

REGULAR COUNCIL MEETING

A G E N D A

TOWN OF CHINCOTEAGUE

January 6, 2014 - 7:00 P.M. - Council Chambers - Town Hall

CALL TO ORDER

INVOCATION BY COUNCILMAN T. HOWARD

PLEDGE OF ALLEGIANCE

OPEN FORUM / PUBLIC PARTICIPATION

STAFF UP-DATE

AGENDA ADDITIONS/DELETIONS AND ADOPTION:

1. Consider Adoption of the Minutes
 - Regular Council Meeting of December 2, 2013 (Page 2 of 23)
2. County Update from Island Supervisor the Honorable Wanda Thornton
3. Approval of the Bids on the Downtown Fishing Pier (Page 17 of 23)
4. Public Safety Committee Report of December 10, 2013 (Mayor Tarr) (Page 18 of 23)
5. Judging Results for Christmas Lights (Page 21 of 23)
6. Motion to approve the Trolley Operating Funds, Grant Application Resolution (Page 22 of 23)
7. Mayor & Council Announcements or Comments
(Note: Roberts Rules do not allow for discussion under comment period)

ADJOURN:

**MINUTES OF THE DECEMBER 2, 2013
CHINCOTEAGUE TOWN COUNCIL MEETING**

Council Members Present:

John H. Tarr, Mayor
Ellen W. Richardson, Councilwoman
John N. Jester, Jr., Councilman
Tripp Muth, Councilman
Gene W. Taylor, Councilman
Terry Howard, Councilman

Council Members Absent:

J. Arthur Leonard, Vice Mayor

CALL TO ORDER

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

INVOCATION

Councilman Taylor offered the invocation.

PLEDGE OF ALLEGIANCE

Mayor Tarr led in the Pledge of Allegiance.

OPEN FORUM/PUBLIC PARTICIPATION

Mayor Tarr opened the floor for public participation.

- Mr. Michael Dendler came before Council regarding the Chincoteague Pony 4-H Club. He asked if they would entertain a presentation. Two members of the Chincoteague Pony 4-H Club presented Council with a card and ornament, and wished Mayor Tarr and the Town Council a very Merry Christmas.

Mayor Tarr read the card.

STAFF UPDATE

Planning Department

Town Planner Neville stated that the Planning Report is included in the packet. He also reported that the U. S. Fish and Wildlife Service and Park Service CCP will possibly be released in January. He advised that the Town made comments regarding the endangered species nomination of the Red Knot. He stated that they were expressing the Town's concern of establishing critical habitats along the recreational beach. Town Planner Neville also advised that the issues of the Watermen be considered in NASA's Land Use Study making sure the safety zones don't shut down the Inlet and fishing. He stated that there is a meeting January 9th to review the JLUS Plan. He added that the construction plans for the fishing pier are out for bids.

Councilman Howard asked about the endangered species called the Red Knot bird.

Town Planner Neville explained it is the size between a robin and a seagull. He added that it is important in the birding community because it migrates from the South Pole to the North Pole.

It's one of the longest commuting birds and stops over in this area to fill up on horseshoe crab eggs.

Police Department

Chief Lewis advised that the monthly report was included in the agenda packet. He reported that the Police Department will conduct the Annual Toy Drive on Saturday, December 7th at 11:00 a.m.

Councilman Jester requested an annual report of arrests and significant events that have happened in the Police Department. He also added to compare the report to 2012.

Councilman Howard requested that Chief Lewis report on the funds that were raised by the Department for the community.

Chief Lewis advised it was approximately \$240,000.

Public Works Department

Public Works Director Spurlock advised that the monthly report has been included in the agenda packet. He reported that work has started on the culvert on South Main Street. He also reported that a leak was detected in the 8" water main on the Causeway.

There was discussion regarding the culvert repairs, the use of the 8" water main and the possible cause of the leak along with the new well pump.

General Government

Town Manager Ritter advised of a correction in the Emergency Medical Service report regarding calls of the Advance Life Support. He stated that they reported 15 and updated it to 25. He added that they reported that the Police number 336-0911 would be done away with. However, they decided to keep it. He reported of a correction on the Downtown Revitalization Project. He advised that on December 9th they will begin construction due to the annual Christmas parade. He mentioned the completion date of April 28th. Town Manager Ritter also advised that Umpco was hired as the computer IT service. He explained that they will also do computer offsite server backup and storage. He stated that Mr. Bobby Umphlett, Jr. is the owner. He reminded Council of the work on the upcoming quarterly newsletter. He concluded that the department evaluations have been completed.

AGENDA ADDITIONS/DELETIONS AND ADOPTION

Councilman Howard motioned, seconded by Councilman Jester to adopt the agenda as presented. Motion carried.

Ayes: Howard, Jester, Taylor, Muth, Richardson

Nays: None

Absent: Leonard

1. Consider Adoption of the Minutes

• Regular Council Meeting of November 4, 2013

Councilman Howard motioned, seconded by Councilwoman Richardson to adopt the minutes of the Regular Council Meeting of November 4, 2013. Motion carried.

