

MINUTES OF THE January 4, 2016
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.

OPEN FORUM/PUBLIC PARTICIPATION

Mayor Tarr opened the floor for public participation.

- Mrs. Jenny Van Dame complimented the Public Works employee who is tending to the Downtown Park. She feels he is doing a beautiful job which reflects well on the Public Works Department and the Town.

Mayor Tarr directed Public Works Director Spurlock to let the employee know.

Councilman Jester advised that his name is Mr. Donnie Thornton.

STAFF UPDATE

Police Department

Chief Mills advised that the monthly report is included in the packet. He added that they do a lot during the Christmas season. He reported that they helped 58 children in the town, which are approximately 27 families. He stated that they were also able to do something extra through the Atlantic Fire Department. He advised of the luncheon they held for the former Chiefs of Police. Chief Mills reported that only 1 was unable to attend. He stated that their first recertification review which is done every 4 years will be January 21st. He added that they were also able to send out food cards for needy families.

Councilman Taylor thanked Chief Mills and his department for their charity work. He feels it's good that the Town can share with the community. He understands the hard work and thanked them as it is very important.

Public Works Department

Public Works Director Spurlock advised that the report is in the packet. He reported that all the documents have been submitted to VDOT for the Safe Routes to Schools Project. He stated that it will take 2-3 months before it will be approved to begin.

General Government

Town Manager Ritter reported that EMS responses were 48 calls for the month of December which were 10 less than December of 2014. He added that there were 22 ALS calls. He stated that in the EMS Division they are advertising for a part-time staff in January for the summer season. He also stated that staff will be fully off of the Harris Software System this month. He reported that there was an annual audit which went very well.

Town Manager Ritter advised that staff is working on the quarterly newsletter to have in the Beacon by the end of this week. He stated that the Planning Commission will meet next week. He also added that it will be a joint meeting with the Wastewater Advisory Committee. He stated that he asked FWS for a PDF of the final signed version of their CCP which took place in late October 2015. He stated that the edited version will be posted in a couple of weeks. He also reported that he spoke with FEMA to see what the Town needs to accomplish to get the 15% off of flood insurance. He added that there are a few things left to complete.

Councilman Ellis asked if there has been any progress in the selection of the new Town Planner and the Town Attorney.

Town Manager Ritter advised that they made offers to the first 2 top choices which were declined. He mentioned selecting 2 more from the previous list to conduct interviews and if that did not pan out then he would re-advertise.

Mayor Tarr stated that he would like to discuss the Town Attorney matter in closed session. He welcomed the new Island District Supervisor, Mr. Billy Joe Tarr. He thanked him for coming and stated that Council looks forward to working with him in the future.

AGENDA ADDITIONS/DELETIONS AND ADOPTION

Vice Mayor Richardson motioned, seconded by Councilman Taylor to adopt the agenda adding item 8) Closed Meeting in Accordance with Section 2.2-3711(A) (1) & (3) of the Code of Virginia. Unanimously approved.

1. Consider Adoption of the Minutes

- **Regular Council Meeting of December 7, 2015**

Councilman Taylor motioned, seconded by Jester to adopt the minutes of the December 7, 2015 regular Council Meeting as presented. Unanimously approved.

2. Certificate of Appreciation

Mayor Tarr read and presented a Certificate of Appreciation to the Honorable Wanda Thornton.



CERTIFICATE OF APPRECIATION

PRESENTED TO

THE HONORABLE WANDA J. THORNTON

WHEREAS, Wanda J. Thornton has served Chincoteague well for many years in numerous capacities, including 20 years as Islands District Supervisor on the Accomack County Board of Supervisors; and

WHEREAS, these years of service have been marked by exemplary dedication to the best interests of Chincoteague and Accomack County as she has worked constantly for the betterment of its economic, cultural and aesthetic development; and

WHEREAS, she has earned the admiration and high regard of those with whom she has come into contact, and the affection of her fellow public servants; and

WHEREAS, her performance of the duties and responsibilities to the citizens of Chincoteague and Accomack County has been characterized by excellence;

NOW, THEREFORE, BE IT RESOLVED that I, John H. Tarr, Mayor, the Chincoteague Town Council and all our citizens, do hereby express our sincere appreciation to The Honorable Wanda J. Thornton for her distinguished service.

DATED this 4th day of January 2016.

John H. Tarr, Mayor

Mrs. Thornton thanked everyone and stated that it has been an honor to serve the community for so many years.

Mayor Tarr also added that Mrs. Thornton served on Council for 7½ years.

3. Judging Results for Christmas Lights

Town Manager Ritter read the results.

Judges Choice *

Bill and Ginger Birch
7079 Bunting Road

Most Themed *

Mr. & Mrs. Alfred Johnson
3510 Ridge Road

Most Traditional *

Faith Gregory
6126 Taylor Street

Honorable Mention

Arlene & Dill Wilgus
4169 Ridge Road

Mr. & Mrs. Alex Hubb
3015 Ridge Road

Eddie and Gail Gray
4282 Ridge Road

Bobby and Linda Clift
8300 Sea Breeze Drive

Town Manager Ritter also thanked the judges.

Mayor Tarr thanked Public Works Director Spurlock and the Public Works staff for the Christmas decorations, putting them up and maintaining them. He added that the island looked beautiful.

Public Works Director Spurlock advised that he would pass this on to his department.

4. Approval of Phase 2D, Downtown Main Street, Streetscape Project Bids

Town Manager Ritter advised that this is the last phase of the Downtown Rehabilitation Project. He stated that it goes along the east side of the road from Cleveland Street to just past the firehouse and then going across the road to the west side back to Bridge Street. He stated that there was a pre-bid meeting on November 30, 2015. He reported that the budget currently has a total of **\$594,000** for the project, consisting of **\$407,200** in grant and Town match of **\$186,800**.

Town Manager Ritter advised that staff is recommending that the contract be awarded to lowest responsive qualified bidder, Conrad Brothers for the base and alternate bid for a total bid in the amount of five hundred sixty four thousand three hundred sixteen (\$ 564,316.00). He added that they will still need to pay for the site inspections through VDOT.

There were a few comments.

Councilman Frese motioned, seconded by Vice Mayor Richardson to approve Conrad Brothers as the low bidder for Contract 01-190-124, C 501, Chincoteague phase 2D, of the Downtown Rehabilitation Project in the amount not to exceed \$564,316.00. Unanimously approved.

Mayor Tarr advised that even though Town awarded the contract this still has to go back to VDOT for approval along with the same process as the other grants. He added that this could be time consuming.

There was brief discussion about the project delays because of VDOT review and approvals.

5. Motion to Approve the Trolley Operating Funds, Grant Application Resolution
Town Manager Ritter advised that this is the annual housekeeping resolution for the Trolley operating funds and grant applications.

Councilman Frese motioned, seconded by Vice Mayor Richardson to approve the operating funds, grant application and resolution. Unanimously approved.



**Resolution Authorizing the Application for
State Aid to Public Transportation for
Fiscal Year 2017 beginning 07/01/2016**

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 \$79,750.00 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 \$24,000.00, 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 4th day of January, 2016.

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

6. Discuss Fee for Vacation of Lot Lines

Town Manager Ritter explained that State Code 15.2.2273 spells out the fee of \$150.00 for vacation of lot lines. He advised that the Town's fee is \$250.00. He added that staff is recommending that the fee be lowered by \$100.00 to be in compliance with the State Code in the amount of \$150.00.

There were a couple of questions about the past charges and refunding the money. Council agreed to go back to the beginning of the current fiscal year.

Councilman Frese motioned, seconded by Councilman Jester to reduce the fee for vacation any subdivision plat from \$250 to \$150.00. Unanimously approved.

7. Mayor & Council Announcements or Comments

Mayor Tarr announced that the Council workshop will be moved from January 21st to January 14th.

Councilman Taylor thanked Mrs. Thornton for her many hours of dedication. She stated that if she hadn't there would have been so many things that would have been slipped through. He added that Mrs. Thornton has always known what was going on.

Councilman Jester stated that he was out of town for the holidays but was able to watch Facebook with all the decorations and the horseshoe drop. He feels that Mr. Steve Potts and Mr. Kevin Krome should be recognized for their hard work. He stated that they have been a boost to the economy by bringing people into the area and making Christmas bright and beautiful.

Councilman Leonard feels that they shouldn't fall asleep with the Park Service. He stated that if they can't get it by legal means they'll take it by force.

Vice Mayor Richardson announced that the Public Works Committee meeting has been cancelled. She stated that there are a lot of volunteers that do a lot of work on the Island. She mentioned the groundbreaking for the new pavilion at the museum. She stated that it's wonderful and thanked all the volunteers for all they do. She added that she has seen a lot of change, some good and some not. She stated that there are a lot of good people who come to the island and retire here offering a helping hand with their expertise.

8. Closed Meeting in Accordance with Section 2.2-3711(A)(1)&(3) of the Code of Virginia

- **Land Acquisitions**
- **Attorney Appointment**

Councilman Taylor moved, seconded by Councilman Jester to convene a closed meeting under Section 2.2-3711(A)(1)&(3) of the Code of Virginia to discuss personnel matters. Unanimously approved.

Councilman Frese moved, seconded by Vice Mayor Richardson to reconvene in regular session. Unanimously approved.

Councilman Frese moved, seconded by Councilman Jester 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, Frese, Leonard, Taylor, Ellis, Richardson

Nays- None

Absent- None

Adjourn

Councilman Frese motioned, seconded by Vice Mayor Richardson to adjourn. Unanimously approved.

Mayor

Attest: Town Manager

**MINUTES OF THE January 14, 2016
CHINCOTEAGUE TOWN COUNCIL WORKSHOP 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.

OPEN FORUM/PUBLIC PARTICIPATION

Mayor Tarr opened the floor for public participation.

AGENDA ADDITIONS/DELETIONS AND ADOPTION

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

9. Discuss Long Term Planning Considerations for Future Capital Expenditures

Mayor Tarr feels that this is an opportunity to look into what Council visions are for the next 5, 10 and 15 years. He thanked the Planning Commission for also participating in the task.

Town Manager Ritter stated that the main thing he would like to get out of this meeting is an opportunity to do strategic planning for 5, 10 and 15 years out. He feels they should look at the top 3 items and narrow it down over the next 5 years. He would like to go around to each Councilmember to express their number 1 projects.

Mayor Tarr agreed and asked each Councilmember for their **5 year Capital Expenditures list**.

Vice Mayor Richardson feels that the flooding at the foot of the bridge is her number 1 needed project.

Councilman Frese stated that they need to address the Assateague questions. He listed:

- a) Because there is no representation. b) This is having a direct effect on the potential to take out the island because of the change in the dynamics of the north end of the Assateague.
- c) We're not getting representation or cooperation from the U. S. Fish and Wildlife and the Department of Interior. He feels the Town has to pressure the state and consider legal attacks. He added that once it goes we won't have anything on Chincoteague to worry about.

Councilman Ellis also agreed with Vice Mayor Richardson about water drainage problems mainly on Maddox and Main. He feels his #1 issue is that there should be some decision on wastewater. He stated that it has set since 2013. He suggested getting the information and making a decision.

Councilman Jester also agreed with Councilman Frese that Assateague is an issue for the community. He stated that they should look into the municipal building as a headquarters for the community. He feels that when a power failure lasts a long period all of the building needs to work on the backup. He stated that the exterior of the building is showing age and should be addressed.

Mayor Tarr agreed that Assateague is an issue. He stated that there are some things in the fire to push on since the CCP was adopted. He stated that they need to plan the next step with a study. He added that they need to get Mr. Catron with Alcade and Faye to move this along. He also stated that the Town isn't getting representation. He also stated that because of the growth on Chincoteague, he feels the Town needs to have a plan with the larger projects. He added that the Planning Commission should be able to weigh in on these projects and come before Council to be voted on. He added that Chincoteague has grown to a point that the Town needs to get a handle on it. He mentioned traffic. He also stated that he doesn't want to stop it but it should be structured.

There was discussion about traffic, transportation grants and what the Town can do to make this better.

Vice Mayor Richardson stated that her second choice would be the south end of Assateague.

Councilman Frese advised that his second is that the roads on the Island are too narrow. He would like to see if anything could be done.

Mayor Tarr added that one of his 5 year plans was to pull the shoulders on the roads to increase the road width.

Councilman Ellis stated that broadband expansion would be his second choice.

They discussed the problem and the recent lowering prices for broadband.

Mayor Tarr advised that they have a meeting next week with the Eastern Shore Broadband to obtain property to put poles up to accommodate the expansion. He stated that they are talking about new types of equipment.

There was discussion as to where and who is connected to broadband.

Councilman Jester would like to see the Town do something with the Island Activity Center. He feels that this is a place of activity for the Island. He would like to see the building fixed up and made extra equipped for further activities. He mentioned the new Pickleball program.

Mayor Tarr stated that they are making progress with adjoining property there.

Town Manager Ritter suggested looking to purchase the parcel where the Recreational Football team practices parcel A.

Mayor Tarr feels that if they work with the CCA it would be a wonderful place for the Farmer's Market to grow. He also added that he has about 15 more projects that can be done in about a year. He also feels that terrorist training is necessary because of the large festivals the Island hosts. He suggested going to the next level.

Chief Mills advised that they have scheduled training next month.

There were comments and discussion about communication.

Mayor Tarr asked for Council's 5 year plans.

