a revised definition of building height, modified from the Ocean City, MD example, prior to the effective date of the new Flood Insurance Rate Maps on May 18, 2015.

Definitions:

### **Article II. Definitions - Sec. 2.24. Building Height**

The vertical distance measured at the site of the structure from either base flood elevation, freeboard, or lowest floor above established grade, whichever is greater, at the site of the structure to the highest point of the any roof.:

- a) surface of a flat or sloping roof; or
- b) average height between eaves and ridge line of a gable, hip or gambrel roof; or
- c) deck line of a mansard roof.

All Zoning Districts

### **Height Regulations**

(1) Buildings may be erected up to 36 feet in height above base flood elevation in accordance with Section 2.24 (definition of building height). No structure shall exceed three stories in height. Exception: enclosures below the base flood elevation used for incidental storage, parking garages, and means of egress shall be exempt from being considered a story if such total space is less than 600 square feet in area, however the height restriction still applies.

(2) No accessory building shall be more than 25 feet in height.

(3) Roof area extending above the maximum three story building height shall not be constructed or converted for human occupancy or use. Exception: HVAC equipment if visually screened from view, elevator bulkheads or stair structures for roof access.

(4) Chimneys and flues shall not be more than six feet above the height of the main buildings upon which they rest.

(5) Church spires, belfries, monuments, flagpoles, television antennae and radio aerials may be no higher than 70 feet above mean sea level (excluding public utilities).

(6) Parapet walls shall not extend more than four feet above the maximum building height for non-residential structures.

## Planning Commission Recommendation – April 14, 2015

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Planning Commission considered the amended staff recommendation for zoning ordinance revisions related to building height and discussed various questions with Town Zoning Administrator Lewis. The following recommendation was approved unanimously on a motion by Commissioner Katsetos, seconded by Vice Chairperson Cherrix.

Definitions:

### **Article II. Definitions - Sec. 2.24. Building Height**

The vertical distance measured at the site of the structure from ~~either one of the following~~: base flood elevation, two (2) foot freeboard, or ~~lowest floor above~~ established grade, whichever is greater, to the highest point of the:

- a) surface of a flat or sloping roof; or
- b) average height between eaves and ridge line of a gable, hip or gambrel roof; or
- c) deck line of a mansard roof.

All Zoning Districts (R1, R2, R3, R4, A, C1, C2, C3, C4, PSP, POS, RC)

### **Height Regulations**

(1) Buildings may be erected up to 36 feet in height in accordance with Section 2.24 (definition of building height). No structure shall exceed three stories in height.

Exception: enclosures below the base flood elevation used for incidental storage, parking garages, and means of egress shall be exempt from being considered a story if such total space is less than 600 square feet in area, however the height restriction still applies.

(2) No accessory building shall be more than 25 feet in height.

(3) Roof area extending above the maximum three story building height shall not be constructed or converted for human occupancy or use. Exception: HVAC equipment if visually screened from view, elevator bulkheads or stair structures for roof access.

(4) Chimneys and flues shall not be more than six feet above the height of the main buildings upon which they rest.

(5) Church spires, belfries, monuments, flagpoles, television antennae and radio aerials may be no higher than 70 feet above mean sea level (excluding public utilities).

(6) Parapet walls shall not extend more than four feet above the maximum building height for non-residential structures.





**MEMORANDUM**  
Town of Chincoteague, Inc.

TO: Mayor and Town Council

VIA: Robert G. Ritter Jr, Town Manager

FROM: Harvey Spurlock, Public Works Director

DATE: May 4, 2015

SUBJECT: Emergency Procurement; Contract 01-PAV-15, Island Nature Trail Paving

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The Town received from the Department of Conservation and Recreation through the Recreational Trails Grant Program a grant of \$43,000 with a \$10,750 match totaling \$53,750. The project was not funded in the current 2015 budget. With the condition of the Island Nature Trail at current time, staff was asked to obtain bids to have the project complete before this upcoming tourist season. The following bid was received for Contract 01-PAV-15, Island Nature Trail Paving.

Branscome Eastern Shore

2 inches surface mix asphalt	134.25/ton
Estimated quantity	400 tons
Total contract value	\$53,700.00

I recommend the contract be awarded to Branscome Eastern Shore based on being the lowest price qualified bidder.

A motion could read:

“Move to award the bid to Branscome Eastern Shore for Contract 01-PAV-15, the Island Nature Trail Paving project in an amount not to exceed Fifty three thousand seven hundred dollars (\$53,700).”

Draft Copy

# Title VI Plan and Procedures

Title VI of the Civil Rights Act of 1964

The Pony Express

Town of Chincoteague, Inc.



Adopted date

May 4, 2015

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**APPENDICES**

- A Title VI Notice to the Public; List of Locations
- B Title VI Complaint Form
- C Investigations, Lawsuits and Complaints Document
- D Summary of Outreach Efforts
- E Table – Minority Representation on Committees by Race

## INTRODUCTION

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that "no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." (42 U.S.C. Section 2000d).

The Civil Rights Restoration Act of 1987 clarified the intent of Title VI to include all programs and activities of Federal-aid recipients, sub-recipients, and contractors whether those programs and activities are federally funded or not.

Recently, the Federal Transit Administration (FTA) has placed renewed emphasis on Title VI issues, including providing meaningful access to persons with Limited English Proficiency.

Recipients of public transportation funding from FTA and the Virginia Department of Rail and Public Transportation (DRPT) are required to develop policies, programs, and practices that ensure that federal and state transit dollars are used in a manner that is nondiscriminatory as required under Title VI.

This document details how **Town of Chincoteague, Inc.** incorporates nondiscrimination policies and practices in providing services to the public. **Town of Chincoteague's** Title VI policies and procedures are documented in this plan and its appendices and attachments. This plan will be updated periodically (at least every three years) to incorporate changes and additional responsibilities that arise.

## **I. OVERVIEW OF SERVICES**

### **TRANSIT SERVICES PROVIDED AND AREAS SERVED**

#### **Directly Operated Fixed-Route Trolley Service**

The Town of Chincoteague operates two fixed trolley routes, which can be accessed at designated stops or flagged down as needed by passengers. The routes are oriented towards transporting people to and from motels, campgrounds, retail shops, eating places, and the downtown area. These routes are described below and schedules are published in a brochure and on the Town website.

#### **Green Route**

The Pony Express Green Route service commences Labor Day Sunday and operates from 5:00 p.m. to 10:25 p.m. For the first few weeks, service runs solely Friday and Saturday. Beginning around the third week the trolley operates both weekdays and weekends. Throughout the summer and at the end of the season in October the Green Route provides extended hours for special events held within the Town of Chincoteague. After Labor Day, service is scaled back to Friday and Saturday, concluding around the third week in October. The Green Route provides service from the Municipal Center & Community Center to Main Street, the Carnival Grounds, Memorial Park & Recreational Area, the Museum of Chincoteague Island, and the Chincoteague Chamber of Commerce. The route is timed to operate every 30 minutes, except for the Pine Grove location which is hourly.