Ayes: Howard, Jester, Taylor, Muth, Richardson

Nays: None

Absent: Leonard

2. Discuss the 911 Dispatch Memorandum of Agreement with ESVA 911 Commission

Town Manager Ritter reviewed the additional changes made to the Agreement. He advised that the ESVA 911 Commission was in agreement and staff recommends to approve the Memorandum of Agreement.

Councilman Jester motioned, seconded by Councilman Howard to adopt the 911 Dispatch Memorandum of Agreement with the ESVA 911 Commission and the Town of Chincoteague. Motion Carried.

Ayes: Howard, Jester, Taylor, Muth

Nays: Richardson

Absent: Leonard

**Memorandum of Agreement Between
Eastern Shore of Virginia 9-1-1 Commission and Town of Chincoteague, VA**

I. Purpose

The purpose of this Memorandum of Agreement is to memorialize the request from the Town of Chincoteague, a municipal corporation, (“Town”) to transfer 9-1-1 services (defined as the reception point for 9-1-1 calls and the dispatch of Fire/EMS services for the Town of Chincoteague) to the Eastern Shore of Virginia 9-1-1 Commission (“9-1-1 Commission”) and to specify items of agreement associated with this transition of services. At the October 21st, 2013 Town of Chincoteague public hearing/council meeting, authorization was approved by vote of the Chincoteague Town Council to transfer 9-1-1 services pending execution of this Memorandum of Agreement.

II. General Terms and Conditions

The Eastern Shore of Virginia 9-1-1 Commission and the Town of Chincoteague agree to the following terms and conditions.

A. Effective on November 18th, 2013, 9-1-1 services for the Town of Chincoteague shall be transferred to the ESVA 9-1-1 Commission. The ESVA 9-1-1 Commission shall dispatch and provide dispatch related services for the Town of Chincoteague (as is done for other Fire/EMS agencies in Accomack County) and transfer law enforcement matters to the Chincoteague Police Department.

B. The Town shall notify the Commonwealth of Virginia of no longer being a primary Public Safety Answering Point (PSAP), effective November 18th, 2013, and an agreement between the ESVA 9-1-1 Commission and Town of Chincoteague. It is understood from

representatives from Virginia Information Technologies Agency (VITA) that the funds the Town of Chincoteague receives from the two revenue sources related to processing 9-1-1 calls (wireless E-911 surcharge and Communications Sales and Use Tax (percentage for 9-1-1 services)) are unable to be directly provided to the ESVA 9-1-1 Commission, or its fiscal agent. The Town of Chincoteague will forward to the Eastern Shore 9-1-1 Commission or its fiscal agent revenues received monthly, within forty-five days, as stated above from 9-1-1 tax collections (wireless E-911 surcharge and Communications Sales and Use Tax (percentage for 9-1-1 services) for tax imposed on or after December 1, 2013 or until such time the Commonwealth of Virginia disburses the revenue directly to the ESVA 9-1-1 Commission or its fiscal agent.

- C. The Commission shall assume ownership and maintenance responsibilities for the VHF Fire/EMS radio infrastructure used for fire/EMS Communications upon receipt of a complete inventory of the existing radio infrastructure owned by the Town. This inventory includes but is not limited to the VHF repeater, duplexer, and radio antenna system used for fire/EMS Communications with the Town of Chincoteague. The radio infrastructure does not include console related equipment/infrastructure. The Town warrants and represents that at the time of execution of this Agreement, all VHF infrastructure equipment is operational with no deficiencies and all infrastructure equipment and field equipment is compliant with any state and federal requirements. Should the town elect to resume 9-1-1 services, the Commission shall transfer the applicable equipment stated above back to the Town. The Commission shall offer the sale of such new equipment at a pro-rated amount based on depreciation. All aged and replaced equipment shall be delivered to the Town at such time of replacement.
- D. The applicable FCC license (VHF Fire/EMS radio system) shall also be transferred to the Commission within 6 months of the effective date of this Agreement. Should the town elect to resume 9-1-1 services; the Commission shall then effect the transfer of the applicable FCC license (VHF Fire/EMS radio system) back to the Town.
- E. Immediate (24/7) access shall be provided to ESVA 9-1-1 Center staff to the VHF Fire/EMS communications equipment for needed repairs, testing, and maintenance, with the Town of Chincoteague being responsible for security of all equipment.
- F. If the Town of Chincoteague elects to resume 9-1-1 services, twelve months' notice shall be provided to the ESVA 9-1-1 Commission and the Commonwealth of Virginia, unless otherwise agreed to by the ESVA 9-1-1 Commission and the Town of Chincoteague. Such notice shall be in writing from the duly authorized representative of the Town to the Chairman of the ESVA 9-1-1 Commission and shall be by certified or registered mail, or commercial delivery. Upon such termination of services by the Town, and the resumption of such services by the Town, all such funds as described under Paragraph B hereof then

being paid to the Commission for such services, whether forwarded by the Town or paid directly by the Commonwealth of Virginia, shall be, as of the effective date of termination, retained by the Town, forwarded by the Commission to the Town on a monthly basis within 45 days after receipt, or paid to the Town directly by the Commonwealth of Virginia, as applicable.