Vice Mayor Richardson asked about losing the grants for the shoulders along the traffic circle and the Causeway.

Town Manager Ritter stated that the Town didn't get the grant.

Vice Mayor Richardson feels this should be looked into further.

Public Works Director Spurlock advised that he has talked with VDOT and they are looking at sidewalks, lighting and drainage to the traffic circle.

Town Manager Ritter stated that this is in the Capital Improvement Projects. He added that those projects take about 10 years to happen.

Council understood this and felt they should keep pushing.

Councilman Jester suggested adding lighting along Maddox Boulevard.

Councilman Frese asked what equipment the Town needs to extend the roadways. He suggested adding this to the budget.

Mayor Tarr stated that they could call VDOT as the burden doesn't have to be all on the Public Works Department.

They discussed the equipment and opportunity along with specific areas.

Councilman Jester mentioned the sidewalk heights along Main Street toward downtown. He would like them uniform with the Downtown enhancement project. He also asked if the Capital Improvements list for the Harbor would be separate.

Mayor Tarr stated to include the Harbor.

Councilman Leonard stated that his number 1 is more studies on wastewater and preparing to implement it. He feels that finishing the plan for the Maddox Boulevard bike path, lighting and sidewalks should be second. He added that he would also like to see the flooding at the foot of the bridge corrected.

Mayor Tarr stated that VDOT is still reviewing this issue.

Public Works Director Spurlock advised that he has request a stormwater consultant to do an elevation study to identify the problem at the foot of the Bridge area. He added that he should have this proposal next week.

Mayor Tarr wanted to know if anything happened to the Town Manager who would be the 2nd in command in the office.

Town Manager Ritter stated that Public Works Director Spurlock should be and he has most of the passwords.

Mayor Tarr asked if the employees knew that he would be the 2nd in charge if there is an incident while the Town Manager is out.

EMS Supervisor Rush advised that this is in a section in the EOP that refers to an emergency situation and in the Continuity Operations Plan also addresses that.

Mayor Tarr feels it's important. He then asked Department Supervisors for their suggestions for the Capital Improvement Projects.

Public Works Director Spurlock stated that they need automated water meters and system.

Mayor Tarr stated that this isn't included in the 5 year budget.

Public Works Director Spurlock advised that it will be discussed after this session.

EMS Supervisor Rush stated that in the 5 year plan, they need to look at hiring 4 additional full-time EMS providers. He feels that with the temperature of the volunteers they don't have a lot of backfill coming in on a young level.

Mayor Tarr asked if they have reviewed the 5 year plan to evaluate the volunteer and paid working together to see what would be needed 3 and 5 years from now.

EMS Supervisor Rush responded that they have not because everything is crisis management.

Mayor Tarr suggested that the EMS Board, the paid personnel and Town Manager Ritter should meet to determine where they see things going 3 years out and then at 5 years out. He stated that Council needs to see where it's going and possibly marry it together. He feels EMS Supervisor Rush can make this happen with his contacts.

Chief Mills talked about the new body cameras. He discussed the in-car camera system. He stated that the in-car camera systems work hand-in-hand with the body cameras. He stated that some of the other equipment is getting old. He asked to add tasers and new in-car cameras. He advised that the current system is a monster to try to get a video.

There was discussion of additional security cameras in the building.

Chief Mills stated that those things aren't as expensive and could be included in the upcoming budget.

Councilman Taylor feels that the causeway should be elevated. He stated that the Town should think about changing out the asbestos water pipes when they are paving a road.

Planning Commission Chairman Rosenberger stated that at their next meeting in February they will come up with a priority list.

Town Manager Ritter wants to add the purchase of the adjacent land by the Island Activity Center. He advised that the youth football league uses this property. He added that if it is developed they won't have anywhere to practice. He stated that there will be paving in the spring from the Harbormaster's office to Mariner's Point. He also stated that the next paving at the Harbor will be the inner circle along the bulkhead with striping to add additional parking spaces.

Public Works Director Spurlock stated that with the Harbor electrical upgrade they should include lighting. He feels replacing the fixtures within the next few years with LED would save money.

Councilman Jester asked about replacing the boardwalks around the Harbor.

Public Works Director Spurlock stated that the boardwalk is fine but the finger piers should be checked. He stated that there is a constant complaint about swell protection.

Mayor Tarr stated that they've done the Ocean Boulevard Extended bike bridge. He would like to see it paved all the way through and designated as a bike path.

There was further discussion about the bike path.

Public Works Director Spurlock advised that this would be paved when they do Ocean Boulevard in the spring.

Mayor Tarr asked for their **10 year Capital Improvement Plans**.

Councilman Taylor would like to try to acquire the property where the water wells are. He also would like to see more reliable high-speed internet throughout the island.

Councilman Jester stated that he would like to see more parking at Memorial Park.

Councilman Leonard would like to see wastewater for Main and Maddox. He would like to keep up with the beach access and to retain the lawyers to do so. He would also like to have floodgates installed. He also added to have the upgrades at the Harbor.

Councilman Ellis stated that he would like to see the Main Street revitalization continue north from Church Street toward the bridge.

Mayor Tarr stated that he believes that the Master Plan was to brick the sidewalks to the bridge.

There was brief discussion.

Councilman Ellis would also like to maintain the water system.

Councilman Frese feels there should be a water tank at the north of the island.

Public Works Director Spurlock stated that there is a contract to receive bids to upgrade the line coming out of Willow Street. He explained that currently there is one 6" line feeding the entire island. He added that where it goes into Willow Street it is 7-8" below the asphalt. He advised that this was in last year's budget to upgrade to a 10" line and should eliminate the pressure issue even to the north end of the island.

Vice Mayor Richardson stated that she would like to see the streets with partial sidewalks extended the entire length of the street. She also would like to see better lighting along those streets.

There was brief discussion.

Mayor Tarr would like to consider purchasing the downtown fish dock. He stated that this would increase the boat ramp and facilities. He stated that in some point in time the Town should consider the trolley run to the beach. He feels that in 10 years the Town will know where the parking lot will be and how it is working. He would want it controlled by the Town of Chincoteague and not U. S. Fish & Wildlife. He also stated that he had all new automated water meters on his list but hopes this happens before this.

EMS Supervisor Rush would like to see in the 10 year period a dual purpose emergency management EMS utility vehicle which would double as a portable command capability. He stated that they are currently using the Fire Company's vehicle. He stated that 8 -10 years out they also may have to look at purchasing an ambulance.

Councilman Frese wanted to know the cost of a new ambulance.

EMS Supervisor Rush advised that within the state contract approximately \$140,000 - \$145,000. He added that they could get a state grant to offset those costs. He also added that equipping it would cost another \$125,000 - \$150,000. He stated that with the 1st ambulance order it would be close to \$300,000.

Chief Mills stated that by that time they would need a new repeater/radio system. He also added that with the increase in tourism there may be a need for another couple of full time officers.

Transportation Director Welsh stated that they will need to replace 2 trolleys.

Town Manager Ritter stated that realistically 5 – 10 years out he would like to see the wastewater completed for Main Street and Maddox Boulevard. He would like to have a new well on the mainland and agreed that they may need to look into purchasing land.

Public Works Director Spurlock feels that the Willow Street reservoir should need updating or upgrading. He would also like to purchase the downtown dock and consolidate the Main Street Corridor. He suggested running the boardwalk both ways and tying the motels into it.

Mayor Tarr asked for their 15 year wish list.

Town Manager Ritter stated he would like to visit the possibility of a community swimming pool.

Public Works Director Spurlock stated that by then they will need to replace the Memorial Park Playground equipment along with the equipment at the other parks, infrastructure upgrades and maintenance.

Councilman Ellis also had maintenance and improvements to the infrastructure; parks, boat ramps and center. He asked about the Causeway closure during a storm.

Mayor Tarr stated that they raised the Causeway about 20 years ago and feels this could be a VDOT project that could be done.

EMS Supervisor Rush stated that he has EOC upgrades and conform to new standards.

Councilman Leonard would like to see North Main Street widened. He stated that the causeway needs to be raised and widened. He also mentioned a community pool.

Councilman Jester stated that we are an island community without a boat. He feels the Harbormaster should be able to check the bulkhead. He also stated that the police could assist the U. S. Coast Guard as well as EMS emergency use. He asked to have this put on the 5 year plan.

Chief Mills stated that he didn't have anything for the 15 year list but feels there should be a video camera system at the drawbridge for the 5-10 year list.

Mayor Tarr suggested that Chief Mills contact VDOT as they do record both ways at the bridge.

Councilman Jester stated that there are cameras at the Harbor and at Memorial Park. He feels there should be cameras downtown as well.

Public Works Director Spurlock advised of a salesman who tried to sell him a camera surveillance system that does license checks.

There were comments.

Councilman Taylor stated that South Main Street is an issue. He feels there are areas that are prone to water and should be checked into. He stated that they need to have a new reservoir. He would like to see all of the asbestos water lines gone within 15 years.

Transportation Supervisor Welsh stated that they will need to purchase another trolley and a van.

Planning Commission Chairman Rosenberger feels they need to consider rehab or rebuild the Town Complex.

Councilman Frese feels that they need to do something about the generator.

There was discussion as to what the generator operates in the Municipal Complex.

EMS Supervisor Rush discussed adding heating and air conditioning to the generator. He stated that this would be a recovery center if there is a catastrophic event.

Councilman Leonard asked about the Center and the capability of housing people.

EMS Supervisor Rush advised that there is an MOU with the Elementary School because they have a generator. He stated that if there is an event that large they could house people there. He added that they would want to get schools in session as quickly as possible and the use would be limited. He stated that they would rely on the county for an auxiliary site. He also stated that the Community College wants to expand. He added that as part of the VDEM through the Eastern Shore Disaster Preparedness Coalition they could register the expansion as a state shelter.

There were further comments.

Mayor Tarr stated that they should look to buy a large tract of land for events. He suggested using Memorial Park for the events such as the Seafood Festival or Oyster Festival. He stated that they would need adjacent land for parking. He added that if there was more parking near Memorial Park it would enhance Pony Penning and possibly do away with the bus system. Mayor Tarr directed staff to put the list together for Council to review and make a priority list. He added that there should be a ball park figure to see if this is financially attainable.

10. Review of the Draft Fiscal forecast of budget Years 2017-2021

Mayor Tarr stated that Town Manager Ritter included a forecast. He doesn't feel they should discuss it at this time.

Town Manager Ritter suggested that everyone primarily look into FY17 of the forecasted budget.

Mayor Tarr asked if there was anything that they want to review at the next meeting.

11. Mayor & Council Announcements or Comments

Councilman Ellis feels this is a very helpful process.

Mayor Tarr stated that if there is anything to add to the list contact Town Manager Ritter.

There was brief discussion.

Adjourn

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

Mayor

Attest: Town Manager

**MINUTES OF THE FEBRUARY 1, 2016
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 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.

- Mrs. Mary Chrisman came before Council concerning the 10' road behind her home. She stated that Town Manager Ritter has answered most of her questions. She asked if this issue was going to be rescheduled for the Council meeting in April. She also invited Council to see the road that they will be voting on.

- Mr. Steve Potts came before Council to give an update on Christmas by the Sea/ChincoteagueChristmas.com. He stated that this was started to attract more visitors and lengthen the season for enhancement of commerce and the community. He reported that in 2014 the Horseshoe Drop was picked up by Travel and Leisure, listed in the top 20 wackiest ball drops in the country. Mr. Potts also stated that in 2015 the Horseshoe Drop video went viral with 44,250 views in less than 2 days. He stated that each year more and more visitors are coming to Chincoteague for the holidays.

Mr. Potts reported that all the events are heavily attended. He listed those events. He stated that the Horseshoe Drop drew between 1,100 and 1,200 people. He added that the Polar Plunge was

the biggest to date with over 2,000 spectators and 125 people that plunged. He stated that the Polar Plunge video also went viral with over 80,000 views.

- Mr. Potts stated that he was also before Council on another note. He stated that he has served on committees since he was 28 years old. He stated that he has been President and Vice President of the PTSA, Chairman and Vice Chairman on the Eastern Shore Tourism Commission and Vice Chairman of the Chincoteague Center Board. He stated that whatever board he has served on has been to the best of his ability. He stated that for the past 2 weeks he has considered resigning from the Chincoteague Center Board. He was told that one Board Member was heavily influenced or told by the Town how to vote at a recent meeting. He would like to know who, why and if there is a plan for the Center that needs to be discussed or shared with the entire Board. He added that it is not prolific for another Board Member who has attended 2 of 7 meetings who also serves on the Town Council and does not participate to help the Center but to disparage it.

Mr. Potts also stated that it is the Council's responsibility to look into his concern. He stated that he can work with mostly anyone. He is aware that every entity and mission must evolve to survive. He would like to move forward in a productive manner. He stated that you can't lead from behind. He added that if you don't show up for practice you shouldn't expect to be on the team. He asked Council to give serious consideration into these matters.

STAFF UPDATE

Police Department

Chief Mills advised that the monthly report is included in the packet. He added that they underwent their 1st year accreditation assessment and it went well. He advised of a couple of formalities. He also announced that the Annual Senior Luncheon will be March 9th at Don's Seafood Restaurant.

Public Works Department

Public Works Director Spurlock advised that the report is in the packet. He stated that the Town is still in clean-up mode. He also stated that anyone who has brush or debris that needs to be picked up should call the Town office no later than the close of business Friday.