#### **Red Route**

The Pony Express Red Route service commences the second Saturday in June and operates Monday through Sunday, from 5:15 p.m. to 9:40 p.m. Service discontinues on the Red Route the last day of August. The Red Route provides service along a similar route as the Green Route, though it travels farther north and south on Main Street, but does not provide service as far east on Maddox Boulevard. The route is timed to operate hourly, except for service at Main Street and Church Street, and the Chincoteague Museum where service is 30 minutes.

## II. POLICY STATEMENT AND AUTHORITIES

### Title VI Policy Statement

**Town of Chincoteague, Inc.** is committed to ensuring that no person shall, on the grounds of race, color, national origin, as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (PL 100.259), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, whether those programs and activities are federally funded or not.

The **Town of Chincoteague, Inc.** Title VI Manager is responsible for initiating and monitoring Title VI activities, preparing required reports, and other responsibilities as required by Title 23 Code of Federal Regulations (CFR) Part 200, and Title 49 CFR Part 21.

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Signature of Authorizing Official

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Date

### Authorities

Title VI of the 1964 Civil Rights Act provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance (refer to 49 CFR Part 21). The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of the terms “programs or activities” to include all programs or activities of Federal Aid recipients, sub recipients, and contractors, whether such programs and activities are federally assisted or not.

Additional authorities and citations include: Title VI of the Civil Rights Act of 1964 (42 U.S.C. Section 2000d); Federal Transit Laws, as amended (49 U.S.C. Chapter 53 et seq.); Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601, et seq.); Department of Justice regulation, 28 CFR part 42, Subpart F, “Coordination of Enforcement of Nondiscrimination in Federally-Assisted Programs” (December 1, 1976, unless otherwise noted); U.S. DOT regulation, 49 CFR part 21, “Nondiscrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964” (June 18, 1970, unless otherwise noted); Joint FTA/Federal Highway Administration (FHWA) regulation, 23 CFR part 771, “Environmental Impact and Related Procedures” (August 28, 1987); Joint FTA/FHWA regulation, 23 CFR part 450 and 49 CFR part 613, “Planning Assistance and Standards,” (October 28, 1993, unless otherwise noted); U.S. DOT Order 5610.2, “U.S. DOT Order on Environmental Justice to Address Environmental Justice in Minority Populations and Low-Income Populations,” (April 15, 1997); U.S. DOT Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient Persons, (December 14, 2005), and Section 12 of FTA’s Master Agreement, FTA MA 13 (October 1, 2006).

### III. NONDISCRIMINATION ASSURANCES TO DRPT

In accordance with 49 CFR Section 21.7(a), every application for financial assistance from the Federal Transit Administration (FTA) must be accompanied by an assurance that the applicant will carry out the program in compliance with DOT's Title VI regulations. This requirement is fulfilled when the Virginia Department of Rail and Public Transportation (DRPT) submits its annual certifications and assurances to FTA. DRPT shall collect Title VI assurances from sub-recipients prior to passing through FTA funds.

As part of the Certifications and Assurances submitted to DRPT with the Annual Grant Application and all Federal Transit Administration grants submitted to the DRPT, **Town of Chincoteague, Inc.** submits a Nondiscrimination Assurance which addresses compliance with Title VI as well as nondiscrimination in hiring (EEO) and contracting (DBE), and nondiscrimination on the basis of disability (ADA).

In signing and submitting this assurance, **Town of Chincoteague, Inc** confirms to DRPT the agency's commitment to nondiscrimination and compliance with federal and state requirements.

### IV. PLAN APPROVAL DOCUMENT

I hereby acknowledge the receipt of the **Town of Chincoteague, Inc** Title VI Implementation Plan 2015-2018. I have reviewed and approve the Plan. I am committed to ensuring that no person is excluded from participation in, or denied the benefits of Town of Chincoteague, Inc transportation services on the basis of race, color, or national origin, as protected by Title VI according to Federal Transit Administration (FTA) Circular 4702.1B Title VI requirements and guidelines for FTA sub-recipients.

---

Signature of Authorizing Official

---

DATE

JOHN H. TARR, MAYOR

TOWN OF CHINCOTEAGUE, INC.

**NOTE: *\*\*Provide here\*\* a copy of meeting minutes, resolution, or other appropriate documentation showing that the board of directors or appropriate governing entity of official(s) responsible for policy decisions has reviewed and approved the Title VI Program.***



## **V. ORGANIZATION AND TITLE VI PROGRAM RESPONSIBILITIES**

The **Town of Chincoteague's Town Manager and Director of Transportation** are responsible for ensuring implementation of the agency's Title VI program. Title VI program elements are interrelated and responsibilities may overlap. The specific areas of responsibility have been delineated below for purposes of clarity.

### **Overall Organization for Title VI**

The Title VI Manager and Director of Transportation are responsible for coordinating the overall administration of the Title VI program, plan, and assurances, including complaint handling, data collection and reporting, annual review and updates, and internal education.

### **Detailed Responsibilities of the Director of Transportation**

The Director of Transportation is charged with the responsibility for implementing, monitoring, and ensuring compliance with Title VI regulations. Title VI responsibilities are as follows:

1. Process the disposition of Title VI complaints received.
2. Collect statistical data (race, color or national origin) of participants in and beneficiaries of agency programs, (e.g., affected citizens, and impacted communities).
3. Conduct annual Title VI reviews of agency to determine the effectiveness of program activities at all levels.
4. Conduct Title VI reviews of construction contractors, consultant contractors, suppliers, and other recipients of federal-aid fund contracts administered through the agency.
5. Conduct training programs on Title VI and other related statutes for agency employees.
6. Prepare a yearly report of Title VI accomplishments and goals, as required.
7. Develop Title VI information for dissemination to the general public and, where appropriate, in languages other than English.
8. Identify and eliminate discrimination.
9. Establish procedures for promptly resolving deficiency status and writing the remedial action necessary, all within a period not to exceed 90 days.

## **General Title VI responsibilities of the agency**

The Title VI Manager is responsible for substantiating that these elements of the plan are appropriately implemented and maintained, and for coordinating with those responsible for public outreach and involvement and service planning and delivery.

### **1. Data collection**

To ensure that Title VI reporting requirements are met, Town of Chincoteague, Inc. will maintain:

- A database or log of Title VI complaints received. The investigation of and response to each complaint is tracked within the database or log.
- A log of the public outreach and involvement activities undertaken to ensure that minority and low-income people had a meaningful access to these activities.

### **2. Annual Report and Updates**

As a sub-recipient of FTA funds, **Town of Chincoteague, Inc.** is required to submit a Quarterly Report Form to DRPT that documents any Title VI complaints received during the preceding quarter and for each year. **Town of Chincoteague, Inc.** will also maintain and provide to DRPT an annual basis, the log of public outreach and involvement activities undertaken to ensure that minority and low-income people had a meaningful access to these activities.