G. The term of this Memorandum of Agreement is for one year beginning on December 1, 2013. This Agreement shall automatically renew annually on December 1, each year unless notice of termination has been given as described in Paragraph F, in which case it shall terminate 12 months thereafter.

Approved this ____ day of _____, 2013 by the Eastern Shore 9-1-1 Commission and on the ____ day of _____, 2013 by the Town of Chincoteague, a Virginia municipal corporation, and executed by the ESVA 9-1-1 Commission Chairman and the Mayor of the Town of Chincoteague, VA:

ESVA 9-1-1 Commission

By: _____

Its: _____

Date: _____

TOWN OF CHINCOTEAGUE, VA

By: _____

Its: _____

Date: _____

3. Discuss Retaining the Lobbyist for Additional 6 Months

Mayor Tarr advised that this item is to obtain the services of Alcalde & Fay, which is a consulting firm who has helped us with the beach issues.

Town Manager Ritter advised that the budget allowed for the renewal for 6 months, however, staff is asking to budget for an additional 6 months. He added that there will be a budget revision in the February meeting. He stated that in January and February the Town will need their services as the CCP will be released. He also stated that Alcalde & Fay issued a Status Update and Future Plans Report that was included in the Council Packet.

Councilman Howard expressed his concerns that only the Town is paying to have them help with the access on the beach. He added that the Accomack County Board of Supervisors voted not to retain their services. He feels that the County is reaping a big benefit by keeping beach access. He asked Supervisor Thornton if the County would help in the expense.

Supervisor Wanda Thornton suggested attending a Board of Supervisors meeting to ask for help. She reminded Council that the County is receiving over \$450,000 in Transient Occupancy Taxes from Chincoteague and the Town receives nothing in return. She stated that the Town won't be heard in Washington unless they have a consultant such as Alcalde & Fay. She added that it's

nice to know the Congressmen. She strongly urged to put this in writing and also for all of Council to attend the Supervisor's meeting. She feels each Councilmember should speak.

Discussion continued.

Mayor Tarr stated that Alcalde & Fay has been with the Town for approximately a year and a half. He added that they have done more for the Town than just the beach issue. Councilman Muth asked where the funds would come from to fund another 6 months.

Town Manager Ritter advised it will be from the Tourism and Recreation Reserve.

Mayor Tarr reminded Council that this item is only approved for 6 months at a time because it was thought to have been further along.

Councilman Muth motioned, seconded by Councilman Howard to approve the consultant Alcalde & Fay for an additional 6 months. Motion Carried.

Ayes: Howard, Jester, Taylor, Muth, Richardson

Nays: None

Absent: Leonard

4. Contract With Bowman Consulting for Phase 2D of the Downtown Rehabilitation Project

Town Manager Ritter advised that they have recently gone through another grant process for Phase 2D of the Downtown Rehabilitation Project. He added that the Town did not budget for Phase 2D in the current fiscal year and would like to obtain the engineer and submit the plans to VDOT as it is a very lengthy process. He also added that to be on the same track as the current phase for next year they would have to appropriate funds to go forward with Bowman Consulting. Town Manager Ritter advised Council of the 20% match.

The project area and completion dates were discussed.

Councilman Jester reviewed the plans and pointed out an error.

Mayor Tarr asked what the total design cost was for Phase 2C.

Town Manager Ritter advised he will get those costs.

There was further discussion as to the 20% and where it was coming from along with the plans.

Councilman Howard motioned, seconded by Councilman Taylor to approve the contract with Bowman Consulting for Phase 2D of the Downtown Rehabilitation Project not to exceed \$79,800. Motion carried.

Ayes: Howard, Jester, Taylor, Muth, Richardson

Nays: None

Absent: Leonard

5. Resolution to be Exempt from the Newly Created State Storm Water Regulation

Town Planner Neville explained that this is one step in the Town's response to reviewing the State Storm Water Regulations. He explained that the State has recently adopted a set of Water Quality Standards generally dealing with the Chesapeake Bay but is applying them to the whole state. He said that he has been working with Supervisor Thornton and the County staff. He advised that they provided comments suggesting that the Town be exempt as we are not located in the Chesapeake Bay watershed. He further explained that the State Water Control Board is adopting changes to the program in several pieces.

Town Planner Neville explained that the resolution requests that Chincoteague shouldn't be included in the regulations. He feels that by adopting the resolution it will help move the process forward to exempt the Town from the regulations or bring about changes to the requirements. Town Planner Neville also advised of a separate effort to be exempt from the Storm Water Regulation as a whole through changes to the legislation in the General Assembly. He stated that there is an existing sediment control permit process, a flood plain permit and adding to that a storm water permit. He explained that the effect of the regulations would be to set aside buildable land and open space to allow infiltration, and to require the installation of expensive storm water collection systems. He recommended passing the Resolution.