Mayor Tarr asked if a preconstruction date has been set for the Downtown Project.

Public Works Director Spurlock advised that they haven't set a date yet. He stated that they are waiting on VDOT's review of the signed documents.

General Government

Town Manager Ritter reported that the EMS Division will be completing their interviews for part-time provider so they can get them oriented before the summer season. He also reported that the Emergency Management Team is working on daily weather monitoring and continuing preparations for the shore wide exercise for March and hazard mitigation process is underway.

He stated that on Phase 2D they have sent out the agreement and when they get it back they will set up the preconstruction meeting. He stated that the Robert Reed extension is completed and

they're waiting for reimbursement from the DCR. He also stated that 1,209 2nd tax notices have been printed and mailed. Town Manager Ritter also stated that the FY 2015 financial audit has been completed and distributed to Council. He added that staff is working on Business License renewals and preparing for the upcoming annual decal sales. He advised that the quarterly newsletter has been published and the event calendar has been included in the packet.

Town Manager Ritter stated that they received information that the GMP has been released and there are 90 days to respond. He reported that the Safe Routes to Schools documents have been submitted and the Town is waiting for them to be returned to set the preconstruction meeting.

Mayor Tarr asked about the MOU with the U. S. Fish and Wildlife.

Town Manager Ritter stated that they are currently working on a MOU which encompasses the U. S. Fish and Wildlife, the National Park Service, the Town, the County, the Army Corps of Engineers and a DCR representative. He also stated that he has relayed his concerns.

Mayor Tarr advised that they have been in contact with the U. S. Fish and Wildlife and the Park Service. He reported that they will have parking lot 1 open as soon as possible. He added that parking lot 2 will be opened by Easter and parking lots 3 & 4 will be open by Memorial Day. He added that they worked with the Army Corps of Engineers last year to get a project selected. He explained the process to have the project selected along with the funding process to do a study for the Inlet and Assateague. He feels this should go through.

Councilman Ellis asked about the problems with the payment module on the website.

Town Manager Ritter explained that when a "check" payment is completed on the website it takes several days for the check to clear as opposed to the debit/credit card payments which clear immediately.

AGENDA ADDITIONS/DELETIONS AND ADOPTION

Councilman Leonard motioned, seconded by Councilman Frese to adopt the agenda as presented. Unanimously approved.

12. Consider Adoption of the Minutes

- **Regular Council Meeting of January 4, 2016**
- **Council workshop Meeting of January 14, 2016**

Councilman Leonard motioned, seconded by Vice Mayor Richardson to adopt the minutes of the January 4, 2016 and Council Workshop Meeting of January 14, 2016 as presented. Unanimously approved.

13. Presentation of Recent Trends on Economic Data for Tourism on the Eastern Shore

Ms. Kelly Allison advised that she would like to update Council looking at the region as a whole on the data collected regarding the economy. She acknowledged Chamber Director Shotwell who is the leader of the tourism on the Island. She also acknowledged Mr. Steve Potts who is on the Eastern Shore Tourism Board. She mentioned the regional highlights. She stated that at the end of every year they get the previous year's data. She stated that for the 2nd year in a row they are the 2nd fastest growing in the state for both Northampton and Accomack Counties. She

reported the visitor spending total of \$254 million last year. She added that the tourist that visit the shore have spent \$6.6 million in taxes. She reported that the tourism jobs from 2009 – 2014 rose 9% overall. She stated that the payroll went up 20%. She also stated that the growth and visitor spending during this time was up about 22%.

Ms. Allison reported that the growth in lodging tax is up 43%. She added that in 2012 Chincoteague increased their lodging tax up to 6% which has been raised a couple of times in the last 5 – 6 years. She stated that on the local level there was an almost 700% increase in the website visits from 2011 until the end of last year. She also stated that if someone goes through the trouble of ordering a Travel Guide then they are more likely to come to the area. She stated that from 2013 the Facebook likes have grown almost 2,000%. She explained the marketing guide. She also explained the transient occupancy tax. Ms. Allison described their services. She reviewed the direct marketing budget and marketing strategies. She discussed handmade and homegrown sales. She stated that people are generally traveling to local towns to learn and see the local culture. She added that people want to see oysters and how they are grown. She mentioned free internet researches for tourism. Ms. Allison continued discussing the different tourism websites like TripAdvisor. She also stated that they need volunteerism. She mentioned workshops and development as they are getting more and more sophisticated. She stated that they need tourism development, mobile sites and research studies. She also discussed the tourism data that Richmond needs. She thanked Council.

Councilman Ellis stated that the bottom line is that their efforts and groups like them and the Chamber have a direct positive correlation with tourism. He added that with communities such as this, the economy is driven by tourism. He also added that the Town should be making more use of the kinds of things they are providing.

Ms. Allison stated that they should all look at ways they can help in the economy. She understands the struggle but they should do a more in-depth look at what is drawing the people here. She added that it is a worthwhile effort.

14. Chincoteague Cultural Alliance Presentation and Grant Request

Mrs. Cindy Oehm, President of the Chincoteague Cultural Alliance gave a presentation. She stated that the CCA has been in existence for about 12 years. She also stated that they have started the 2nd Saturday Art Stroll which is a huge success. She stated that they have grown to over 100 events a year which covers every aspect of the artisan world. She listed the different events such as the Coffeehouse, the Chincoteague Island Theatre Company and 3rd Thursday performances. She added that most of the events are free or at a very low cost to the public. She stated that the reason she is before Council is to talk to Council about grant money and to explain the plans for the future building. She stated that the old elementary school cafeteria is the current home of the CCA. She announced that in early December they signed the papers to purchase the old school property on Church Street. She explained that this opens up to many things such as a programing for seniors. She stated that they have access to the Virginia Commission of the Arts Grant. She stated that it is a matching grant of \$5,000 and asked the Town to support the matching funds in the amount of \$5,000.

Mrs. Oehm listed what the grant money actually goes for: Free cinema series in the Robert Reed Park with 5 movies scheduled this summer, music on the dock and a traveling theatre company to perform Shakespeare all in the downtown park. She thanked Council for their assistance and left a brochure.

Town Manager Ritter advised that it is included in the budget. He added that they have to apply for the grant before April 1st.

Vice Mayor Richardson motioned, seconded by Councilman Taylor to apply for the Virginia Commission of the Arts Grant with matching funds of \$5,000 for the Chincoteague Cultural Alliance. Unanimously approved.

15. Recommendation from the Planning Commission on Wastewater Committee By-Laws

Mayor Tarr advised that this was a recommendation from the Planning commission on the Wastewater Committee By-Laws.

Town Manager Ritter reported on the changes.

Mayor Tarr explained that the Wastewater Advisory Committee would like to become a sub-committee of the Planning Commission. He stated that in order to do this it has to be approved by the Town Council.

Wastewater Advisory Committee Chairman Papadopoulos explained they are asking Council to approve that the Wastewater Advisory Committee will become a Planning Commission Sub-Committee so they could proceed with future plans. He also mentioned that this allows them to apply for a \$10,000 grant.

Planning Commission Chairman Rosenberger feels this fits in nicely with the Comprehensive Plan.

There were questions about the Committee members owning and/or residing on the Island.

Mayor Tarr stated that when it was discussed at the Planning Commission it was suggested that they have 3 members that are residents and property owners along with 2 at-large members that own property but didn't have to live on the Island. He read Section 2.1.

Council discussed and agreed to the change in Section 2.1 to "or at least 2 members shall..."

Councilman Ellis motioned, seconded by Vice Mayor Richardson to approve the Planning Commission's Wastewater Sub-Committee By-Laws as corrected. Unanimously approved.

**By-Laws
Wastewater Advisory Committee
A Chincoteague Planning Commission Committee**

January 12, 2016

ARTICLE 1 – OBJECTIVES

This Committee, established in conformance with the resolution adopted by the Chincoteague Town Council on February 1, 2016, and ARTICLE – 5 – EMPLOYEES, CONSULTANTS, SPECIAL STUDIES of the Chincoteague Planning Commission By-Laws of April 5, 2010, hereby adopts the following Articles in order to facilitate its powers and duties in accordance with the provisions of Title 15.2, Chapter 22, Article 2 of the Code of Virginia, as amended. The official title of this Committee shall be “Wastewater Advisory Committee”.

This Committee shall promote the orderly development of the Goal as presented in the Chincoteague Comprehensive Plan Approved February 2, 2015, to “Continue study and preliminary engineering for the feasibility of developing public sewer collection and treatment facilities”.

ARTICLE 2 – MEMBERS

2.1. Said Committee shall consist of seven (7) members, one of whom shall be an ex officio member, the Mayor of Chincoteague and another ex officio member, the Chairperson of the Planning Commission, and the remaining five (5) hereafter referred to as appointed members. Such members shall be residents of the locality or at least two (2) shall be owners of real property in the locality.

2.2. Said Committee shall also have three (3) Non-Voting members, the Town Manager, the Director of Public Works and the Town Planner.

2.3. The term of a Committee member shall expire on December 31 at which meeting the successor’s term shall begin.

2.4. Committee members are expected to attend all regularly scheduled meetings.

ARTICLE 3 – OFFICERS AND THEIR SELECTION

Use same as Planning Commission By Laws.

ARTICLE 4 – DUTIES OF OFFICERS

Use same as Planning Commission By Laws.

ARTICLE 5 – QUORUM

5.1 A simple majority of voting members of the Committee shall constitute a quorum. A majority of a quorum shall have the authority to transact Committee business. A quorum shall be established at roll call and shall be maintained during the course of a meeting.

ARTICLE 6 – PUBLIC MEETINGS AND NOTICES

6.1 All meetings of the Committee shall be open to the public.

ARTICLE 7 – ORDER OF BUSINESS

7.1 Call to order

7.2 Roll call

7.3 determination of a quorum

7.4 Review of Agenda

7.5 Old Business

7.6 New Business

7.7 Adjournment.

7.8 Parliamentary procedure in Committee meetings shall be governed by Robert's Rules of Order, most current edition.

ARTICLE 8 – HEARINGS

8.1 In addition to those required by law, the Committee, may recommend to the Commission, at its discretion, to hold public hearings when it decides that a hearing will be in the public interest.

ARTICLE 9 – AMENDMENTS

9.1 These rules may be changed by a recorded two-thirds (2/3) vote of the entire membership of the Committee subject to review and confirmation by the Planning Commission and then by the Town Council after thirty (30) days of notice.

16. Bids on Water Line at Water Plant

Public Works Director Spurlock advised that the bid opening was 4:00 p.m. Friday. He reviewed the bids stating that the low bidder was Branscome Eastern Shore. He mentioned the alternatives and doesn't see the value of adding that section. He recommended that Council award the base bid to Branscome Eastern Shore in the amount of \$180,437.19.

They discussed the bid discrepancies.

Mayor Tarr asked if Branscome was using any subcontractors.

Public Works Director Spurlock advised they weren't as far as he knows.

Mayor Tarr explained that this is a project to potentially increase the water flow island-wide.

Councilman Frese motioned, seconded by Vice Mayor Richardson to award Branscome Eastern Shore the base bid for the Willow Street Water Plant Waterline Upgrade Project in the amount not to exceed \$180,437.19. Unanimously approved.

17. Adoption of the Declaration of a Local Emergency

Mayor Tarr explained that due to the last storm the Town of Chincoteague declared a State of Emergency at 12:01a.m. on January 23rd, 2016 and is a requirement by law and this is an after the fact declaration of local emergency.

Councilman Leonard motioned, seconded by Vice Mayor Richardson to adopt the Declaration of a Local Emergency. Unanimously approved.



**PROCLAMATION
DECLARATION OF A LOCAL EMERGENCY**

WHEREAS, the Town Council of the Town of Chincoteague does hereby find that:

Due to the heavy snow, heavy rain, high winds and storm surge flooding the Town of Chincoteague is facing from a January Nor' Easter; and

A condition of extreme peril of life and property necessitates the proclamation of the existence of an emergency;

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that at 12:01 am on January 23, 2016, an emergency now exists throughout said Town of Chincoteague; and:

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of said emergency the powers, functions, and duties of the Director of Emergency Management and the Emergency Management organization of the Town of Chincoteague shall be those prescribed by state law and the ordinances, resolutions, and approved plans of the Town of Chincoteague in order to mitigate the effects of said emergency.

Dated: February, 1, 2016

Town Council of the Town of Chincoteague

Attest:

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

18. Recommendation to Extend the Auditor's Contract

Town Manager Ritter stated that the current contract with Robinson, Farmer, Cox and Associates expired and was \$24,000. He explained the fee schedule over the next 5 years. He advised that there is an add-on to the current contract as there were no other bids when they put this bid out. He added that it saves the Town by doing this as an add-on.

Councilman Ellis motioned, seconded by Councilman Frese to approve the extension the auditing contract from FY 2015 to FY 2020 with Robinson, Farmer, Cox Associates. Unanimously approved.

19. Mayor & Council Announcements or Comments

Vice Mayor Richardson thanked the Town as a whole for their work during the storm and snow.

Councilman Leonard also thanked everyone for working together. He also announced that he is running for Council again.

Councilman Jester also thanked everyone in the Town for doing a great job.

Councilman Ellis asked if there was an update regarding the hiring of a Town Planner.

Town Manager Ritter advised the 2nd interview was postponed.