Further, we will submit to DRPT updates to any of the following items since the previous submission, or a statement to the effect that these items have not been changed since the previous submission, indicating date:

- A copy of any compliance review report for reviews conducted in the last three years, along with the purpose or reason for the review, the name of the organization that performed the review, a summary of findings and recommendations, and a report on the status or disposition of the findings and recommendations
- Limited English Proficiency (LEP) plan
- procedures for tracking and investigating Title VI complaints
- A list of Title VI investigations, complaints or lawsuits filed with the agency since the last submission
- A copy of the agency notice to the public that it complies with Title VI and instructions on how to file a discrimination complaint

### **3. Annual review of Title VI program**

Each year, in preparing for the Annual Report and Updates, the Title VI Manager and Director of Transportation will review the agency's Title VI program to assure implementation of the Title VI plan. In addition, they will review agency operational guidelines and publications, including those for contractors, to verify that Title VI language and provisions are incorporated, as appropriate.

#### **4. Dissemination of information related to the Title VI program**

Information on our Title VI program will be disseminated to agency employees, contractors, and beneficiaries, as well as to the public, as described in the “public outreach and involvement” section of this document, and in other languages when needed according to the LEP plan as well as federal and State laws/regulations.

#### **5. Resolution of complaints**

Any individual may exercise his or her right to file a complaint if that person believes that he, she or any other program beneficiaries have been subjected to unequal treatment or discrimination in the receipt of benefits/services or prohibited by non-discrimination requirements. **Town of Chincoteague, Inc.** will report the complaint to DRPT within three business days (per DRPT requirements), and make a concerted effort to resolve complaints locally, using the agency’s Title VI Complaint Procedures. All Title VI complaints and their resolution will be logged as described under Section 1. Data collection and reported annually (in addition to immediately) to DRPT.

#### **6. Written policies and procedures**

Our Title VI policies and procedures are documented in this plan and its appendices and attachments. This plan will be updated periodically to incorporate changes and additional responsibilities that arise. During the course of the Annual Title VI Program Review (item 3 above), the Title VI Manager will determine whether or not an update is needed.

#### **7. Internal education**

Our employees will receive training on Title VI policies and procedures upon hiring and upon promotion. This training will include requirements of Title VI, our obligations under Title VI (LEP requirements included), and required data that must be gathered and maintained. In addition, training will be provided when any Title VI-related policies or procedures change (agency-wide training), or when appropriate in resolving a complaint.

**Title VI training is the responsibility of the Director of Transportation.**

#### **8. Title VI clauses in contracts**

In all federal procurements requiring a written contract or Purchase Order (PO), **Town of Chincoteague, Inc.**’s contract/PO will include appropriate non-discrimination clauses. The Title VI Manager will work with the Director of Transportation who is/are responsible for procurement contracts and PO’s to ensure appropriate non-discrimination clauses are included.

## **VI. PROCEDURES FOR NOTIFYING THE PUBLIC OF TITLE VI RIGHTS AND HOW TO FILE A COMPLAINT**

### **Requirement to Provide a Title VI Public Notice**

Title 49 CFR Section 21.9(d) requires recipients to provide information to the public regarding the recipient's obligations under DOT's Title VI regulations and apprise members of the public of the protections against discrimination afforded to them by Title VI. At a minimum, **Town of Chincoteague, Inc.** shall disseminate this information to the public by posting a Title VI notice on the agency's website and in public areas of the agency's office(s), including the reception desk, meeting rooms, in federally-funded vehicles, etc. A sample Public Notice is included as APPENDIX A- Title VI Notice to the Public; List of Locations, and will be displayed in all vehicles and facilities.

### **Public Notice**

**Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that "no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance" (42 U.S.C. Section 2000d).**

**The Pony Express, Town of Chincoteague, Inc. is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transportation services on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1B. If you feel you are being denied participation in or being denied benefits of the transit services provided by Town of Chincoteague, Inc. or otherwise being discriminated against because of your race, color, national origin, gender, age, or disability, our contact information is:**

<b>Name/</b>	<b>Robert G. Ritter, Jr., Title VI Manager or</b>
<b>Title:</b>	<b>Larry M. Welsh, Director of Transportation</b>
<b>Agency Name:</b>	<b>The Pony Express, Town of Chincoteague, Inc.</b>
<b>Address:</b>	<b>6150 Community Drive</b>
<b>City, State Zip code:</b>	<b>Chincoteague, Virginia 23336</b>
<b>Telephone Number:</b>	<b>(757) 336-6519</b>
<b>Email address:</b>	<b><a href="mailto:rritter@chincoteague-va.gov">rritter@chincoteague-va.gov</a> , or</b> <b><a href="mailto:larry@chincoteague-va.gov">larry@chincoteague-va.gov</a></b>

## **Title VI Complaint Procedures**

### **Requirement to Develop Title VI Complaint Procedures and Complaint Form.**

In order to comply with the reporting requirements established in 49 CFR Section 21.9(b), all recipients shall develop procedures for investigating and tracking Title VI complaints filed against them and make their procedures for filing a complaint available to members of the public. Recipients must also develop a Title VI complaint form. The form and procedure for filing a complaint shall be available on the recipient's website and at their facilities.

### **Sample of Narrative**

Any individual may exercise his or her right to file a complaint with **Town of Chincoteague, Inc.** if that person believes that he or she has been subjected to unequal treatment or discrimination in the receipt of benefits or services. We will report the complaint to DRPT within three business days (per DRPT requirements), and make a concerted effort to resolve complaints locally, using the agency's Nondiscrimination Complaint Procedures. All Title VI complaints and their resolution will be logged and reported annually (in addition to immediately) to DRPT.

**A person may also file a complaint directly with the Federal Transit Administration, Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5<sup>th</sup> floor – TCR, 1200 New Jersey Avenue SE, Washington, DC 20590.**

**Town of Chincoteague, Inc.** includes the following language on all printed information materials, on the agency's website, in press releases, in public notices, in published documents, and on posters on the interior of each vehicle operated in passenger service:

***Town of Chincoteague, Inc. is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transportation services on the basis of race, color or national origin, as protected by Title VI in the Federal Transit Administration (FTA) Circular 4702.1B. For additional information on Town of Chincoteague, Inc.'s nondiscrimination policies and procedures, or to file a complaint, please visit the website at [www.chincoteague-va.gov](http://www.chincoteague-va.gov) or contact Robert G. Ritter, Jr., Title VI Manager, 6150 Community Drive, Chincoteague, VA 23336***

Instructions for filing Title VI complaints are posted on the agency's website and in posters on the interior of each vehicle operated in passenger service and agency's facilities, and are also included within **Town of Chincoteague, Inc.'s Ride the Pony Express** brochure.

A copy of Town of Chincoteague, Inc. Title VI Complaint Form is attached as APPENDIX B.