There was discussion.

Town Planner Neville also added that there is meeting on December 17th when the State Water Control Board will be reviewing the regulations and all comments that have been submitted. The comment period has been closed and any revisions will be addressed at that meeting. He added that the people who wrote the rules were thinking more about Fairfax County.

Mayor Tarr feels that this resolution should be sent to the elected officials with a cover letter that summarizes why the regulations do not work for Chincoteague Island.

Town Attorney Poulson asked what they are supposed to do at the meeting on the 17th and if they planned to consider the objections.

Town Planner Neville advised that they will be approving the revised regulations. He added that the meeting notice advised they were supposed to consider the objections. He read the notice and advised that the Town has officially submitted the comments.

Council asked Town Planner Neville to attend the meeting on the Town's behalf. He explained the response process.

Supervisor Thornton commended Town Planner Neville for the great job he's done. She advised that she is on the Soil and Water Conservation Board. She stated that when the Governor appointed her to the Board they weren't aware that there are places like Chincoteague, Tangier and Saxis when thinking about storm water problems. She added DEQ staff has not been involved in what island communities deal with. She advised that she has asked how those on the island would deal with storm water runoff. She stated that they couldn't answer their questions but approved the regulation anyway.

Supervisor Thornton advised that County staff have attended the DEQ workshops and are working on our problems. However, the water can't be contained on the island. She added that the erosion and sediment control people are very good but worried on how they are going to manage along with the costs. She also added that they can't implement some of the regulations. She suggested asking the Town's political consultant to help with this.

Discussion and comments continued.

Supervisor Thornton suggested having the Alcalde & Fay attend the meeting next week. She further commented. She added the importance to emphasize that this is an island town.

Councilman Howard motioned, seconded by Councilwoman Richardson to adopt the Resolution to be Exempt from the Newly Created State Storm Water Regulation by the State Water Control Board. Motion carried.

Ayes: Howard, Jester, Taylor, Muth, Richardson

Nays: None

Absent: Leonard



RESOLUTION

TO OPPOSE ADOPTION OF TECHNICAL CRITERIA BY REFERENCE IN PROPOSED STORMWATER MANAGEMENT REGULATIONS BY THE STATE WATER CONTROL BOARD

WHEREAS, the Virginia State Water Control Board is scheduled to take action on December 17, 2013 to adopt an amendment of regulation on stormwater management with an open comment period through November 20, 2013; and

WHEREAS, the Regulation incorporates by reference extensive Technical Criteria that will have a significant impact on the local economy and quality of life on Chincoteague Island; and

WHEREAS, the Regulations and Technical Criteria have been prepared for upland areas located in the Chesapeake Bay watershed to meet non-compliant water quality standards; and

WHEREAS, The Town of Chincoteague is located in a tidal special flood hazard district, located within a compliant Atlantic Ocean coastal bays watershed;

NOW, THEREFORE BE IT RESOLVED that the Town Council of the Town of Chincoteague opposes the proposed amendment of Stormwater Management Regulations and Technical Criteria; and

BE IT FURTHER RESOLVED that the Town Council of the Town of Chincoteague requests assistance from the Department of Environmental Quality and our Congressional delegation to assure that an ‘exemption’ is granted for coastal watersheds until such time as the Regulations and Technical Criteria are revised accordingly.

ADOPTED on this 2nd day of December, 2013.

I certify that the foregoing is an accurate copy of the Resolution adopted by the Council of Town of Chincoteague on December 2, 2013.

Attest:

John H. Tarr, Mayor

Robert G. Ritter Jr., Town Manager

Mayor Tarr directed staff to forward this to everyone with a cover letter.

6. Harbor Committee Report of November 7, 2013

Councilman Jester advised that they are selling a lot of fuel and feels that it is successful and an asset to the community. He discussed the upcoming dredging and the new cameras.

7. Recreation & Community Enhancement Committee Report, November 12, 2013

- **Location of the Watermen’s Memorial**
- **Citizens working Group to Establish a Plan for the Playground Equipment**
- **DCR Trails Grant**

Councilman Jester explained that the Committee discussed the Watermen’s Memorial. He advised of their recommendation setting aside a certain part of land at the Downtown Park along the boardwalk for a statue or monument. He stated that a lot of money was raised with the raffle. The program to acquire more contributions will move forward and he feels that it is important to approve the placement of the statue.

Councilman Jester also discussed the Veteran’s Memorial Park. He advised of the condition of the playground equipment. He stated that the PTSA is willing to raise the money to help with the replacement of the playground equipment. He added that they will assist in every way they can. Councilman Jester stated that the Kiwanis donated money and the American Legion expressed that they want to help with the purchase playground equipment. Councilman Jester asked Town Planner Neville to explain the DCR grant.