Councilman Taylor stated he spent 5 hours on the beach earlier today. He gave an update of the breach on the south end. He stated that the Park Service is working feverishly. He added that they want all of the parking lot opened as quickly as they can.

Councilman Frese also thanked all aspects of the Town for their hard work during the storm.

Mayor Tarr advised that they have one item to discuss in closed session.

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

• **Attorney Appointment**

Councilman Leonard moved, seconded by Councilman Frese to convene a closed meeting under Section 2.2-3711(A)(1) of the Code of Virginia to discuss personnel matters. Unanimously approved.

Councilman Jester moved, seconded by Councilman Leonard to reconvene in regular session. Unanimously approved.

Councilman Frese moved, seconded by Councilman Leonard 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, Frese, Leonard, Taylor, Ellis, Richardson
Nays- None
Absent- None

21. Approval to Hire New Town Attorney

Councilman Taylor motioned, seconded by Councilman Jester to go into a contract with Attorney David Rowan to fill the Town Attorney position. Unanimously approved.

Adjourn

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

Mayor

Attest: Town Manager

**MINUTES OF THE FEBRUARY 11, 2016
CHINCOTEAGUE TOWN COUNCIL WORKSHOP MEETING**

Council Members Present:

John H. Tarr, Mayor
Ellen W. Richardson, Vice Mayor
Gene W. Taylor, Councilman
John N. Jester, Jr., Councilman
James T. Frese, Councilman

Council Members Absent:

Benn Ellis, Councilman
J. Arthur Leonard, Councilman

CALL TO ORDER

Mayor Tarr called the meeting to order at 5:00 p.m.

INVOCATION

Councilman Taylor offered the invocation.

PLEDGE OF ALLEGIANCE

Mayor Tarr led in the Pledge of Allegiance.

Mayor Tarr asked if there was anyone in the audience who had anything to bring before Council.

There were none.

AGENDA ADDITIONS/DELETIONS AND ADOPTION

Councilman Frese motioned, seconded by Vice Mayor Richardson to adopt the agenda as presented. All present were in favor and the motion was carried.

Ayes: Richardson, Frese, Taylor, Jester

Nays: None

Absent: Leonard, Ellis

22. Discuss Long Term Planning Considerations for Future Capital Expenditures

Town Manager Ritter explained the Capital Improvement List that was included in the agenda packet. He created a Capital Work Plan which is not in any priority or order. He stated that Council needs to discuss funding for the projects. He also stated that what he would like to do is continue working on the 5 year Capital Work Plan to keep it up quarterly. He suggested that Council could review and work on the 10 and 15 year Plan yearly.

Councilman Frese feels that several of the 21 items could be done simultaneously and within the first 5 years.

Town Manager Ritter feels it would be a good exercise each year to review the 5 year plan. He stated that once the 5 year list is compiled then they could look into funding. He suggested that if they couldn't finish the entire project in a year they could put the money aside for the next year or two to complete. He advised that item #1 is drainage and flooding for the Main Street and Maddox Boulevard intersection.

Council discussed costs and funding for the drainage at Main Street and Maddox Boulevard intersection.

Mayor Tarr asked Public Works Director Spurlock to explain where the Town is on this project. He added that the flapper gate has already been installed.

Public Works Director Spurlock stated that the check valve has been in about a year. He stated that after the valve was installed, water was still coming in just north in front of Dewey Tarr's house and running back down Main Street. He advised that they now have permission to build up that area. He stated that it is still hard to tell until you have a flood event. Public Works Director Spurlock stated that this is not part of the Urban Maintenance Funds. He added that he went to Suffolk with Town Manager Ritter to meet with VDOT. He stated that they were told of a new procedure of how VDOT is now doing capital improvements. He added that they have eliminated the 6 year improvement plan and replaced it with a HB2 Program where you have to compete for a grant. He stated that the next round to submit projects is in the fall.

Public Works Director Spurlock also stated that they need to resubmit the Maddox Boulevard improvements plan. He apologized that he hasn't had the chance to research this in length. He also stated that they have the opportunity to research this project or to look at the Maddox and Main intersection.

Town Manager Ritter also explained the change. He stated that they just received the HB2 guidelines which are about 160 pages.

Councilman Frese asked if FEMA could help.

Town Manager Ritter stated that they would see if there are any grants that would pay for this.

There were comments from Council.

Mayor Tarr stated that if they look at this as a top priority project then staff will look into this giving the steps to get it done.

Town Manager Ritter explained the process.

Public Works Director Spurlock stated that the practical thing to do is use the flood tide level when they close the Causeway as a benchmark. He stated that if the tide is across the Causeway who would care if the intersection is flooded. He added that the minor flooding at the intersection is also a deterrent to keep people off of the Causeway.

Council continued with discussion.

Mayor Tarr stated that they need to know what steps are to be taken and the estimated cost.

They discussed elevation and agreed that the elevation of the Maddox and Main Street intersection is #1 on the priority list.

Town Manager Ritter continued to review the list. He stated that they received the 1st MOU and Chad some issues with it. He also stated that it has been revised and sent back yesterday. He reported that the Army Corps of Engineers is doing a study on Assateague and the Inlet. He also stated that they mailed letters to the dignitaries on February 2nd letting them know how important this study is. He added that this could be up to 20% local funding.

Council agreed that this should be #2 on the priority list.

Mayor Tarr asked if they could add "C" under item #2. He explained that the Park Service is working on an Emergency Plan to protect the newly replaced (south) parking lots when they are built. He added that they have secured funding and they will have an emergency plan done this time which should happen by April.

Town Manager Ritter continued to review the list. He asked Council if the Island road width increase should remain as item #3. He stated that they need to designate which road they should begin with.

Mayor Tarr feels this should be further down the list.

Public Works Director Spurlock interjected that they can clean up the shoulders in-house.

Councilman Taylor stated that he has offered his property along East Side.

Mayor Tarr feels that pulling the shoulders is a maintenance thing and shouldn't be on a long-term list.

There were comments.

Town Manager Ritter continued on to #4 as the wastewater decision, studies and implementation.

Mayor Tarr feels this item shouldn't be in the 5 year plan. He feels it should be on the steps they're getting ready to take within the next 5 years.

Town Manager Ritter continued with #5 as the broadband expansion.

Public Works Director Spurlock advised that he received a call from the Charter contractor about extending their broadband across the Causeway.

They discussed broadband access already offered.

Councilman Jester asked if this was a conflict between Eastern Shore Communications and Charter.

Mayor Tarr stated that it is. He feels the equipment is getting better and explained what Charter has and what they need. He stated that they share the bandwidth, Crisfield has been completed and they plan to start on Chincoteague next.

Town Manager Ritter stated that the next item is #6 which is to purchase a generator to support everything in the Municipal Building. He advised that they have contacted Mr. Thornton for a quote to resize the generator.

Mayor Tarr doesn't feel this should be on the Capital Plan as it will be done in 3 to 4 weeks. He asked that this be taken off the list.

Town Manager Ritter stated that the next item is #7 Island Activity Center maintenance and upgrades. He stated that they could set \$5,000 aside for the next 5 years to possibly add air conditioning.

Public Works Director Spurlock suggested installing a new gym floor also.

Town Manager Ritter stated that they will refer these issues to the Recreation Committee. He stated that item #8 is planning for future growth. He asked if the Council and the Planning Commission should review future large projects for Council Approval as a possible conditional use.

Council discussed this and agreed that the Planning Commission should research different options.

Planning Commission Chairman Rosenberger made a few comments.

Town Manager Ritter stated that the Planning Commission will have this item on their agenda for March.

Council commented further about the current zoning laws, restrictions and using the guide book.

Town Manager Ritter stated that terrorist training is #9.

Chief Mills stated that they have been in training all week. He stated that they have plans to further train and hosting classes in the fall as well. He added that they don't have a written policy.

Town Manager Ritter stated that they are going to start on the Emergency Operations Plan.

EMS Supervisor Rush added that they have to have this revised and adopted by June of 2017.

Town Manager Ritter suggested including terrorist training, response and include large events.

They discussed this matter further.

Town Manager Ritter also added that #10 which is to purchase adjoining property to the Island Activity Center. He explained that it can be additional parking or for the youth football field for practices. He added that there is another baseball field on that property which is used for practice purposes.

Councilman Taylor asked the amount listed was an estimate.

Mayor Tarr advised it was appraised and goes all the way to the Union Baptist Church property.

Town Manager Ritter continued to item #11 which is Maddox Boulevard walking/biking paths from the traffic circle to the Main Street Bridge. He commented further.

Mayor Tarr asked if this was a project that could be done. He stated that there isn't enough room for a bike or walking path along Maddox Boulevard.

Town Manager Ritter explained that to make this happen there would have to be no parking along Maddox Boulevard.

Councilman Jester suggested bike lines along Ocean Boulevard.

Town Manager Ritter stated that they could do it from the Traffic Circle to Deep Hole Road.

Mayor Tarr feels it should go from the Traffic Circle to Chicken City Road then to the bike path that is already there and across to Ocean Boulevard.

Town Manager Ritter stated that they are going to bring to Council a recommendation from the Recreation and Community Enhancement Committee to pave the Ocean Boulevard Extended trail with the money from Recreation.

Vice Mayor Richardson stated that if they assign the path a bike path they wouldn't receive urban money.

Public Works Director Spurlock explained that it is considered alternative transportation, but he will research this further.

Town Manager Ritter added that they want to obtain an easement through Coach's Lane that goes through the road by Maria's to Maddox Blvd.

Discussion continued.

Town Manager Ritter stated that #12 is Rt. 175 to have shoulders. He stated that this was a County applied FLAP grant and was put on tier 2 which means they won't get the grant.

Council discussed this and agreed that the Town has no control over the Causeway as it belongs to VDOT. They concurred that a shoulder is needed and not a bike path.

Mayor Tarr stated that this shouldn't be on the Town's 5 year plan.

Town Manager Ritter stated that #13 is to increase lighting on Maddox Blvd. He advised that they are sending a letter to ANEC to increase lighting.

Public Works Director Spurlock stated that he has contacted ANEC and they are sending someone to look into it.

Town Manager Ritter stated that #14 is sidewalks on Main Street to match the Downtown from Church Street to the bridge at Maddox Blvd.

Councilman Frese asked if they are going to narrow Main Street.

Town Manager Ritter advised that it would not. He stated that they don't want to use VDOT's money to do this. He added that they want to discuss this with Branscome. He also added that

the urban maintenance money can be used to replace any kind of concrete but the banding would have to be paid for by the Town.

Public Works Director Spurlock explained that the projected cost would be from the urban maintenance money.

Town Manager Ritter continued to #15 auto-read water meters and system upgrades. He stated that they are going to the Public Works Committee with the estimated implementation cost to complete 1/3 of the Town.

Public Works Director Spurlock would like to do the entire Town.

Mayor Tarr asked about funding.

Public Works Director Spurlock explained what they've done on Ocean Blvd. He stated that automated meters gives water accountability.

There was discussion about water loss.

Public Works Director Spurlock stated that leaks, flushing fire hydrants and firefighting is unmetered water loss. He added that 88% is extremely good for accounted water usage.

There were further comments.

Councilman Taylor doesn't feel it should all be done at one time in case an unexpected large expense comes up.

Mayor Tarr stated that the bond payment that is currently being made will definitely pay for this project.

Town Manager Ritter stated they will bring the financial plans to the next Public Works Committee. He stated that #16 is hiring 4 additional EMS providers.

EMS Supervisor Rush stated that he met with the Fire Department and they are working on a strategic plan with all the EMS providers to try to encourage them more. He stated that they are forthcoming and willing to put forth money to get this project going. He added that he suggested to attempt to engage the current EMS providers for another year and then look at it in depth. He further explained that it would be 4 more full time providers. He stated that realistically this will probably be implemented July of 2017. He added that if the re-energizing meeting helps, they may be able to put this off until July 2018, which is his goal.

There were a few questions.

EMS Supervisor Rush explained that there were 905 EMS calls last year. He stated that taking that number and the number of responders there is a hole in response. He also stated that the EMT that turns 18 is usually lost to college. He added that their level of care is a high level of

care. He also stated that there are 3 ALS providers in the Volunteer Fire Company. He stated that they have to find a way to get those volunteers to run more calls. He stated that the EMS is the heart and soul. He added that they are willing to come to the table and help fund it. He explained that there are funding objectives to look into.

Mayor Tarr asked if there are any plans for Fire/EMS training.

EMS Supervisor Rush advised he doesn't believe so. He stated that there are staffing strategies they could use further down the road. He doesn't feel they need to look at the firefighting side of it, they need to look at EMS staffing right now.

Councilman Taylor asked about training the staff in-house.

EMS Supervisor Rush advised that it would be too costly. He stated that they could do a cadet program by hiring individuals to put them through the training process. He explained that ALS training can't be done in-house. He stated that it has to be done through an accredited school such as Tidewater Academy. He stated that EMT training is done on the shore. He added that the continuing education is done on the Island to help the responders in the north end of the county. He also stated that they are working on a plan to get those EMTs that are on the roster back out and running calls. He would like to get this through 2017 and maybe revisit this in 2018.

Councilman Taylor asked how much the Fire Company was willing to help.

EMS Supervisor Rush advised that the Fire Company is willing to help 50%.

Town Manager Ritter advised that #17 is for police equipment such as new in-car cameras and software along with new Tasers.