## **Procedures for Handling and Reporting Investigations/Complaints and Lawsuits**

Should any Title VI investigations be initiated by FTA or DRPT, or any Title VI lawsuits are filed against **Town of Chincoteague, Inc.** the agency will follow these procedures:

### **Procedures**

1. Any individual, group of individuals, or entity that believes they have been subjected to discrimination on the basis of race, color, or national origin may file a written complaint with the Title VI Manager. The complaint is to be filed in the following manner:
  - a. A formal complaint must be filed within 180 calendar days of the alleged occurrence.
  - b. The complaint shall be in writing and signed by the complainant(s).
  - c. The complaint should include:
    - the complainant's name, address, and contact information
    - (i.e., telephone number, email address, etc.)
    - the date(s) of the alleged act of discrimination (if multiple days, include the date when the complainant(s) became aware of the alleged discrimination and the date on which the alleged discrimination was discontinued or the latest instance).
    - a description of the alleged act of discrimination
    - the location(s) of the alleged act of discrimination (include vehicle number if appropriate)
    - an explanation of why the complainant believes the act to have been discriminatory on the basis of race, color, and national origin
    - if known, the names and/or job titles of those individuals perceived as parties in the incident
    - contact information for any witnesses
    - indication of any related complaint activity (i.e., was the complaint also submitted to DRPT or FTA?)
  - d. The complaint shall be submitted to the **Town of Chincoteague, Inc.** Title VI Manager at **6150 Community Drive, Chincoteague, VA 23336**, [rritter@chincoteague-va.gov](mailto:rritter@chincoteague-va.gov), or **Director of Transportation**, [larry@chincoteague-va.gov](mailto:larry@chincoteague-va.gov).
  - e. Complaints received by any other employee of **Town of Chincoteague, Inc.** will be immediately forwarded to the Title VI Manager.
  - f. In the case where a complainant is unable or incapable of providing a written statement, a verbal complaint of discrimination may be made to the Title VI Manager. Under these circumstances, the complainant will be interviewed, and the **Town Staff** will assist the complainant in converting the verbal allegations to writing.
2. Upon receipt of the complaint, the Title VI Manager will immediately:
  - a. notify DRPT (no later than 3 business days from receipt)
  - b. notify the Town of Chincoteague, Inc. Authorizing Official
  - c. ensure that the complaint is entered in the complaint database
3. Within 3 business days of receipt of the complaint, the Title VI Manager will contact the complainant by telephone to set up an interview.

4. The complainant will be informed that they have a right to have a witness or representative present during the interview and can submit any documentation he/she perceives as relevant to proving his/her complaint.
5. If DRPT has assigned staff to assist with the investigation, the Title VI Manager will offer an opportunity to participate in the interview.
6. The alleged discriminatory service or program official will be given the opportunity to respond to all aspects of the complainant's allegations.
7. The Title VI Manager will determine, based on relevancy or duplication of evidence, which witnesses will be contacted and questioned.
8. The investigation may also include:
  - a. investigating contractor operating records, policies or procedures
  - b. reviewing routes, schedules, and fare policies
  - c. reviewing operating policies and procedures
  - d. reviewing scheduling and dispatch records
  - e. observing behavior of the individual whose actions were cited in the complaint
9. All steps taken and findings in the investigation will be documented in writing and included in the complaint file.
10. The Title VI Manager will contact the complainant at the conclusion of the investigation, but prior to writing the final report, and give the complainant an opportunity to give a rebuttal statement at the end of the investigation process.
11. At the conclusion of the investigation and **within 60 days** of the interview with the complainant, the Title VI Manager will prepare a report that includes a narrative description of the incident, identification of persons interviewed, findings, and recommendations for disposition. This report will be provided to the Authorizing Official, DRPT, and, if appropriate, **Town of Chincoteague, Inc.**'s legal counsel.
12. The Title VI Manager will send a letter to the complainant notifying them of the outcome of the investigation. If the complaint was substantiated, the letter will indicate the course of action that will be followed to correct the situation. If the complaint is determined to be unfounded, the letter will explain the reasoning, and refer the complainant to DRPT in the event the complainant wishes to appeal the determination. This letter will be copied to DRPT.
13. A complaint may be dismissed for the following reasons:
  - a. The complainant requests the withdrawal of the complaint.
  - b. An interview cannot be scheduled with the complainant after reasonable attempts.
  - c. The complainant fails to respond to repeated requests for additional information needed to process the complaint.
14. DRPT will serve as the appealing forum to a complainant that is not satisfied with the outcome of an investigation conducted by **Town of Chincoteague, Inc.** DRPT will analyze the facts of the case and will issue its conclusion to the appellant according to their procedures.

## **Transportation-Related Title VI Investigations, Complaints, and Lawsuits**

### **Background**

All recipients shall prepare and maintain a list of any of the following that allege discrimination on the basis of race, color, or national origin:

- Active investigations conducted by FTA and entities other than FTA;
- Lawsuits; and
- Complaints naming the recipient.

This list shall include the date that the transportation-related Title VI investigation, lawsuit, or complaint was filed; a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken by the recipient in response, or final findings related to the investigation, lawsuit, or complaint. This list shall be included in the Title VI Program submitted to DRPT every three years and information shall be provided to DRPT quarterly and annually. See Appendix C for a sample reporting form.

## **Public Outreach and Involvement**

### **PUBLIC PARTICIPATION PLAN**

#### **Introduction**

The Public Participation Plan (PPP) is a guide for ongoing public participation endeavors. Its purpose is to ensure that **Town of Chincoteague, Inc.** utilizes effective means of providing information and receiving public input on transportation decisions from low income, minority and limited English proficient (LEP) populations, as required by Title VI of the Civil Rights Act of 1964 and its implementing regulations.

Under federal regulations, transit operators must take reasonable steps to ensure that Limited English Proficient (LEP) persons have meaningful access to their programs and activities. This means that public participation opportunities, normally provided in English, should be accessible to persons who have a limited ability to speak, read, write, or understand English.

In addition to language access measures, other major components of the PPP include: public participation design factors; a range of public participation methods to provide information, to invite participation and/or to seek input; examples to demonstrate how population-appropriate outreach methods can be and were identified and utilized; and performance measures and objectives to ensure accountability and a means for improving over time.

**Town of Chincoteague, Inc.** established a public participation plan or process that will determine how, when, and how often specific public participation activities should take place, and which specific measures are most appropriate.



**Town of Chincoteague, Inc.** will make these determinations based on a demographic analysis of the population(s) affected, the type of plan, program, and/or service under consideration, and the resources available. Efforts to involve minority and LEP populations in public participation activities may include both comprehensive measures, such as placing public notices at all transit stations, stops, and vehicles, as well as targeted measures to address linguistic, institutional, cultural, economic, historical, or other barriers that may prevent minority and LEP persons from effectively participating in our decision-making process.

## **VII. LANGUAGE ASSISTANCE PLAN FOR PERSONS WITH LIMITED ENGLISH PROFICIENCY (LEP)**

### **Introduction and Legal Basis**

LEP is a term that defines any individual not proficient in the use of the English language. The establishment and operation of an LEP program meets objectives set forth in Title VI of the Civil Rights Act and Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency (LEP). This Executive Order requires federal agencies receiving financial assistance to address the needs of non-English speaking persons. The Executive Order also establishes compliance standards to ensure that the programs and activities that are provided by a transportation provider in English are accessible to LEP communities. This includes providing meaningful access to individuals who are limited in their use of English. The following LEP language implementation plan, developed by *Town of Chincoteague, Inc.* is based on FTA guidelines.