Town Planner Neville advised that the current DCR Grant for the trails program has opened up and they would like permission to apply. He added that this is an 80/20 grant. He explained that this would help to resurface the current paved trail in the Nature Park.

Councilman Jester also reported that the Leonard Family has approximately \$4,000 left to contribute in the Donald Leonard Park. He stated that Ms. Donna Leonard advised she would look into the possibility of installing a floating dock for kayak launching there. He stated that she will return to the Committee with her suggestions.

Town Manager Ritter advised of the discussions of placement of the memorial and requested clarification.

Councilman Howard stated that he feels that the Mariner's Memorial should be at the Curtis Merritt Harbor of Refuge. He also stated that this is where the vast majority of the working watermen go in and out of every day to see this. He added that they have the ship's mast at the Harbor and doesn't feel that the memorial should be at a different location. He urged Council to consider placing the memorial at the Harbor. He feels this would avoid the potential of any conflict. He expressed gratitude for the efforts of Mr. Barry Abell also.

Councilman Jester responded that there has been a lot of confusion about the statue size. He advised that it is a life sized statue on a block of granite. He added that the Robert N. Reed, Sr. Downtown Waterfront Park is the place most visited. He feels that a ship's mast down at the Harbor shouldn't be considered a memorial. He feels that the statue shouldn't be at the Mariner's Point because it isn't utilized as often.

Councilman Howard feels the memorial should be placed at the Harbor. However, he is in support wherever they decide it should be.

Mayor Tarr stated that Mr. Abell talked about it going in at the Downtown Park because it was discussed at several meetings. He they referred to a letter dated from 2006. He explained that at those meetings they discussed putting it in at the Robert N. Reed, Sr. Park. He added that Council's decision in 2006 was to put it in at the Downtown Park. He noted that the Mariner's Point wasn't there at that time. He suggested that Council should support this so that they can continue in the fundraising efforts.

Councilman Jester motioned, seconded by Councilman Taylor to approve the Robert N. Reed, Sr. Downtown Waterfront Park as the location for the Watermen's Memorial. Motion carried.
Ayes: Howard, Jester, Taylor, Muth, Richardson
Nays: None
Absent: Leonard

There was discussion as to the cause of the paving problems on the Hallie Whealton Smith Trail.

Councilman Muth motioned, seconded by Councilman Howard to approve the application for the DCR Trails Grant in the amount of \$53,750 with matching funds of in-kind services. Motion carried.
Ayes: Howard, Jester, Taylor, Muth, Richardson
Nays: None
Absent: Leonard

Councilman Jester advised that citizens interested in helping with the Playground master plan will meet in January during the regular Committee meeting.

There was discussion as to the funds that were set aside and the need to establish a means of funding for the future purchase of new playground equipment.

8. Ordinance Committee Report of November 14, 2013

Councilman Howard advised they reviewed the Flood Plain Ordinance. He stated that they sent the changes to the County and the Town Attorneys.

There was discussion as to a conflict with Town Attorney Poulson’s schedule. He will be unable to have a report completed by January 9th.

Mayor Tarr recommended that the January 9th meeting be postponed until they receive the report from Town Attorney Poulson and Accomack.

9. Budget and Personnel Committee Report of November 19, 2013

- **Discuss Dispatch Salaries**
- **Resolution: Rescission of the Opt Out of the Virginia Local Disability Program**

Mayor Tarr advised that staff would like to have more time to review the dispatch salaries and compare those salaries within the Town’s pay scale. He also explained that the Town opted out of the Virginia Local Disability Program and now because of a few changes want to opt back in.

Town Manager Ritter explained the changes to the percentages and VRS lowered their amounts. He discussed the rate change and changes to the Employee/Personnel Handbook regarding new employees. He added that it also makes the books easier to continue with VRS.

Councilman Howard motioned, seconded by Councilwoman Richardson to adopt the Resolution: Rescission of the Opt Out of the Virginia Local Disability Program. Motion carried.

Ayes: Howard, Jester, Taylor, Muth, Richardson

Nays: None

Absent: Leonard



RESOLUTION

Rescission of Election to Opt Out of the Virginia Local Disability Program

WHEREAS, by enacting Chapter 11.1 of Title 51.1 of the *Code of Virginia*, the Virginia General Assembly has established the Virginia Local Disability Program (“VLDP”) for the payment of short-term and long-term disability benefits for certain participants in the hybrid retirement program described in Va. Code § 51.1-169; and

WHEREAS, the Town of Chincoteague, 55341, passed a resolution dated October 7,

2013, requesting that its eligible employees not participate in VLDP as of the VLDP effective date of January 1, 2014, because it has or will establish, and continue to maintain, comparable employer-paid disability coverage for such employees by January 1, 2014; and

WHEREAS, it is the intent of the Town of Chincoteague, 55341, to rescind this election;

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Town of Chincoteague rescinds its resolution dated October 7, 2013.

Adopted in the Town of Chincoteague, Virginia this 2nd day of December, 2013.