Chief Mills explained that the in-car camera should be integrated with the body worn cameras they currently have. He added that the videos have to be treated as evidence.

Town Manager Ritter asked if they have to be done this year or could they wait a couple of years.

Chief Mills responded that the cameras need to be done. He stated that they tried to get them through a DMV grant. He also stated that getting an entire system which includes other components will give more benefits. He also stated that it is under \$10,000. He added that it completes the process of the body worn cameras. He stated that he could replace half this year and half next year. He also stated that the laptops in the cars need to be replaced if not this year they should be next year.

Councilman Frese feels this should be brought to the top and not put off.

Councilman Taylor suggested purchasing half in the new budget and the other half in next year's budget.

Chief Mills agreed.

Mayor Tarr asked if there was anything in the SOP for use of cameras.

Chief Mills stated that it wouldn't hurt to review the policy and update it. He added that DCJS just came out with a new policy to build on.

There was brief discussion about the Virginia laws regarding body worn cameras.

Town Manager Ritter moved on to #18 to elevate the Causeway. He stated that this is a VDOT item. He also stated that this isn't a Town project and should be removed. He suggested sending a letter to VDOT giving the tide and flooding information.

Town Manager Ritter stated that #19 is to evaluate asbestos pipes. He stated that they can do samples to identify any problem.

There was discussion regarding the asbestos pipes and the need to determine the problems. They discussed the cost for evaluation.

Councilman Taylor expressed his concerns for safety.

Town Manager Ritter advised of the chemical that is put into the system which lines the whole system. He also explained that if a line breaks, the pressure will drop and an immediate investigation is underway to determine the cause.

Councilman Taylor asked if the pipes have the National Sanitary Foundation approval.

Mayor Tarr advised that he is sure that it does have the approval or it couldn't have been installed. He agrees that there are better products that have come along since then.

Councilman Taylor explained that he was just questioning the safety of the pipe.

There was discussion and Council agreed to bring it to the budget hearings.

Councilman Taylor excused himself from the rest of the meeting as he has a prior commitment.

Town Manager Ritter stated that #20 is Harbor electric upgrades. He stated that they need an engineer to design a new system and the cost estimates. He also added that they would like to replace the lighting with LEDs. He suggested an energy audit.

Mayor Tarr stated that they don't need an energy audit. He also stated that the cost to do electric upgrades will be about \$250,000. He stated that they need an engineer and the design will be free from the company who will inspect and sell the new equipment.

Town Manager Ritter advised that #21 is the swell protection at the Harbor. He stated they need to get a quote for a rock jetty on the south side of the entrance to the Channel.

There were comments and Council agreed to have a study.

23. Recommended By Laws from the Public Safety Committee on the Creation of a Subcommittee Called the Firewise Council Advisory Committee (FCAC)

Town Manager Ritter advised that at the last Public Safety Committee meeting they met with the Firewise Council of Virginia. He stated that they have grant funding if the Town establishes a Firewise Council for a one time amount of \$5,000. He explained that they were looking at all of the dead wood created by the pine bark beetle. He stated that to get the one time grant of \$5,000 Council has to create the Firewise Council.

EMS Supervisor Rush advised that the Firewise Council is part of a National Firewise Council through the Department of Forestry of Virginia. He stated that they are going to different communities throughout Virginia to establish the councils. He stated that the initial objective is to mitigate fuel loads. He also stated that they need to establish a Council which would be a sub-committee of the Town Council. He added that this new Council will have to have a chairman, secretary and a treasurer. He believes that the treasurer will help in the application of the grant.

EMS Supervisor Rush advised of the \$5,000 grant and the Town would have to come up with \$1,000. He stated that they can apply in-kind services. He stated that the contract for debris removal during Hurricane Sandy was \$700,000-\$800,000 to remove that amount of debris. He listed the action plans they have: Roadside widening, chipping and removal of fuel stacked by the roadside, public information of fuel loads, billboard information as well as community workshops and demonstrations. He asked Council if they feel they can do it realistically with \$4,000. He feels there's validity in the project, however false benefit.

Councilman Jester feels that they can spend the money on public education. He added that beyond the public education isn't what they expected.

EMS Supervisor Rush suggested putting information in the newsletter and then inviting the public to a seminar. He commented further and stated that a Plan would have to be developed. He also stated that they would have to go into the community and select members from the Fire Company, real estate and insurance agents.

Council commented further about tree removal.

EMS Supervisor Rush stated that there was one mitigation strategy that the U.S. Fish & Wildlife would like to do a fire break at the north end at Wildcat. He feels this could be something to work on locally.

They discussed the possibility of a firebreak.

Mayor Tarr stated that there are no large sums of money to help.

Public Works Director Spurlock stated that when they came to the Island the gentleman had an eye for the potential problems. He feels Council should do something to raise public awareness. EMS Supervisor Rush agreed that there is potential. He gave examples of those potential problems.

Mayor Tarr asked if EMS Supervisor Rush could come up with an estimated plan to help educate the public and bring it to budget hearings.

Councilman Frese stated that once a month the Town picks up bulk trash. He asked why the Town couldn't do the same with tree limbs and pine shats.

Public Works Director Spurlock advised that this is being done quarterly.

Mayor Tarr added that they just did a storm debris collection. He also stated that the landfill tipping fees were waived through the end of the month.

EMS Supervisor Rush added that Council was given a copy of the by-laws if they were to decide to create the committee.

Council discussed and agreed to not take action in adopting a formal plan but for the Town to form a plan itself.

24. Mayor & Council Announcements or Comments

There were none.

Adjourn

Councilman Frese motioned, seconded by Vice Mayor Richardson to adjourn. All present were in favor and the motion was carried.

Ayes: Richardson, Frese, Jester

Nays: None

Absent: Leonard, Ellis, Taylor

Mayor

Attest: Town Manager

MINUTES OF THE MARCH 7, 2016 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
James T. Frese, Councilman

Council Members Absent:

John N. Jester, Jr., 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.

OPEN FORUM/PUBLIC PARTICIPATION

Mayor Tarr opened the floor for public participation. He introduced the new Town Attorney, Mr. David Rowan. He also introduced and welcomed the Island's new Supervisor, Billy Joe Tarr. He opened the floor for public participation.

- Ms. Donna Leonard stated that 22 years ago her father went to Mayor Tarr letting him know that he needs to get involved. She advised that he was reluctant but did. She expressed how proud she was of that day. She thanked Mayor Tarr for the job he has done and leading the Town with dedication and with a level head. She stated that he did this without a lot of fighting. She feels he has made everyone proud. She added that he will be missed. She also thanked her father for going to him that day.

- Supervisor Tarr came before Council for clarification. He stated that the budget proposal of a \$0.03 tax does not affect Chincoteague. He stated that the County is paying for their own EMS.

- Mrs. Wanda Thornton also addressed Council. She stated that she hasn't heard Council address the GMP with the Park Service. She stated that they wouldn't be here if weren't for the aquaculture. She also stated that they are working on resolving the lease between the VMRC and the Park Service. She added that it doesn't support any type of commercial activities, specifically aquaculture. She stated that unless there is another fix, they can terminate the lease with VMRC. She feels this is something that they need to be aware of.

Mrs. Thornton also read a page of the GMP. She reviewed a few of the things that Council should address. She suggested having someone review the document and prepare to comment on it. She stated that she spoke with Mr. Mike Darrow with the Army Corps of Engineers who feels the recent storm damage is worse than Sandy on Assateague. She feels the most important thing is the health, safety and welfare of the people of Chincoteague. She added that they have an agreement that has been enforced for 12 years. She mentioned the short-term restoration project. She advised that the short-term project for Assateague, Maryland which was 1.4 million cubic meters of sand cost \$19.1 million which is 5 years' worth. She stated that they are currently working on the long-term project. She also stated that the Army Corps of Engineers will furnish \$1 million per year and the Park Service will furnish \$1 million per year for 25 years. She added that it is still being done today. She further stated that the reason the money is being spent is because the people lobbied and got the state and citizens to lobby for the money. She expressed her discord that we can't do this for our seashore. She stated that someone needs to understand

that the Inlet is only 2 ½ miles wide. She favored a study that should be funded but will take 2 years. She is concerned for the next 2 years.

Mrs. Thornton feels everyone needs to be aware. She added that they are trying to take the livelihood of the people in aquaculture away. She added that aquaculture has taken a hit and now they're going to take the duck blinds away.

Mayor Tarr advised that staff is reviewing the GMP and will meet with Council at the work session. He stated that they will go over all the points they want to fight for.

Mrs. Thornton thanked Council.

STAFF UPDATE

Town Manager Ritter introduced the new Town Planner, Mr. Ronald Marney who began March 2nd.

Police Department

Chief Mills advised that the monthly report is included in the packet. He added that they had 256 calls for service in February including a bomb threat. He reminded everyone that the Senior Luncheon is Wednesday, March 9th at 1:00 p.m. at Don's Seafood. He stated that they have some crime prevention information to give them. Chief Mills also stated that they had formalities to complete to get their 1st recertification for accreditation. He advised that the association will be here next Wednesday to present them with the award.

Mayor Tarr congratulated Chief Mills.

Public Works Department

Public Works Director Spurlock advised that the report is in the packet. He stated that the final phase of the street scape project has started. He also stated that there is a pre-construction meeting for the Safe Routes to Schools Project. He added that the materials have arrived for the Willow Street plant upgrade. He feels they shouldn't see any impact.

General Government

Town Manager Ritter reported that the Emergency Medical Service responded to 50 calls for the month of February which is 7 less than February 2015. He stated that there will be an exercise Thursday in response to the threat of improvised explosive devices (IED). He stated that this is a mock drill between 9:00 a.m. and noon on Thursday. He reported that the CDC was on the shore to make sure that their plans to receive and administer the national strategic stockpile and bioterrorism event were acceptable. He also mentioned phase 2d. He reported that staff is currently working on the Business License renewals and the Town decals will go on sale March 15th. Town Manager Ritter also stated that they will begin working on the quarterly newsletter for April. He stated that staff has been working on the budget. He added that the event calendar has been updated and posted to the website.

AGENDA ADDITIONS/DELETIONS AND ADOPTION

Vice Mayor Richardson motioned, seconded by Councilman Leonard to adopt the agenda as presented. Motion carried.

Ayes: Leonard, Richardson, Ellis, Frese, Taylor

Nays: None

Absent: Jester

1. Consider Adoption of the Minutes

- **Regular Council Meeting of February 1, 2016**
- **Council Workshop Meeting of February 11, 2016**

Councilman Leonard corrected an item on page 14 regarding the property lines of the Smith Street properties. He stated that the property doesn't go all the way to Union Baptist.

Vice Mayor Richardson also made a typo correction on page 12 change "chad" to had in the bottom paragraph.

Councilman Leonard motioned, seconded by Vice Mayor Richardson to adopt the minutes of the February 1, 2016 and Council Workshop Meeting of February 11, 2016 as corrected. Motion carried.

Ayes: Leonard, Richardson, Ellis, Frese, Taylor

Nays: None

Absent: Jester

2. Presentation from the Museum of Chincoteague Island

Mrs. Ennis Barbery Smith, the Executive Director of the Museum of Chincoteague Island, thanked the Town for all their continued support of the museum. She advised that she would like to review the roles that the Museum plays. She stated that they see it as an economic engine, a hands-on education source, a leader in community collaborations, a keeper of local treasures and a place where people come and share traditions and stories. She stated that the Museum supports the local economy with the Road Scholar Program which brings 15-40 people who wouldn't be visiting the Island if it weren't for this program. She reviewed the activities in this program. Mrs. Smith stated that through the Scholar Programs there was \$250,000 distributed in the local economy.

Mrs. Smith also stated that the Museum is a highly rated local attraction. She feels that they are making Chincoteague a more attractive place to visit. She added that people who visit museums and other types of cultural or heritage activities typically spend more money. She stated that the next role is a hands-on education source. She discussed the different activities. She stated that the volunteers are who make this happen. She reviewed more activities they conducted last year. She mentioned the 3rd Annual Heritage Days. She stated that they bring together different organizations to do their own events at their own location. She advised that this year they are focusing on the U. S. Coast Guard. She talked about artifacts. She advised that they worked with the U. S. Fish and Wildlife in sharing decoys and hunting items for exhibits. She also talked about the video history interviews. She stated that they are a place to pass on traditions and stories. She explained that last summer they had a program called the Summer Living History Series. She added that the Chincoteague people have come through many different things and are resilient. She stated that the people pass on the heritage but the Museum will help

carefully preserve that heritage. She also stated that going to the Museum can be a focus of the heritage of Chincoteague whether it be looking at an exhibit or watching a video.

Mrs. Smith stated that the Museum would like to grow and they look forward to meeting with Council in the next few weeks for their support. She introduced some of the Board members.

Councilman Ellis stated that it is a real reflection on Mrs. Smith, the Board members and the volunteers that they can accomplish all that has been accomplished with one staff member.

Mayor Tarr invited the public to go to the Museum. He thanked Mrs. Smith.

3. Public Hearing, Ordinance to Vacate Subdivision Lot Line

Mayor Tarr opened the public hearing.

Mr. Austin Smith advised that there is a packet showing the 2 lots that he owns. He is requesting to vacate the property line between those 2 lots.

Councilman Leonard asked if this was behind his current house.