As required, *Town of Chincoteague, Inc.* developed a written LEP Plan (below). Using 2010 Census and American Community Survey (ACS) data, *Town of Chincoteague, Inc.* has evaluated data to determine the extent of need for translation services of its vital documents and materials.

LEP persons can be a significant market for public transit, and reaching out to these individuals can help increase their utilization of transit. Therefore, it also makes good business sense to translate vital information into languages that the larger LEP populations in the community can understand.

### **Assessment of Needs and Resources**

The need and resources for LEP language assistance were determined through a four-factor analysis as recommended by FTA guidance.

**Factor 1: Assessment of the Number and Proportion of LEP Persons Likely to be Served or Encountered in the Eligible Service Population**

The agency has reviewed census data on the number of individuals in its service area that have limited English Proficiency, as well as the languages they speak.

### **U.S. Census Data - American Community Survey (2009-2013)**

Data from the U.S. Census Bureau's American Community Survey (ACS) were obtained through [www.census.gov](http://www.census.gov) for *Town of Chincoteague, Inc.'s* service area. The agency's service area includes a total of 9 persons (out of a population of 2,941) with Limited English Proficiency (those persons who indicated that they spoke English "not well," and "not at all" in the 2009-2013 ACS Census). Data for seasonal and tourist populations is not available.

Information from the 2009-2013 ACS also provides more detail on the specific languages that are spoken by those who report that they speak English less than very well. Languages spoken at home by those with LEP are presented below. These data indicate the extent to which translations into other language may be needed to meet the needs of LEP persons.

• Spanish	[2]	[0.1%]
• Indo-European	[7]	[0.3%]
• Asian and Pacific Island Languages	[0]	[0]
• Other Languages	[0]	[0]

It is noted that there are relatively low number of LEP persons in the service area - no language other than English is spoken by over 5% or a total of 1,000 persons in the LEP population. We will continue to identify emerging populations as updated Census and American Community Survey data become available for our service area and adjust the program as needed.

*Town of Chincoteague, Inc.* does not currently provide programs, activities and services due to our minimal LEP population and lack of identified need. We will continue to monitor population change in the future and add offerings as needed.

### **Factor 2: Assessment of Frequency with Which LEP Individuals Come Into Contact with the Transit Services or System**

*Town of Chincoteague, Inc* reviewed the relevant benefits, services, and information provided by the Pony Express and determined the limited extent to which LEP persons have come into contact with these functions through the following channels:

- Contact with transit vehicle operators;
- Calls to *Town of Chincoteague, Inc's* customer service telephone line;
- Visits to the agency's headquarters;
- Attendance at community meetings or public hearings hosted by *Town of Chincoteague, Inc*

- Contact with the agency’s ADA complementary paratransit system (including applying for eligibility, making reservations, and communicating with drivers).

We will continue to identify emerging populations as updated Census and American Community Survey data become available for our service area. In addition, when LEP persons contact our agency, we will attempt to identify their language and keep records on contacts to accurately assess the frequency of contact.

**Factor 3: Assessment of the Nature and Importance of the Transit Services to the LEP Population**

*Town of Chincoteague, Inc.* does not currently provide additional programs, activities and services due to our minimal LEP population and lack of identified need. We will continue to monitor population change in the future and add offerings as needed.

**Factor 4: Assessment of the Resources Available to the Agency and Costs**

We do not anticipate that these activities and costs will increase in the near future. Budgets in the future will reflect need assessed. Staff training would be added as need is assessed.

*Monitoring/updating the plan*

This plan will be reviewed on a periodic basis (at least every three years), based on feedback, updated demographic data, and resource availability. As the community grows and new LEP groups emerge, Town of Chincoteague, Inc. will strive to address the needs for additional language assistance if needed.

**LEP Implementation Plan**

Through the four-factor analysis, *Town of Chincoteague, Inc.* has determined that a written Language Implementation Plan is not required at this time, which is permissible under FTA Circular C4702.1A. **Town of Chincoteague, Inc.** understands that the absence of a written LEP plan does not obviate the underlying obligation to ensure meaningful access by LEP persons to our program or activities. When appropriate, **Town of Chincoteague, Inc.** will provide translation of vital documents, provide access to language assistance services, and provide staff training on policies and procedures related to assisting LEP persons. A summary of outreach efforts is attached as **APPENDIX D**.

## **MINORITY REPRESENTATION ON PLANNING AND ADVISORY BODIES**

Title 49 CFR Section 21.5(b)(1)(vii) states that a recipient may not, on the grounds of race, color, or national origin, “deny a person the opportunity to participate as a member of a planning, advisory, or similar body which is an integral part of the program.”

*Town of Chincoteague, Inc.* does not have a transit-related or non-elected planning board, advisory council or committee, but will consider one in the future as the need arises. Participation in future committees will be documented as indicated in **Appendix E**.

## **VIII. REQUIREMENTS OF TRANSIT PROVIDERS**

### **Requirements and Guidelines for Fixed Route Transit Providers**

The requirements apply to all providers of fixed route public transportation (also referred to as transit providers) that receive Federal financial assistance, inclusive of States, local and regional entities, and public and private entities.

Transit providers that are sub-recipients will submit the information to their primary recipient (the entity from whom they directly receive transit funds) every three years on a schedule determined by the primary recipient. The requirements are scaled based on the size of the fixed route transit provider.

#### **REQUIRED: Service Standards and Policies**

- **Service Standards**
  - Vehicle load, Vehicle headway, On-time performance, Service availability
- **Service Policies**
  - Transit amenities, Vehicle assignment

*Town of Chincoteague, Inc.* is required to plan and deliver transportation services in an equitable manner. This means the distribution of service levels and quality is to be equitable between minority and low income populations and the overall population. *Town of Chincoteague, Inc.* has reviewed its services and policies to ensure that those services and benefits are provided in an equitable manner to all persons.

#### ***Service Standards***

The agency has set standards and policies that address how services are distributed across the transit system service area to ensure that the distribution affords users equitable

access to these services. Our transit trolley service is a fixed route which serves a tourist population as well as the local citizens equally throughout the Town.

Service standards were reviewed and adopted in the Town of Chincoteague, Inc. TDP in 2012. The agency's demand responsive services are available to all callers on a first-come first-served basis, without regard for race, color or national origin.

The following system-wide service standards are used to guard against service design or operations decisions from having disparate impacts. All of *Town of Chincoteague, Inc.*'s services meet the agency's applicable standards; thus it is judged that services are provided equitably to all persons in the service area, regardless of race, color or national origin.