Authorized Signature Title

10. Committee/Commission Appointments and Recommendations

- **Building Code of Appeals**
- **Curtis Merritt Harbor Committee**
- **Planning Commission**
- **Recreation & Community Enhancement Committee**

Building Code Board of Appeals:

Mayor Tarr opened the floor for nominations.

Councilman Howard nominated Mr. Jerry Tarr to be reappointed to the Building Code Board of Appeals.

Mayor Tarr closed the nominations.

All were in favor except Vice Mayor Leonard who was absent.

Curtis Merritt Harbor Committee:

Mayor Tarr opened the floor for nominations.

Councilman Jester nominated Mr. Michael Handforth to be reappointed to the Curtis Merritt Harbor Committee.

Mayor Tarr closed the nominations.

All were in favor except Vice Mayor Leonard who was absent.

Planning Commission:

Mayor Tarr opened the floor for nominations for seat #1.

Councilman Muth nominated Mrs. Mollie Cherrix to be reappointed to the Planning Commission seat #1.

Mayor Tarr closed the nominations

All were in favor except Vice Mayor Leonard who was absent.

Mayor Tarr opened the floor for nominations for seat #2.

Councilman Howard nominated Mr. Jeff Potts to be reappointed to the Planning Commission seat #2.

Mayor Tarr closed the nominations

All were in favor except Vice Mayor Leonard who was absent.

Mayor Tarr opened the floor for nominations for seat #3.

Councilman Taylor nominated Mr. Ray Rosenberger to be reappointed to the Planning Commission seat #3.

Mayor Tarr closed the nominations

All were in favor except Vice Mayor Leonard who was absent.

Recreation and Community Enhancement Committee:

Mayor Tarr opened the floor for nominations for seat #1.

Councilman Howard nominated Mrs. Nancy Lane to be appointed to the Recreation and Community Enhancement Committee seat #1.

Mayor Tarr closed the nominations.

All were in favor except for Vice Mayor Leonard who was absent.

Mayor Tarr opened the floor for seat #2.

Councilman Jester nominated Mr. David Johnson to be appointed to the Recreation and Community Enhancement Committee seat #2.

Mayor Tarr closed the nominations.

All were in favor except Vice Mayor Leonard who was absent.

Board of Zoning Appeals:

Mayor Tarr advised that this seat is appointed by the judge and directed staff to send a letter to the Honorable Revell Lewis, Judge regarding his reappointment.

11. Mayor & Council Announcements or Comments

Councilman Jester commented that he hopes that Saturday evening is nice, for the Annual Christmas Parade.

Councilman Taylor thanked all those who volunteer for the committees as they do a great job and service to the town.

Councilman Howard also appreciated the volunteer committee members.

Mayor Tarr reminded that December 19th they will be judging the Christmas lights. He stated that the Committee Christmas gathering is 6:00 p.m., Friday December 6th. He also added that Council has been invited to walk in the parade on Saturday, December 7th.

12. Closed Meeting in Accordance with Section 2.2-3711(A)(1) of the Code of Virginia

• **Personnel Matters**

Councilman Howard moved, seconded by Councilman Taylor to convene a closed meeting under Section 2.2-3711(A)(1) of the Code of Virginia to discuss personnel matters. Motion carried.

Councilman Howard moved, seconded by Councilwoman Richardson to reconvene in regular session. Motion carried.

Councilwoman Richardson moved, seconded by Councilman Muth 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- Jester, Muth, Howard, Richardson, Taylor
Nays- None
Absent- Leonard

Adjourn

Councilman Howard motioned, seconded by Vice Mayor Leonard to adjourn. Motion carried.

Ayes: Howard, Jester, Taylor, Muth, Richardson

Nays: None

Absent: Leonard

John H. Tarr, Mayor

Robert G. Ritter, Jr., Town Manager



MEMORANDUM
Town of Chincoteague Inc.

Date: November 27, 2013
To: Mayor Tarr and Town Council Members
From: Robert Ritter, Town Manager
Subject: Chincoteague Main Street Project, Phase 2D, Consultant's Proposal

The Town appropriated \$232,111 for fiscal year 2014 budget, Main Street fund for the Bridge Street Fishing Pier. We have obtained a grant from the Virginia Marine Resources Commission /Saltwater Recreational Fishing Development Fund in an amount of \$129,083.00 with a matching fund up to \$103,028. Expenses to date include engineering costs of \$18,967. We have advertised for bids in a general circulated newspaper, on Contract 01-PIER-13 project and on bid opening day we received three bids.