Mr. Smith responded that it is beside his current house.

There were brief comments.

Mayor Tarr invited the public to comment. There were no comments and Mayor Tarr closed the public hearing.

Town Manager Ritter advised that this has been properly advertised.

Town Attorney Rowan advised that everything is in order.

Councilman Frese motioned, seconded by Vice Mayor Richardson to approve the Ordinance to vacate the subdivision lot line on lots #28 and #29, Grace Street for Austin and Teresa Smith. Motion carried.

Ayes: Leonard, Richardson, Ellis, Frese, Taylor

Nays: None

Absent: Jester

4. Public Safety Committee Report of February 2, 2016

Mayor Tarr advised that the minutes are in the packet. He stated that Council has already acted on the Fire Wise request at the workshop meeting. He also stated that Town Manager Ritter reviewed the upcoming Emergency Services exercise this Thursday.

Councilman Ellis asked if the fire hydrant problem on East Side Road was corrected.

Public Works Director Spurlock advised it has been corrected.

5. Harbor Committee Report of February 2, 2016

Councilman Leonard stated that the information is in the packet. He stated that the oyster shells project is continuing. He stated that the parking area will be paved sometime this spring and this will make the area more presentable and provide more parking. He added that when they finish the oyster shells it will be paved over.

Vice Mayor Richardson stated that when Harbormaster Merritt was out it lacked a little bit of work. She stated that since his return it is much better.

Councilman Frese inquired about a discussion regarding a monthly or yearly fee with the waiting list.

Councilman Leonard stated that the list has grown so long that they are trying to clean the list up. He stated that there will be a minimal fee to be on the list.

6. Bids on 2016 Pavement Project

- **Possible Motion to Approve Funding for Ocean Blvd. Extended Bike Trail Pavement (from the Recreation and Enhancement Committee Report)**

Public Works Director Spurlock advised that there is a summary in the packet. He stated that the Town received 1 bid from Branscome Eastern Shore. He stated that there are 3 elements of work coming from separate fund sources. He advised that they will finish Ocean Boulevard, Pension Street to Clark Street as part of the Urban Maintenance Program, paving at the Harbor as a \$40,000 item and paving the Ocean Boulevard trail.

Mayor Tarr asked if it was one contract.

Public Works Director Spurlock advised that it is one contract which is called unit price contract. He stated that it's slightly more than the asphalt.

Town Manager Ritter stated that the next agenda item could be included in this as the Recreation and Community Enhancement Committee recommended the approval of the Ocean Boulevard extended paving. He added that the 5% is coming from the Meals Tax for recreational projects.

Vice Mayor Richardson clarified the Ocean Boulevard and Pension Street paving.

Public Works Director Spurlock commented further.

Mayor Tarr stated that he would rather roll in the motion for the Ocean Boulevard extended pavement into item #6. He feels they should approve the project first.

Councilman Leonard motioned, seconded by Councilman Ellis to approve the paving project of the Ocean Blvd Extended Bike Trail. Motion carried.

Ayes: Leonard, Richardson, Ellis, Frese, Taylor

Nays: None

Absent: Jester

Councilman Taylor motioned, seconded by Vice Mayor Richardson to approve the award of bid to Branscome Eastern Shore not to exceed the amount of \$385,303 for the multiple spring paving contract. Motion carried.

Ayes: Leonard, Richardson, Ellis, Frese, Taylor

Nays: None

Absent: Jester

7. Recreation and Community Enhancement Committee Report of February 9, 2016

Town Manager Ritter advised they discussed playground equipment for phase 3. He stated that they decided to wait until spring to install the spring rocking horses and new dome. He stated that they are looking for funding of the new "LOVE" chairs. He advised that Chamber Director Shotwell is researching grant funds for replacement of the "LOVE" chairs. He suggested having a chair building party with the Public Works Department cutting the wood and having the public come in, donating time to put them together and paint them. He added that they discussed paving Ocean Blvd. extended, future projects for the Donald Leonard Park and the signboard to be put at the Veterans' Memorial Park. He explained that it will be storyboard that will tell the history of the pony swim.

Mayor Tarr asked if they should involve someone from the Chincoteague Volunteer Fire Company in the process.

Town Manager Ritter agreed. He added that they are in the beginning stages.

8. Adoption of a Memorandum of Understanding with the USFWS

Town Manager Ritter stated that during discussions of the CCP the Town wanted to put together a Memorandum of Understanding with the U. S. Fish & Wildlife to be able to create and develop the new parking lot that they want to put north. He stated that this is so the Town can have a seat at the table. He advised that they addressed the Town's concerns about the status of the cooperating agency. He added that they are guaranteed to have a seat at the table at all times.

Councilman Frese stated that this is the first he has heard of this. He stated that he doesn't understand. He also stated that this isn't the Town's MOU it's the Department of Interior's MOU. He suggested getting a legal opinion in its entirety. He also stated that he can't understand where Virginia's rights are protected. He added that it seems they can get rid of the Town's rights at any time they want. He doesn't feel it's worth anything when the Town sits down at the bargaining table. He doesn't want to be a party to find out that in the future it does nothing for the Town with the possibility of hindering us. He stated that he wouldn't vote for this.

Mayor Tarr stated that Council asked for the MOU when the Beach Committee was meeting. He stated that the Town asked to be the cooperating agency when the CCP was done. He added that Mrs. Thornton took it to the County where it was turned down. He explained that a cooperating agency can only be started at the beginning of a process. He stated that they were further along in the process and the final letters were sent to Congressman Rigell and to the Wildlife Service regarding moving the beach north. He explained that the Town named the other players as part of that MOU. He stated that this is something that the Town asked for.

Councilman Frese stated that he remembers very well Mrs. Thornton talking about those things some of which went over his head. He stated that at that time they were talking about the parking and protection at the south end of Assateague Island. He stated that now they've included the fishing and fin fish.

Mayor Tarr stated that this is U. S. Fish & Wildlife not the Park Service.

Councilman Frese stated that the top of the MOU states it is the U. S. Department of Interior.

Mayor Tarr explained that this is the EA or EIS that they're going to do to look at moving the beach to the north. He stated that the Town asked for a seat at the table as a cooperating agency. He also stated that Accomack County has been asked to participate. He stated it was on their agenda. He stated that the state, the Park Service and the Army Corps has been asked to have a seat.

Mrs. Thornton stated that not everyone is in agreement.

Mayor Tarr stated that he has talked with the Army Corps and they have seen the agreement.

Mrs. Thornton stated that she received a reply and hasn't seen an agency that has signed it. She also stated that she did speak with a representative about it. She added that they have had zero support in the previous plan.

Mayor Tarr stated that this is why he has asked for it in this plan. He stated that the agreement is non-binding and the Town can get out of it at any point.

Councilman Ellis stated that the wording is contradicting. He read some examples of this. He feels it's inconsistent. He stated that if any of the participating agencies has a disagreement it wouldn't matter. He stated that in the National Environment Assessment Act it says that any environment assessment process will conclude with one of two possible decisions. He stated that the 1st possible decision is with no possible impact, no significant environmental problems from the proposed action. He added that the 2nd possible decision is the determination to proceed to the preparation of a full environmental impact statement, which is a more comprehensive process. He expressed his concerns given the history of this process. He feels that by signing this document that he is rubber-stamping any of their decisions.

Mayor Tarr stated that he disagrees. He feels that if the Town isn't at the table shaping how they want it to look then how else will the Town have input. He stated that this is an avenue to get on the team to help shape what the Town wants.

Councilman Ellis stated that this will come out with no significant impact.

Mayor Tarr explained that it's not just the environmental impact. He stated that it's going to be the design, the road systems and the facility. He stated that the EA is on the total project not just the 8.5 acres.

Councilman Ellis stated that if you read the National Policy Act it identifies several things that have to be examined.

Councilman Frese would like the legal opinion because it doesn't matter what the Town says or does.

Mayor Tarr agrees and stated that in the CCP process this did happen. He feels that being at the table will allow input.

Councilman Taylor agrees that the Town needs to be there and work together. He commented further.

Councilman Ellis stated that last year the Town requested a full environmental impact study. He stated that this request was supported by our Congressman, the Senator and the state legislative representative. He asked if there was any response.

Town Manager Ritter advised he didn't receive a response to that request.

Councilman Ellis added that in the National Policy Act the first step is an EA. He understands wanting to be at the table. He asked if they, the Fish and Wildlife, have the authority under the EA to do everything they said in this. He stated that in 2014 the government accounting office conducted an audit. He added that there is transparency in accountability.

Councilman Leonard asked if the County signed on.

Supervisor Tarr advised that they haven't as of yet because of the same paragraph the Town mentioned.

Councilman Ellis added that if there is information to be distributed to the public it has to be preapproved by Fish and Wildlife.

Councilman Frese asked for more time. He would like a legal opinion. He also stated that it is the very existence of the Island.

Councilman Taylor stated that they are more conservation than they are recreation. He agrees the Town does need to be at the table to meet with them.

Vice Mayor Richardson feels they need a legal opinion.

Councilman Frese motioned, seconded by Councilman Taylor to have a legal opinion completed of the draft Memorandum of Understanding with the U.S.F.W.S. Motion carried.

Ayes: Leonard, Richardson, Ellis, Frese, Taylor

Nays: None

Absent: Jester

9. Cemetery Committee Report of February 23, 2016

- **Possible Motion to Accept the Proclamation of Cemetery Clean-up**

Vice Mayor Richardson reported that they met February 23rd. She stated that they decided to have the cleanup on April 2nd. She added they would like to have Cemetery Cleanup week beginning April 2nd through April 8th. She also stated that they would like to start Saturday, April 2nd at 9:00 a.m. to noon at the Mechanics Cemetery. She explained that is basically to remove the flowers that have blown over for those who cut grass there. She asked for a correction from “November” to “April” on page 46 of the Cemetery Committee minutes.

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 2nd through 8th, 2016, 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 7th day of March 2016.

John H. Tarr, Mayor

ATTEST:

Robert G. Ritter Jr., Town Manager

Councilman Leonard motioned, seconded by Vice Mayor Richardson to approve the Proclamation of Cemetery Cleanup Week. Motion carried.

Ayes: Leonard, Richardson, Ellis, Frese, Taylor

Nays: None

Absent: Jester

10. Mayor & Council Announcements or Comments

Councilman Frese advised that they have been making progress at the Chincoteague Center.

Councilman Taylor commented on the damage done by the pine bark beetles along with the number of downed trees from recent storms. He suggested purchasing a large chipper.

Councilman Frese asked if they accepted the affected trees at the landfill.

Public Works Director Spurlock advised that the County Landfill will accept them and waived the tipping fees for the storm debris from the last 2 storms.

Councilman Frese mentioned the number of trees still down.

Public Works Director Spurlock advised of the amount that was collected this last month.

Councilman Ellis stated that he struggled with the MOU. He feels it's extremely important that the Town have a seat at that table. He feels that with the way it's written the Town would have a seat and not a voice.

Mayor Tarr advised of other MOUs that the Town looked at during the CCP process from other agencies and municipalities. He stated they will look at those again.

Councilman Leonard mentioned the passing of a great lady, Nancy Reagan. He stated she lived a good long life of 94 years.

Vice Mayor Richardson announced the opening of the Museum on Saturday. She stated that it is well worth it.

Councilman Leonard stated that they had a Carvers' Forum at the Museum and he was surprised at the turnout.

Vice Mayor Richardson also added that they are fortunate to have a great Museum along with the volunteers.

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

- **Council Evaluation Goals & Objectives**

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

Ayes: Leonard, Richardson, Ellis, Frese, Taylor

Nays: None

Absent: Jester

Councilman Frese moved, seconded by Councilman Ellis to reconvene in regular session. Motion carried.

Ayes: Leonard, Richardson, Ellis, Frese, Taylor

Nays: None

Absent: Jester

Councilman Leonard moved, seconded by Councilman Frese to adopt a resolution of certification of the closed meeting. Motion carried.

Ayes: Leonard, Richardson, Ellis, Frese, Taylor

Nays: None

Absent: Jester

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, Frese, Leonard, Taylor, Ellis, Richardson

Nays- None

Absent- None

Adjourn

Councilman Leonard motioned, seconded by Councilman Ellis to adjourn. Motion carried.

Ayes: Leonard, Richardson, Ellis, Frese, Taylor

Nays: None

Absent: Jester

Mayor

Attest: Town Manager

MINUTES OF THE MARCH 17, 2016
CHINCOTEAGUE TOWN COUNCIL WORKSHOP MEETING

Council Members Present:

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

Council Members Absent:

John N. Jester, Jr., Councilman

CALL TO ORDER

Mayor Tarr called the meeting to order at 5:00 p.m.

INVOCATION

Councilman Taylor offered the invocation.

PLEDGE OF ALLEGIANCE

Mayor Tarr led in the Pledge of Allegiance.

Mayor Tarr welcomed Delegate Bloxom.

AGENDA ADDITIONS/DELETIONS AND ADOPTION

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

Ayes: Richardson, Leonard, Ellis, Frese, Taylor

Nays: None

Absent: Jester

12. Discuss US National Park Service GMP and EIS for Assateague Island National Seashore

- **Presentation to Council by Deborah A. Darden, Superintendent**
- **Comments and Concerns**

Mayor Tarr welcomed Ms. Debbie Darden.