- **Productivity** - Passenger Trips Per Revenue Hour  
Review and modify, if warranted, routes between 60% and 80% of average  
Average is currently 12.2 trips per revenue hour
- **Cost Efficiency** - Operating Cost Per Revenue Hour  
Review and modify, if warranted, routes between 60% and 80% of average  
Average is currently \$64.98 per trip
- **Cost Effectiveness** - Operating Cost Per Passenger Trip  
Review and modify, if warranted, routes between 60% and 80% of average  
Average is currently \$5.31 per trip
- **Safety** - Safety Incidents per 100,000 miles  
10 or fewer "reportable incidents" per 100,000 miles, as defined by the National Transit Database. A reportable incident is one in which one or more of the following conditions apply:
  - A fatality
  - Injuries requiring medical attention away from the scene for one or more persons
  - Property damage equal to or exceeding \$25,000\*
- **Qualitative Standards**
  - Revenue Equipment
  - Public Information
  - Working air conditioning; and vehicles are clean and in good condition
  - Timetable, maps, and website are current and accurate

### ***Service and Operating Policies***

The *Town of Chincoteague's* service and operating policies also ensure that operational practices do not result in discrimination on the basis of race, color, or national origin.

- **Distribution and Siting of Transit Amenities** - Transit amenities refer to items of comfort, convenience, and safety that are available to the general riding public. *Town*

*of Chincoteague* has a policy to ensure the equitable distribution of transit amenities across the system. This policy applies to seating (i.e., benches, seats), bus shelters and canopies, (c) provision of information, Intelligent Transportation Systems (ITS), waste receptacles (including trash and recycling). Passenger amenities are sited based on *equal distribution*.

- **Vehicle assignment** - Vehicle assignment refers to the process by which transit vehicles are placed into service and on routes throughout the system. *Town of Chincoteague* assigns vehicles with the goal of providing equitable benefits to minority and low income populations. Vehicles are assigned with regard to service type (fixed-route, demand-response, or a hybrid type) and ridership demand patterns (routes with greater numbers of passengers need vehicles with larger capacities). For each type of assignment, newer vehicles are rotated to ensure that no single route or service always has the same vehicle. The **Director of Transportation** reviews vehicle assignments on a monthly basis to ensure that vehicles are indeed being rotated and that no single route or service always has the old or new vehicles.

## **Monitoring Title VI Complaints**

As part of the complaint handling procedure, the Title VI Manager investigates possible inequities in service delivery for the route(s) or service(s) about which the complaint was filed. Depending on the nature of the complaint, the review examines span of service (days and hours), frequency, routing directness, interconnectivity with other routes and/or fare policy. If inequities are discovered during this review, options for reducing the disparity are explored, and service or fare changes are planned if needed.

In addition to the investigation following an individual complaint, the Title VI Manager periodically reviews all complaints received to determine if there may be a pattern. At a minimum, this review is conducted as part of preparing the Annual Report and Update for submission to DRPT.

## **Fare and Service Changes**

*Town of Chincoteague* follows its adopted written policy for the public comment process for major service reductions and fare increases. With each proposed service or fare change, *Town of Chincoteague* considers the relative impacts on, and benefits to, minority and low income populations, including LEP populations. All planning efforts for changes to existing services or fares, as well as new services, have a goal of providing equitable service.

## APPENDIX A



### Title VI Public Notice

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that "no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance" (42 U.S.C. Section 2000d).

The Pony Express, Town of Chincoteague, Inc. is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transportation services on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1B. If you feel you are being denied participation in or being denied benefits of the transit services provided by Town of Chincoteague, Inc. or otherwise being discriminated against because of your race, color, national origin, gender, age, or disability, our contact information is:

**Name/ Title:** Robert G. Ritter, Jr., Title VI Manager or  
Larry M. Welsh, Director of Transportation

**Agency Name:** The Pony Express, Town of Chincoteague, Inc.

**Address:** 6150 Community Drive

**City, State Zip code:** Chincoteague, Virginia 23336

**Telephone Number:** (757) 336-6519

**Email address:** [rritter@chincoteague-va.gov](mailto:rritter@chincoteague-va.gov) , or  
[larry@chincoteague-va.gov](mailto:larry@chincoteague-va.gov)

**APPENDIX B**  
**TITLE VI COMPLAINT FORM**

**The Pony Express, Town of Chincoteague, Inc.**  
**6150 Community Drive, Chincoteague, VA 23336**  
**Phone: (757) 336-6519 Email: [larry@chincoteague-va.gov](mailto:larry@chincoteague-va.gov)**

Please Note: The complaint should include the following information  
Your name, address and how to contact you (telephone number, email address, etc.)  
How, when, where, and why you believe you were discriminated against.  
The location, names and contact information of any witnesses.

If yes, check all that apply:	
<input type="checkbox"/> Federal Agency: _____	
<input type="checkbox"/> Federal Court _____	<input type="checkbox"/> State Agency _____
<input type="checkbox"/> State Court _____	<input type="checkbox"/> Local Agency _____
Please provide information about a contact person at the agency/court where the complaint was filed.	
Name:	
Title:	
Agency:	
Address:	
Telephone:	
<b>Section VI</b>	
Name of agency complaint is against:	
Contact person:	
Title:	
Telephone number:	

You may attach any written materials or other information that you think is relevant to your complaint.

Signature and date required below

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



<b>Section I:</b>				
Name:				
Address:				
Telephone (Home):			Telephone (Work):	
Electronic Mail Address:				
Accessible Format Requirements?	Large Print		Audio Tape	
	TDD		Other	
<b>Section II:</b>				
Are you filing this complaint on your own behalf?			Yes*	No
*If you answered "yes" to this question, go to Section III.				
If not, please supply the name and relationship of the person for whom you are complaining:				
Please explain why you have filed for a third party: _____				
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.			Yes	No
<b>Section III:</b>				
I believe the discrimination I experienced was based on (check all that apply):				
<input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin				
Date of Alleged Discrimination (Month, Day, Year): _____				
Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form.				
_____				
_____				
<b>Section IV</b>				
Have you previously filed a Title VI complaint with this agency?			Yes	No
<b>Section V</b>				
Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?				
<input type="checkbox"/> Yes <input type="checkbox"/> No				

**APPENDIX C**

**INVESTIGATIONS, LAWSUITS AND COMPLAINTS DOCUMENT**

**List of Investigations, Lawsuits and Complaints**

	<b>Date (Month, Day, Year)</b>	<b>Summary (include basis of complaint: race, color or national origin)</b>	<b>Status</b>	<b>Action(s) taken</b>
<b>Investigations</b>				
1.				
<b>Lawsuits</b>				
1.				
<b>Complaints</b>				
1.				

## APPENDIX D

### SUMMARY OF OUTREACH EFFORTS

#### PUBLIC OUTREACH AND INVOLVEMENT

Public outreach and involvement applies to and affects Town of Chincoteague, Inc.'s mission and work program as a whole, particularly agency efforts and responsibilities related to Town of Chincoteague, Inc.'s service planning. The overall goal of Town of Chincoteague, Inc.'s public outreach and involvement policy is to secure meaningful public notification about, and participation in, major actions and decisions by Town of Chincoteague, Inc. In seeking public comment and review, Town of Chincoteague, Inc. makes a concerted effort to reach all segments of the population.