The following three bids were received for Contract 01-PIER-13, Recreational Fishing Pier:

Earley Marine, Inc. (Chesapeake, VA)		BIC, Inc. (Chincoteague, VA)	
<u>Base Contract Total</u>	\$150,130	<u>Base Contract Total</u>	\$119,100
<u>Alternate 1 (Add) Lighting Conduit</u>	\$450	<u>Alternate 1 (Add) Lighting Conduit</u>	\$2,200
<u>Alternate 2 (Deduct) Handrail</u>	\$0	<u>Alternate 2 (Deduct) Handrail</u>	\$1,500
Grand Total	\$150,580	Grand Total	\$122,800
Fisher Marine Construction, Inc. (Chincoteague, VA)			
<u>Base Contract Total</u>	\$110,000		
<u>Alternate 1 (Add) Lighting Conduit</u>	\$2,000		
<u>Alternate 2 (Deduct) Handrail</u>	\$0		
Grand Total	\$112,000		

Staff recommends that we awarded the contract to Fisher Marine Construction, Inc. based on being the lowest price qualified bidder. A possible motion could read:

“Motion to award the lowest responsive bid to Fisher Marine Construction, Inc. in the amount not to exceed one hundred twelve thousand dollars (\$112,000) for the Contract 01-PIER-13, Recreational Fishing Pier.”

Public Safety Meeting Minutes December 10, 2013

Chairman Tarr called the meeting to order at 17:04

Present: Mayor Tarr, Chairman
Councilman Taylor
Councilwoman Richardson
Robert Ritter, Jr., Town Manger
Bryan Rush, EM Coordinator
Edward Lewis, Chief of Police
Harry Thornton, Fire Chief
Jeff Flournoy, Accomack County

Public Participation

Mr. Daniel Whealton addressed the committee with his dissatisfaction on the way he felt he was treated with a concern to public safety he had, during Hurricane Sandy. Mr. Whealton stated he was upset with Mr. Ritter because he felt like he did not take his concern with a downed power line in Daisey's Trailer Park seriously. Mr. Ritter advised Mr. Whealton that he had verified his concern with the EOC at that time and ANEC was on the scene before he left the Town Offices.

Agenda Adoption

A motion was made by Councilwoman Richardson to adopt the agenda and a second by Councilman Taylor. The motion was unanimously approved.

PLANNING

EMERGENCY OPERATIONS PLAN

The Chincoteague Emergency Operations Plan will be receiving updates to coincide with the transfer of 911 operations. The 24 hour contact number will be changed from the 757-336-0911 line to 757-336-3155.

CONTINUITY OF OPERATIONS PLAN

The Town of Chincoteague COOP was reviewed and no changes are necessary due to the 911 operations transfer.

ANTARES LAUNCH

The next Antares launch is scheduled for December 15-18, 2013. The window for this launch begins at 2300 on the 15th and gets 45 minutes earlier each day, due to the fact that it must rendezvous with the International Space Station. The STAR Plan has been reviewed and normal daily operations will facilitate this launch and schedule.

LOCAL EMERGENCY MANAGEMENT PLANNING GRANT

The Virginia Department of Emergency Management will be offering up to a \$7500 (\$15,000 total) matched grant that can be used for emergency management functions only. All or part of the \$7500 can be requested from the locality with the equal match. This grant opportunity will be included in the upcoming budget discussions.

HAZARDOUS MATERIALS PLANNING

The Eastern Shore Disaster Preparedness Coalition has applied for a grant to re-write the Eastern Shore Hazmat Response Plan which is utilized by the Town of Chincoteague, Accomack County, and Northampton County. Also requested in the grant will be the first ever for the shore, Traffic Commodities Study. The total project will cost approximately \$45,000.

LOGISTICS

EMS LICENSURE

The Chincoteague ambulance operations were recently given the bi-yearly Commonwealth of Virginia Department of Health inspection. The inspection includes ambulances, EMS equipment, training records, personnel records, maintenance records, facilities and QA/QI reports. The Town's EMS staff was instrumental in making sure the inspection was a complete success.

OPERATIONS

TIDE GAUGE

The tide gauge project is in the final stages. The project had been slowed by the sequester; however, it is back on track and benchmarks for elevation and tide datum's will be placed in the beginning of January with full implementation of the gauge by June 1, 2014.

TRAINING

L-234 HURRICANE PREPAREDNESS FOR DECISION MAKERS

The Hurricane Preparedness for Decision Makers Course will be held at the National Hurricane Center in Miami, Florida from January 26 – 31, 2014. The admission to the course is a competitive process with 4 people selected from each coastal state. These individuals must have responsibility of hurricane planning or response for a coastal community. The course is funded by the Department of Homeland Security, Federal Emergency Management Agency, and the Emergency Management Institute. Funding covers air-fare, car rental, and hotel stay. Emergency Management Coordinator Rush entered the competitive process and has been selected as one of the four from the Commonwealth of Virginia. Two of the other candidates are from VDEM and the other is from Newport News.

Mr. Ritter added to the report the fact that new phones have been added to the EOC.

2. Chincoteague Volunteer Fire Company Report

Chief Thornton advised that he did not have anything to report. No known 911 problems.