Ms. Darden handed out information to those present. She advised that the northern most parking lot will open tomorrow and parking lots 3 and 4 will be done by May 1st. She added that parking lot 2 will be completed before Memorial Day. She stated that came before Council to review the GMP and what affects Virginia the most. She reviewed general information about the seashore. She explained the boundary which was established by a map as part of the legislation that was established in 1965. She stated that the map is essentially the same map and was updated in the Federal Registry in 1985. She also stated that this was clarified with meets and bounds. Ms. Darden stated that it would never go more than half a mile which moves when the beach moves.

She added that the boundary doesn't get bigger. She also added that the water is subject to the jurisdiction of the United States.

Ms. Darden stated that Assateague has an important role in protecting Chincoteague and Wallops. She also stated that the Park Service has to take part of working toward resiliency for Assateague, Chincoteague and Wallops. She stated that all units of the Park Service have a GMP. She advised that there are 410 units of the National Park System now. She stated that a General Management Plan is good for 15-20 years and generally longer. She stated that these are guide documents. She also stated that the last GMP was formed about 30 years ago. She reviewed what is typically in the GMP along with boundary adjustments which aren't an issue in Virginia.

Ms. Darden then reviewed the background of what went into the GMP. She stated that the island moves westward. She stated that they have to figure out how to manage when they have large storms that require change. She also stated that they need to recognize those resources and major issues. She explained that if the Island moves they can move the facilities. She mentioned the plan to move the beach north, climate change, etc.

Ms. Darden stated that they looked into 4 alternatives. She stated that the first is to continue to do what they are currently doing. She stated that the second one is maintaining traditional beach recreation. She stated that the third is sustaining recreation while adapting to climate change. She also stated that the fourth is letting the beach evolve naturally. She added that this generally has to do with Maryland. She stated that in continuation of current management it doesn't affect Chincoteague as much, because they adopted the CCP to move north with the parking.

Ms. Darden continued to explain that they aren't going to make any changes in direction. She stated that alternatives 2, 3 and 4 have actions that are common to all. She stated that the GMP does affect the U. S. Fish & Wildlife Service CCP action on relocation of the recreational beach. She stated that they are as committed as the Fish & Wildlife is to ensuring the current parking lot is operating until the new beach is built. She also stated that the second is to work with partners and the Mid Atlantic Coastal Resiliency Institute formed by NASA to ensure resiliency of Assateague, Chincoteague and Wallops Island. She added that they need to develop a breach plan. She advised that they have been told that the breaches in Maryland may have an effect on the breaches in Virginia. She concluded that they need to prepare an updated Wilderness Study. She explained that it goes from the ocean to the bay. She advised that if they want this to continue they need a new study.

Ms. Darden also talked about aquaculture and horseshoe crab harvesting. She stated that they know how important that the aquaculture and fishing is to the industry. She stated that the GMP states that commercial shell-fishing belongs to the states and the states manage this. She added that the Park Service has no management of the shell-fishing. She explained that it's different than aquaculture which is agriculture and agriculture isn't allowed in National Parks. She stated that there is an exception when they are part of a historic scene or activity and they can issue a permit that allows that activity. She stated that it's one permit for Virginia which would be issued for all of the Park Service to continue and there would be no change and this would allow aquaculture. Ms. Darden talked about horseshoe crabs. She explained that they are considered

wildlife and is considered prohibited. She advised that they would work with VMRC on this issue. She stated that the GMP doesn't consider commercial fin-fishing and no actions will be taken by NPS and the fin-fishing will continue.

Ms. Darden reported that the issue of the wash-houses was to insure that the sewerage is correct. She stated that it is important that they find the areas that are unclear and clarify the language. She further explained the Maryland alternatives. She stated that the public meetings are March 29th, 30th and 31st and the public meeting for Chincoteague is at the Center on the 31st. She advised that the comments are due (postmark) by May 1st. She stated that over the summer they will review and respond to all of those comments. She added that by fall they will have the final GMP and the Regional Director should have it signed by the winter of 2016.

Mrs. Thornton thanked Ms. Darden and stated that she has been a huge help. She discussed the problem with the duck blind. She read an excerpt, that the rest of Virginia is exempt and added that Accomack won't do the leasing. She mentioned aquaculture and stated that when they go into an agreement with the VMRC they can also terminate the agreement.

Ms. Darden stated that she respected the comments. She asked everyone to comment and that they will do their best to respond.

There was another comment regarding duck-blinds, aquaculture and the economic impact of the Island. He stated that they were talking about beach replenishment in Maryland. He asked why there isn't any talk about beach replenishment in the Hook and Harbor areas.

Ms. Darden stated that hunting is specifically authorized by their legislation and they are strong supporters. She feels there's a way to work on the issue with the duck-blinds. She also addressed the resiliency, she stated that they don't own that land and they are willing to work on a plan to protect Chincoteague and Wallops.

Councilman Taylor asked if horseshoe crabbing could be considered as a historical harvest.

Ms. Darden asked how long they have been harvesting horseshoe crabs out of Tom's Cove.

Councilman Leonard advised they've been doing it forever.

Councilman Taylor advised that it's being done for cancer research, environmental and medical purposes. He feels the government needs to work together for a win-win situation.

Ms. Darden urged them to comment so the government will work with them. She stated that the CCP calls for the harvest to stop in Tom's Cove and that decision has already been made.

Councilman Taylor asked if the Town has VMRC's approval would the NPS would go along with it.

Delegate Bloxom commented that the VMRC is not relinquishing any authority and they're working on a written response to the CCP. He added that sooner or later it'll probably go to court.

Councilman Frese stated that in addition the Town has to remember that when it comes to the horseshoe crab they are bled, not killed, and then returned to the water. He added that this isn't harvesting.

Ms. Darden stated that these are things they need to comment on. She feels this is a good argument that they are medically used. She stated that if the use is historic it will give them another avenue to explore.

Delegate Bloxom stated that in your comments on the GMP you should refer to the historic years. He stated that the catch is controlled by the state and inland fisheries. He suggested that in the letter it needs to say in a historic perspective that since a certain time this has been done.

Councilman Taylor discussed the OSV zone and feels it has to be addressed because it isn't at an elevation that would protect Chincoteague.

Ms. Darden advised there were discussions about this and they were attempting to maintain the berm but it keeps getting washed away.

Someone commented about replacing the sand fence.

Ms. Darden stated that it isn't her decision but she believes it is something they are looking into.

Ms. Denise Bowden advised that they have been told from the beginning that they won't do certain things.

Mayor Tarr advised that they are looking into this.

Councilman Taylor asked about the breaches.

Ms. Darden responded that on the land the Park Service owns they are working with everyone on a strategy that deals with the breaches. She added that they would like the Breach Management Plan to be in line with the alternative they chose. She stated that the alternative that was chosen is for the breach to be managed so they can continue all the activities on the beach.

Councilman Taylor stated that this is what he wants to hear. He added that they need height to protect the Island.

Ms. Darden added further that they want everyone involved.

Someone asked if there would be no more horseshoe crabbing or will it slowly wind down over a period of 5, 10 or 30 years.

Ms. Darden stated that they want to work with the VMRC formulating a reasonable schedule and do it over multiple years. She stated that it was never intended to stop it immediately.

Someone advised that not all the crabs are used for biomedical some of them are used for bait. He added that there is no one more interested in preserving the horseshoe crab than we are. He stated that he purchased a license with the VMRC with a daily catch limit. He also stated that they make sure to work within their guidelines so everyone will stay on the same page.

Ms. Darden stated that they are looking forward to meeting with the VMRC. She added that they will probably have to go to court to make that decision. She is interested in seeing all of the information from VMRC and the historic use. She added that the Park Service will consider all of those comments.

Mrs. Thornton stated that she isn't convinced that they are on our side. She feels everyone should be contacting the VMRC to demonstrate that this is a serious issue.

Mayor Tarr stated that Rob has been the single person dealing with VMRC.

Someone stated that this is a dying way of life. He stated that this isn't just a job it's a way of life. He also stated that they have to worry about the market, the weather and now they have to worry about it being taken away.

Ms. Darden stated that she understood and apologized.

There was a man in the audience that explained his gentle process of catching horseshoe crabs and releasing them to the water. He advised that they stay at the low watermark and won't disturb wildlife.

Someone else advised that they don't use nets or rakes and they collect them by hand causing the least impact.

Comments continued.

Ms. Bowden stated that it's a fine line with the regulations. She stated that the federal government is good at shutting down America one town at a time. She stated that anyone who works on the water works hard and their concerns are valid.

Ms. Darden stated that the meeting on the 31st is an open house meeting to look at the boards. She stated those who created the plan will be there and they can answer questions directly. She added that this is not a hearing where there is a court reporter. She added that it will be an open house. She stated that they are asking that people write the comments. She advised the open house is March 31st to ask questions and the comments are to be in by May 1st.

Someone asked if the open house was just a loophole for the public to jump through and they are going to do what they want anyway. He asked if this is just another step for the NPS.

Ms. Darden advised this isn't. She stated that she was here 6 months ago saying they were going to stop aquaculture and fin fishing. She also stated that the comments that were submitted helped the regional director in Washington, DC understand what was important. She added that they came back with changes. She feels they need the arguments to show what this National Park needs.

Someone asked who owns the Park Service.

Ms. Darden responded that the people of the United States of America own the Park Service. Mrs. Thornton stated that they need the Secretary of Natural Resources of the State of Virginia. She also stated that the only way to get that is to lobby. She stated that they may not pay attention to Chincoteague but they will pay attention to the state of Virginia. She stated that the state of Virginia needs to stand up.

Councilman Leonard wanted to know that when the final draft GMP comes out, will the government agency have time to comment.

Ms. Darden stated that if one of the agencies has a huge problem with what they have done this would be their time to let them know.

Someone advised that the VMRC will do nothing until NPS has come up with a draft general management plan. He stated that they could not do anything until a plan is written in sand to know exactly what they're dealing with.

Ms. Darden stated that the VMRC advised they were going to send comments.

Mrs. Thornton urged people to call them and express their concerns.

Someone else in the audience stated that this isn't unique to the watermen. He added that it's going on all over the United States.

Mayor Tarr thanked Ms. Darden.

2. Adoption of a Memorandum of Understanding with the USFWS

Town Manager Ritter explained that there is an email from Town Attorney Rowan giving his understanding of the MOU and how to proceed. He also handed out a MOU that includes NASA.

Town Manager Ritter advised that he spoke with Mr. Miner and Supervisor Tarr earlier today and they are in agreement and will sign if the Town signs.

Mayor Tarr stated that this is where the Town stands about the issue.

Town Manager Ritter reviewed a couple of changes from the Montana MOU.

Mrs. Thornton commented and advised she is in agreement as well.

Councilman Taylor stated they need a seat at the table.

Councilman Frese motioned, seconded by Councilman Leonard to sign the Memorandum of Understanding with the U. S. Fish & Wildlife Service. Motion carried.

Ayes: Richardson, Leonard, Ellis, Frese, Taylor

Nays: None

Absent: Jester

3. Discuss a Possible Letter to be sent for the Re-Appropriation of the Paul S. Sarbanes Grant Funds

Mayor Tarr advised that this is a fund that's been around a long time. He stated that Mr. Kevin Sloan believes they can get the funds moved over. He stated that this was the \$1.5 million to do part of the flat grant that was originally denied for the bike trail from the traffic circle to the NASA Visitor Center. He stated that they needed a letter of support which is included in the packet.

Town Manager Ritter stated that this is the #1 Capital Improvement Project. He explained that this will work out well and the foot of the bridge needs to be done also.

Mayor Tarr stated that it is good money for a good project.

Councilman Leonard motioned, seconded by Vice Mayor Richardson to send a letter for the re-appropriation of the Paul S. Sarbanes Grant Funds. Motion carried.

Ayes: Richardson, Leonard, Ellis, Frese, Taylor

Nays: None

Absent: Jester

4. Legislative Update

Mr. Rob Catron updated Council regarding projects that he's been working on for the Town. He stated that the General Assembly adopted a 2 year budget totaling approximately \$105 billion. He also stated that there was a recession in 2009 and 2010 and the rainy day fund was depleted. He advised that at the end of this budget cycle they will have replaced the rainy day fund to about \$845 million. He stated that in the VRS this budget fully funds the obligations and during the recession the state did not make payments to the VRS. He added that they are now making the payment and the VRS is fully sound. He stated that in the k-12 schools the state support was over \$900 million. He also stated that he received an email from the Superintendent of Public Education who advised that Accomack County will receive \$32 million from the state this budget year, in 2017 will receive \$34 million and will increase to \$35.7 million for 2018.

Mr. Catron also mentioned the lottery proceeds which were supposed to go to public education. He explained that the lottery proceeds will return to the locality. He stated that the state employees are in line for a 3% salary increase this November. He also stated that the local but state supported employee will receive a 2% salary increase effective December 1st. He discussed 599 funding which is state funding that goes back to the localities. He added that it

goes back to police departments. He advised that they discussed annexation and the moratorium has been extended to 2024. He mentioned a couple of the bills.

Mr. Catron stated that on the back of the document he went through Senator Lewis' and Delegate Bloxom's agendas and pulled bills related to the Eastern Shore. He explained bill 282 and in January he spoke to Mayor Tarr about creating a fund for beach replenishment. He stated that the Town now has a contingency fund. He advised that the bill was passed to create a contingency fund for beach replenishment. He stated that neither the House appropriations nor the Senate finance agencies have put funds into this. He stated that they can ask for funds from the feds now that the fund has been created.