#### Public Outreach Activities

Town of Chincoteague, Inc. will take steps to ensure that minority, low-income, and LEP members of the community have meaningful access to public outreach and involvement activities when the need of additional public outreach is identified. Public notices appear currently in local newspaper publication, and in the form of a glossy tri fold brochure, web page and cable TV advertisement. Any changes to our program would be announced in this format. The above activities are the responsibility of Larry Welsh, Director of Transportation.

#### Non Elected Board Diversity

Town of Chincoteague, Inc. does not have a Transit Advisory Board but will consider one in the future as the need arises.

**APPENDIX E  
TABLE OF MINORITY REPRESENTATION  
ON COMMITTEES BY RACE**

1. *Please provide a description of your selection process, including recruitment efforts made to encourage the participation of minorities on such committee(s)*
  
2. *Please provide a table(s) depicting the racial breakdown of the membership of those committees*

Committee	Black or African American	White/Caucasian	Latino/Hispanic	American Indian or Alaska Native	Asian	Native Hawaiian or other Pacific Islander	Other *Note	Totals
Transit Advisory Committee (CAC)	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
% of TAC Committee								

*\*Note – Other races reported: Lithuanian, Ukrainian, and Polish*



## **Resolution for Spring Clean up, Paint up, and Fix up Week**

**A RESOLUTION** of the Town of Chincoteague Island, Virginia, to acknowledge the importance of Earth Day and support the community-wide activities and events that remind us of our Island's connection to the rest of the planet.

**WHEREAS**, we are fortunate to live in a Town so abundantly blessed with natural assets and we have a continuing responsibility for conserving our environment by keeping it clean, healthy, and beautiful; and

**WHEREAS**, the Town of Chincoteague Island and our citizens are committed, through the goals of the Comprehensive Plan, ordinances, policies and our actions, to the conservation and stewardship of our natural landscape, open space and sensitive environmental areas; and

**WHEREAS**, Chincoteague's Mother Earth Day is Saturday, May 9, 2015; Mother Earth Day will celebrate the beauty of our Island and involve people around the world over the course of several days; and

**WHEREAS**, during this celebration, we have the opportunity to demonstrate to ourselves, our neighbors, and our visitors, our commitment to a clean and beautiful town.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF CHINCOTEAGUE, IN COUNCIL MET:**

1. That the week of May 9<sup>th</sup> – May 16<sup>th</sup>, 2015 is designated as **SPRING-CLEAN UP, PAINT UP, & FIX UP WEEK** in the Town of Chincoteague to coincide with the Mother Earth Day Celebration
2. That all organized and individual segments of our population participate in this noble effort by developing and carrying out imaginative clean-up, paint-up, and fix-up projects which will serve to enhance, restore, or maintain the beauty of all properties in our Island community.
3. All Spring Cleanup debris should be placed for pickup during the week of May 9 –May 16, 2015 so that our Town of Chincoteague will exemplify cleanliness and beauty and to kick off the Tourist Season. Calling the Town Office with the items to be picked up will ensure collection of said items.

\_\_\_\_\_  
John H. Tarr, Mayor

Attest: \_\_\_\_\_  
Robert G. Ritter, Jr., Town Manager



## RESOLUTION

**WHEREAS**, The Town Council of the Town of Chincoteague, Incorporated desires to submit an application for an allocation of funds of up to \$5,000 through the Virginia Department of Transportation, Fiscal Year 2016 Revenue Sharing Program; and,

**WHEREAS**, \$5,000 of these funds are requested to fund recycling collection fees along with the Spring and Fall Town Cleanup Projects;

**NOW, THEREFORE**, The Town Council of the Town of Chincoteague, Incorporated hereby supports this application for an allocation of up to \$5,000 through the Virginia Department of Transportation Revenue Sharing Program.

**BE IT FURTHER RESOLVED** the Town Council of the Town of Chincoteague, Incorporated hereby grants authority for the Town Manager to execute project administration agreements for any such approved revenue sharing project.

**ADOPTED** by unanimous vote of the Town Council on May 4, 2015.

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John H. Tarr, Mayor

Attest:

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Robert G. Ritter, Jr., Town Manager



## ***RESOLUTION***

### ***Hurricane Preparedness Week 2015***

**Whereas,** The Town of Chincoteague hurricane season officially begins June 1st and ends November 30th of each year. In order to heighten awareness, the week of May 24-May 30, 2015 has been designated "Hurricane Preparedness Week"; and

**Whereas,** with the Town of Chincoteague being an Island, is vulnerable to the devastating effects that a hurricane or tropical storm can cause. With the average land elevation of 3.5 feet above mean high tide could face loss of life and property if such a disaster occurs; and

**Whereas,** both public and private entities should develop emergency response and recovery plans in accordance with the local jurisdiction and local emergency management office. Such preventative action could save lives; and

**Whereas,** the Town of Chincoteague Emergency Management Division, the National Weather Service, and the Commonwealth of Virginia strongly suggest that all residents and visitors to the Town of Chincoteague be aware of the high winds, flooding and severe weather that may occur in conjunction with a tropical storm or hurricane.

**Now, Therefore,** Be It Resolved, that the Town Council' of the Town of Chincoteague, Virginia does hereby proclaim the week of May 24<sup>th</sup> – May 30<sup>th</sup>, 2015 as "Hurricane Preparedness Week: in the Town of Chincoteague.

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John H. Tarr, Mayor

Attest:

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Robert G. Ritter, Jr., Town Manager



## Town of Chincoteague

### Proclamation

**Whereas**, public works services provided in our community are an integral part of our citizens' everyday lives; and

**Whereas**, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as water, streets, parks, public buildings, and solid waste collection; and

**Whereas**, the health, safety and comfort of this community greatly depends on these facilities and services; and

**Whereas**, the quality and effectiveness of these facilities, as well as their planning, design, and construction, are vitally dependent upon the efforts and skill of public works officials; and

**Whereas**, the efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by the people's attitude and understanding of the importance of the work they perform,

**Now, therefore**, I, Honorable John H, Tarr Mayor of the Town of Chincoteague do hereby proclaim the week of May 17 "National Public Works Week" in The Town of Chincoteague and call upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions which public works officials make every day to our health, safety, comfort, and quality of life.

Given under my hand and Seal of the Town of Chincoteague, Virginia this 4th Day of May, 2015.

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Honorable John H, Tarr, Mayor





## Town of Chincoteague Proclamation

National Police Week, May 10 – 16, 2015

To recognize National Police Week 2015 and to honor the service and sacrifice of those law enforcement officers killed in the line of duty while protecting our communities and safeguarding our democracy.