3. 911 Transfer Discussion

Mayor Tarr asked Chief Lewis and Mr. Rush how the 911 transfer was going. He also had Mr. Flourney from the Eastern Shore 911 Center give a report on the progress. Chief Lewis advised that all was going well and no problems had been encountered. Mr. Rush stated that there was a response matrix issue that came to light with ACDPS Director Terwilliger. The issue had been resolved. Mr. Flourney stated that all is working well and smooth over the last three weeks. Mr. Flourney stated that the four receivers currently located at Wallops Flight Facility may be moved to Chincoteague to enhance coverage in the northern Accomack area at ESVA 911's expense. Mr. Flourney verified that an executed copy of the agreement was done. Mr. Flourney reminded that the FCC license needs to be transferred. He also stated that he would be adding the Chincoteague Police frequency to the ESVA 911 consoles. Mr. Flourney wants to work with Mr. Ritter in trying to keep the grant funds awarded to Chincoteague here locally for ESVA 911 upgrades.

Mayor Tarr advised that Mr. Ritter work with Mr. Flourney in drafting a letter that would express the wishes of the Town to decline the grant funds but to give them to the ESVA 911 Center since Chincoteague is now part of the regional center.

4. Committee Member Comments

Councilman Taylor stated that he felt Mr. Ritter had done his job in reference to Mr. Whealton's comments at the onset of the meeting. He suggested having a follow up conversation or phone call if a similar situation arises in the future to keep communication lines open that may lessen public stress in emergency situations.

Mayor Tarr thinks communications are important.

Chief Thornton advised that the line down had been taken care of quickly.

Adjournment

A motion to adjourn was made by Councilwoman Richardson and a second to the motion was given by Councilman Taylor. All were in favor of the motion.

Meeting adjourned at 17:41



2013 WINNERS OF THE ANNUAL CHRISTMAS DECORATIONS:

Judges Choice *

Residential

Arlene & Dill Wilgus
4169 Ridge Road

Judges Choice *

Commercial

Quilts by the Sea
Kathleen P. Woodhurst
4264 Main Street

Most Themed *

Residential

Mr. & Mrs. Alfred Johnson
3510 Ridge Road

Most Traditional *

Residential

Susan Birch
4051 Ridge Road

Honorable Mention θ

Residential

Chuck & Tama Ward
5375 Main Street

Mr. & Mrs. Richard Betts
6317 Church St

Ms. Stephanie Bailey
6126 Fir Landing Road

Andrea and Kevin Stanley
5321 Meadow Drive

Honorable Mention θ

Commercial

Wine, Cheese, & More
Kathy Mikel
4103 Main Street

* Each category winner will receive a \$100 savings bond and a donated \$100 Gift Certificate to Bill Seafood Restaurant

θEach Honorable Mention will receive a donated \$50 Gift Certificate to Bill Seafood Restaurant



**Resolution Authorizing the Application for
State Aid to Public Transportation for
Fiscal Year 2015 beginning 07/01/2014**

BE IT RESOLVED by the Mayor & Council of The Town of Chincoteague, Inc. that the Town Manager of The Town of Chincoteague, Inc. is authorized, for and on behalf of The Town of Chincoteague, Inc., hereafter referred to as the, **PUBLIC BODY**, to execute and file an application to the Department of Rail and Public Transportation, Commonwealth of Virginia, hereafter referred to as the, **DEPARTMENT**, for a grant of financial assistance in the of amount of \$80,150.00 to defray the costs borne by the **PUBLIC BODY** for public transportation purposes and to accept from the **DEPARTMENT** grants in such amounts as may be awarded, and to authorize The Town Manager to furnish to the **DEPARTMENT** such documents and other information as may be required for processing the grant request.

The Mayor and Town Council of The Town of Chincoteague, Inc. certifies that the funds shall be used in accordance with the requirements of Section 58.1-638.A.4 of the Code of Virginia, that the **PUBLIC BODY** will provide funds in the amount of \$24,250.00, which will be used to match the state funds in the ratio as required in such Act, that the records of receipts of expenditures of funds granted the **PUBLIC BODY** may be subject to audit by the **DEPARTMENT** and by the State Auditor of Public Accounts, and that funds granted to the **PUBLIC BODY** for defraying the expenses of the **PUBLIC BODY** shall be used only for such purposes as authorized in the Code of Virginia. The undersigned duly qualified Town Manager of the **PUBLIC BODY** certifies that the foregoing is a true and correct copy of a Resolution, adopted at a legally convened meeting of the Town Council of The Town of Chincoteague Inc., on the 6th day of January, 2014.

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



**Resolution Authorizing the Application for
State Aid to Public Transportation for
Fiscal Year 2015 beginning 7/1/2014**

Suggested motion to approve an Operating Funds Grant application for trolley service beginning 7/1/2014 and ending 6/30/15 (FY15)

Motion: To approve the resolution dated January 6, 2014 for the fiscal year ending on June 30, 2015 (FY15) authorizing Robert G. Ritter to apply for a grant to the Virginia Department of Rail and Public Transportation for \$80,150.00 to defray operating cost for the “the Pony Express”. The Town of Chincoteague will be responsible for matching funds of \$24,250.00.