**WHEREAS**, there are approximately 900,000 law enforcement officers serving in communities across the United States, including the dedicated members of the Chincoteague Police Department;

**WHEREAS**, nearly 60,000 assaults against law enforcement officers are reported each year, resulting in approximately 16,000 injuries;

**WHEREAS**, since the first recorded death in 1791, more than 20,000 law enforcement officers in the United States have made the ultimate sacrifice and been killed in the line of duty;

**WHEREAS**, the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, D.C.;

**WHEREAS**, new names of fallen heroes are being added to the National Law Enforcement Officers Memorial this spring, including 117 officers killed in 2014 and 156 officers killed in previous years;

**WHEREAS**, the service and sacrifice of all officers killed in the line of duty will be honored during the National Law Enforcement Officers Memorial Fund's 27<sup>th</sup> Annual Candlelight Vigil, on the evening of May 13, 2015;

**WHEREAS**, the Candlelight Vigil, in Washington DC, is part of National Police Week, which takes place this year on May 10-16;

**WHEREAS**, May 15 is designated as Peace Officers Memorial Day, in honor of all fallen officers and their families and U.S. flags should be flown at half-staff;

**THEREFORE, BE IT RESOLVED** that the Town of Chincoteague formally designates May 10-16, 2015, as Police Week in Chincoteague Island, Virginia, and publicly salutes the service of law enforcement officers in our community and in communities across the nation.

Given under my hand and Seal of the Town of Chincoteague, Virginia this 4th Day of May, 2015.

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John H. Tarr  
Mayor



## PROCLAMATION

Americans are increasingly heading to the water for recreation and relaxation as the opportunities for on-the-water activities that grow each year. But with this growth comes additional responsibility. It is vital that both novice and experienced boaters alike practice safe boating habits—especially wearing a life jacket. Approximately 88 percent of those who die in boating-related drownings were not wearing life jackets.

**WHEREAS**, hundreds of lives could be saved each year by wearing life jackets and the law requires that wearable life jackets be carried for each person on board a boat.

**WHEREAS**, responsible boaters will learn the local boating regulations, master the “rules of the road”, not drink alcohol and boat, wear their life jacket, and respect fellow boaters.

**WHEREAS**, U. S. Coast Guard Auxiliary, Flotilla 12-06 Chincoteague provides safe boating instruction for all ages in order to prevent boating accidents and to teach rescue and survival techniques in case one does occur.

**WHEREAS**, boaters nationwide are wearing their life jackets this week and year round to recognize National Safe Boating Week with the theme, “Life Jacket. WEAR IT! a habit we can live with!”

**NOW THEREFORE, BE IT RESOLVED** I, Mayor John H. Tarr, proclaim May 15 through 22, 2015 as National Safe Boating Week within the Town of Chincoteague and encourage all boaters to wear their life jacket, boat responsibly, and enroll in a safe boating class.

**DATED** this 29<sup>th</sup>, day of April, 2015

Mayor John H. Tarr  
Town of Chincoteague, Inc.

BMC. Hank Deatrich  
Officer in Charge  
U. S. Coast Guard  
Station Chincoteague

Robert G. Ritter Jr., Town Manager  
Town of Chincoteague, Inc.

Warren C. Peake  
Flotilla Commander 12-06  
U. S. Coast Guard Auxiliary



**American Legion Auxiliary**  
**Unit #159**  
*P. O. Box 141*  
*Chincoteague, VA 23336*

March 26, 2015

The Honorable John H. Tarr  
Mayor of Chincoteague  
6150 Community Drive  
Chincoteague Island, VA 23336

Dear Mayor Tarr:

As we did last year, the American Legion Auxiliary, Unit #159, would like to celebrate Poppy Days once again in Chincoteague. Meeting the continuing needs of our veterans should be the concern of every American who values his or her freedom. As you know, the Auxiliary promotes the poppy as a symbol of the sacrifices our military have made, a symbol to open people's hearts and inspire them to donate.

To this end, we would like for you to proclaim Armed Forces Day (Saturday, May 16<sup>th</sup>) as Poppy Day; rain date Saturday, May 23, 2015. For your convenience, I have attached a sample Poppy Proclamation.

We would like to have three (3) areas to distribute poppies. With your approval, we would like to start at 10 a.m. and work until 2 p.m. - a total of four (4 hours). We would like to have three (3) roadblocks for collection; the first would be at the intersection of Main and Maddox, the second at the intersection of Main and Church Street, and the third at the Circle near the Chamber of Commerce Office.

Our Legion Family will have visible identification that they are members of the American Legion/Auxiliary/Sons/Legion Riders. We will ask the men to wear their caps and the ladies will wear their red Auxiliary T-shirts. Everyone will have a badge and official poppy collection can for the poppies.

I can be reached at 304-224-5845 (my cell) or 757-336-6147 to answer any questions. Thank you for your consideration to our request.

In the spirit of service, not self, for God, our country, our veterans and their families, I remain,

Respectfully,

Patricia (Pat) Clunk  
President,



## Poppy Day Proclamation

Whereas, America is the land of freedom, preserved and protected willingly and freely by citizen soldiers; and

Whereas, millions who have answered the call to arms have died on the fields of battle; and

Whereas, a nation must be reminded of the price of war and the debt owed to those who have died in war; and

Whereas, the Red Poppy has been designated as a symbol of sacrifice of lives in all wars; and

Whereas, the American Legion Auxiliary has pledged to remind America annually of this debt through the distribution of the memorial flower,

Now, therefore, I, John H. Tarr, Mayor of the Town of Chincoteague, Virginia, do hereby proclaim, May 16, 2015 as Poppy Day and ask that all citizens pay tribute to those who have made the ultimate sacrifice in the name of freedom by wearing the Memorial Poppy during this week.

Dated this 4<sup>th</sup> day of May, 2015.

\_\_\_\_\_  
John H. Tarr, Mayor

Attest:

\_\_\_\_\_  
Robert G. Ritter Jr., Town Manager



**PROCLAMATION  
IN RECOGNITION OF  
THE 20<sup>TH</sup> ANNIVERSARY OF THE  
CHINCOTEAGUE ISLAND LIBRARY**

**Whereas**, on July 4<sup>th</sup>, 1995 a group of civic-minded residents, responding to the needs of a young and growing community, met with the objective of establishing a library in Chincoteague Island, Virginia; and

**Whereas**, these determined individuals founded the library in the Historic Downtown area of Chincoteague with a mere 3,600 volumes and opened its doors on July 4<sup>th</sup>, 1995; and

**Whereas**, from these modest beginnings the Library's collections grew along with the community, to the point that a new addition was erected in 2009, and now with a current collection of 12,704 items in the collection; and

**Whereas**, over the years, the Library has offered programs for all ages, outreach services, literacy initiatives, job search and small business resources, expanding information services, computer use, internet access and other means of community support and enrichment; and

**Whereas**, the Library has continued to serve the people of Chincoteague Island, Accomack County and visitors from near and afar as a place of learning, culture and community.

**Now, Therefore**, I, John H. Tarr by the virtue of the authority vested in me on behalf of the Chincoteague Town Council and as the Mayor of the Town of Chincoteague, do hereby extend to the Chincoteague Island Library sincere gratitude to its Board, staff and volunteers, past and present for their accomplishments, commitment and dedication to the Town of Chincoteague, its residents and many visitors.

**In Witness Whereof**, I have hereunto set my hand and caused the Seal of the Town of Chincoteague to be affixed this 4<sup>th</sup> day of May, 2015.

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John H. Tarr, Mayor

Attest:

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Robert G. Ritter, Jr., Town Manager