Mr. Catron also discussed a bill regarding turtle excluder devices to keep them out of crab pots. He added that this was passed. He again reviewed the shoreline resiliency fund. He stated that there are low interest loans through the Virginia Resources Authority. He then stated that everyone heard what VMRC was going to do about harvesting crabs. He stated that Senate Bill #643 was passed by both chambers and scheduled to go before the Governor. He stated that this bill directs the VMRC to monitor any effort by the Department of Interior to expand federal jurisdiction regarding fishing or shellfish harvesting in the waters adjoining Assateague and to preserve the right and ability of the Virginia watermen to such waters. He added that this directs them to be pro Virginia. He also advised that the Commonwealth Space Flight Fund will increase the amount of money through 2024.

Mr. Catron advised that regarding the duck blind conversation earlier, he spoke with Senator Lewis about whether they should seek the Attorney General's opinion. He stated that they are asking for a draft opinion. He stated that he would be happy to help. He also added that Mayor Tarr will be writing a letter about this. He referred back to the Coastal Resiliency matter and stated that Congress passed the Water Resources Reformed Development Act a couple of years ago. He advised that this was to set up a scheme where Congress could direct funding to specific projects of the state. He added that 5-6 years ago Congress banned air-marks. He feels this was the worst thing they could have done. He stated that this created a mechanism where we send a project for the Corps to consider a study. He stated that the only project in Virginia that the Corps listed was the Chincoteague Inlet Study. He stated that this year Congress was supposed to adopt another updated Water Resource Development Act bill. He advised that they are working with Senators Kane and Warner and Congressman Rigell to insure that the Chincoteague Inlet Study is in that bill so they can get funded and approved to get the study.

Mr. Catron stated that this issue has been discussed for years. He added that it has been authorized but not funded. He stated that this will be a complete assessment as to why the Inlet is getting wider along with the impact and other issues related to this. He mentioned a local project regarding flooding at Maddox and Main Street. He added that they are going to continue to work on this project. He stated that they are working on a bicycling and walking path from the entrance to the Refuge to the NASA Visitor Center. He also stated that the Town submitted a proposal last year that is currently being reviewed. He advised that this is in the tier 2 level and they are looking for other grant opportunities. He added that this will widen the Causeway.

Mr. Catron feels that Ms. Debbie with Secretary Ward with the Natural Resources of Virginia should be invited before the May 1st deadline for the comment period. He suggested discussing what the federal government is doing to negatively impact the Island's ability to earn a living.

Mayor Tarr thanked Mr. Catron.

5. Mayor & Council Announcements or Comments

Vice Mayor Richardson mentioned the "Little Beach". She feels this matter needs to be looked into further.

Councilman Frese asked about the evaluation of the Maddox Boulevard and Main Street flooding. He asked if it was necessary to spend \$27,000 to know what they already know, that the intersection is low and floods.

Town Manager Ritter advised that they need to spend this amount for a survey to receive the data for the HB2 application.

Councilman Frese feels a picture would be sufficient.

Mayor Tarr explained that this is the cost for an engineer and hasn't been approved to be spent by Council.

Councilman Frese advised that he will discuss this later.

Councilman Ellis asked who the Town's representative is for the environmental assessment planning team.

Town Manager Ritter advised that he is, however, Mayor Tarr will be attending the first meeting.

Councilman Ellis asked how many jurisdictions charge sticker or decal fees. He was informed that most counties and jurisdictions in the state do not do this.

Town Manager Ritter advised that the Town orders the decals for the towns in the county and get those stickers at a bulk price.

Councilman Ellis stated that if other counties and jurisdictions in the state don't require them then why would the Town.

Vice Mayor Richardson advised that you pay for the decal in the county taxes. She explained that you don't have to go get a decal but you pay for it.

Mayor Tarr stated that it has been a healthy discussion within Council.

Town Manager Ritter advised that Finance Director Hipple was at a workshop and gave information about this. He stated he will pull that information.

Ms. Bowden stated that the requirement to have the people come into the Town office is how

they collect personal property taxes.

Mayor Tarr stated that the Town's collection rate is much higher because they are able to collect personal property taxes when they purchase the decal.

Councilman Taylor thanked the public for attending. He stated to Mr. Birch that he isn't wasting his time. He added that they will lose what they're not willing to fight for.

Mr. Birch commented about the decals. He stated that originally the decal fee was supposed to be temporary. He asked why it's still going on.

Mayor Tarr advised that the state of Virginia allows the Town to charge a locality decal fee. He believes it's in the amount of \$32 or \$33 and the Town charges \$27. He advised that if the Town doesn't charge this fee then the County can come in and charge for it.

Mr. Birch stated that if someone doesn't pay the personal property tax they won't get their decal. He made a suggestion to give the decal at cost when the personal property taxes are paid. He also mentioned boat ramp stickers. He stated that the Town charges for the slips at the Harbor. He was informed that in Saxis they can't charge to use the ramp at their Harbor because it's federally funded. He also stated that Saxis stopped charging and so did Greenbackville. He added that a Councilman advised that he wasn't being charged if they are a slip holder.

Town Manager Ritter advised that the boat ramp fees goes toward maintenance, upkeep and paving.

Mr. Birch stated that he thought that was what the slip rent was for.

Mayor Tarr advised that the boat ramp fees go into a separate fund which is approximately \$27,000 a year. He stated that the Harbor rent goes into the Harbor fund and none of it goes into the general fund. He added that they are spent only on the Harbor or the boat ramp.

Mr. Birch stated that he is talking about the ramp at the Harbor.

Mayor Tarr advised that they don't have a separate sticker for that ramp as they do for the other ramps on Chincoteague. He added that Greenbackville and Saxis only have one boat ramp.

Mr. Birch asked if he went down there to use the Harbor's ramp would he have to have a sticker.

Town Manager Ritter advised that if he had a slip there he could.

Mr. Birch advised that regarding the ramp itself, because it was from federal grant money they couldn't charge for it.

Town Manager Ritter stated that the ramp itself and the parking lot gets rebuild and maintained with the user fee funds. He stated that the Harbor money does not go toward the boat ramp or parking area. He also stated that it gets pretty expensive.

Mr. Birch asked again.

Mrs. Thornton stated that the County does not charge for the boat launches. She stated that those harbors belong to the Towns. She stated that this isn't about the harbors it's about the boat ramps.

Councilman Frese asked who paid for building the boat ramp.

Town Manager Ritter advised that federal funds did not build the ramp itself. He added that the federal funds went toward the bulkhead and the slips.

Councilman Frese stated that he doesn't believe that.

Town Manager Ritter stated that if they had to rebuild the boat ramp they would use the funds from the launch fees.

Mr. Leonard Jester discussed the kayak businesses using the Town property to launch. He stated that they use the boat ramp, block it up and will not move. He asked what they pay to use it.

Town Manager Ritter responded that they are supposed to have the boat ramp permit for the trailer that pulls the kayaks.

Mr. Jester asked why they can just leave them there.

Town Manager Ritter stated that about 4 years ago Council discussed this matter and decided to leave things the way they were and allow them to do it.

Mayor Tarr interjected that Council decided to have a discussion with those businesses monopolizing the boat ramps. He stated that they advised them that if it got out of hand they would close the use of those kayak businesses. He added that if it is out of hand they need to go back and talk with those businesses.

Town Manager Ritter stated that it happened once last year. He added that it was the Science Consortium group that wasn't charging a rental.

Mr. Jester advised that when you go into the Park by the Skate Park, kayaks are parked in that area where if someone is coming you have to stop to let them by. He added that someone isn't doing their job.

Ms. Bowden stated that she puts her boat over once a year and puts it at a private dock. She also stated that at the end of the season she pulls the boat up. She advised that she purchases a yearly sticker specifically to launch the boat once and pick it up once. She asked if there was a day pass.

Town Manager Ritter responded that there is a weekly pass.

Vice Mayor Richardson advised that it is \$20 for the boat sticker.

There were brief comments as to what the sticker is for.

Adjourn

Vice Mayor Richardson motioned, seconded by Councilman Taylor to adjourn. Motion carried.

Ayes: Richardson, Leonard, Ellis, Frese, Taylor

Nays: None

Absent: Jester

Mayor

Attest: Town Manager

**MINUTES OF THE APRIL 4, 2016
CHINCOTEAGUE TOWN COUNCIL MEETING**

Council Members Present:

John H. Tarr, Mayor

Ellen W. Richardson, Vice Mayor

J. Arthur Leonard, Councilman

John N. Jester, Jr., Councilman

Gene W. Taylor, Councilman

Ben Ellis, Councilman

James T. Frese, Councilman

CALL TO ORDER

Mayor Taylor 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.

PRESENTATION

Chief Mills introduced Mr. Derrick Mays who is the Program Coordinator for the Virginia Law Enforcement Professional Standards Commission. He spoke to Council about the professional standards of the Police Department. He advised that within a 4 year period it is harder to keep the accreditation. He stated that the 1st time the Chincoteague Police Department had 0 returns. He also stated that at their 1st recertification they had 0 returns. He stated that this tells us of the quality Police Department that you have when they receive a “job well done” by a 6 commission member board. Mr. Mays stated that it takes pride and integrity to do their job. He also stated that it shows the dedication of the entire Police Department. He added that from the Chief all the way down they are worthy of accreditation and they’re worthy of their praise. He read and presented Chief Mills on behalf of his Department with the award of reaccreditation.

Mayor Tarr stated that Chief Mills and his staff deserve all the praise and honor for not only the accreditation but for everything they do in the community.

Councilman Jester advised that this is a difficult task. He stated that this means they've been recognized by professionals that they meet a lot of standards. He added that it means a lot and he congratulated the Police Department.

OPEN FORUM/PUBLIC PARTICIPATION

Mayor Tarr opened the floor for public participation.

- Mrs. Wanda Thornton addressed Council regarding the GMP meeting. She stated that she asked Ms. Darden if they would extend the comment period another 30 days. She was hoping that the Town Council and the Board of Supervisors would also request an extra 30 day comment period. She feels that the public needs to be educated on the document. She stated that this is the worst written document she has ever seen. She also stated that the aquaculture has been taken care of. She added that there are other things that need to be addressed.

- Ms. Denise Bowden stated that as a child she was taught to “ride with and walk against traffic”. She stated that there are so many pedestrians and bicyclist sharing the road. She suggested signage throughout the Town reminding people to “ride with and walk against traffic”. She feels that this is about public safety and feels with the upcoming season it should be addressed.

Mayor Tarr advised of the upcoming Public Safety meeting and this will be discussed.

Vice Mayor Richardson asked if there was a brochure of bicycling safety.

Town Manager Ritter advised there are some of the bicycling safety brochures in the Town Office that are handed out to the bicycle shops as well.

Vice Mayor Richardson asked if they could be handed out to the school children.

There was discussion as to when the bicycle rodeo is and they could hand out those brochures there.

Vice Mayor Richardson advised that the Parks and Recreation Committee made a brochure. She stated that the brochure shows what side to ride on along with the hand signals. She suggested adding the signage with the “Share the Road” signs to ride with the traffic and walk against.

- Mrs. Mary Chrisman stated that she spoke with Public Works Director Spurlock about the Harbor. She stated that she decided to go and commented about how lovely Mariner's Point is. She also stated that the compass is there with the two very nice plaques. She added that the Boy Scouts have done a marvelous job.

Councilman Ellis asked if there were any plans to make the access to Mariner's Point easier for the elderly.

Public Works Director Spurlock advised that they don't have any plans at this time.

- Mr. Jim White stated that 8 months ago there was discussion at a Council meeting about parking on Pension Street near the stop sign at Church Street. He stated that this was supposed to be looked into and was referred to the Public Works Committee. He advised that he hasn't heard anything after this. He stated that at the same meeting the Main Street and Church Street intersection was also referred to the Public Works Committee. He stated that a VDOT traffic engineer was supposedly involved.

Public Works Director Spurlock responded that regarding to the intersection of Church and Main Streets they had a VDOT Traffic Safety Engineer look at the intersection and the entire street scape project. He advised that the engineer stated that this is the best example of that type of intersection he has ever seen. He added that there is no intent to make any changes to the bump-out. He also stated that regarding the intersection of Church and Pension Streets the curb painting was extended and the no parking sign was moved after Councilman Ellis spoke with the church pastor.

- Chamber Director Shotwell thanked Mayor Tarr for all the help he has given her personally and the Chamber over the years. She stated that there are bicycle safety books at the Chamber office and offered to help get that information out. She thanked Public Works Director Spurlock and the Public Works staff for getting the LOVE chairs back together. She added that hopefully they will be painted next week and put back in the park. Chamber Director Shotwell stated that the March visitation was up 94%, January visitation was up 55% and February was up 53%. She added that if that's any indication the Island is in for a good year. She asked everyone to vote for Chincoteague for the Best Coastal Small Town USA.

Mayor Tarr thanked Chamber Director Shotwell for her kind words. He asked Public Works Director Spurlock to elaborate on the LOVE chairs.

Public Works Director Spurlock advised that he gave a set of rough drawings to the Maintenance Supervisor and he ran with it building the chairs.

Chamber Director Shotwell stated that they received a grant from the VEC to rebuild the chairs.

STAFF UPDATE

Police Department

Chief Mills advised that the monthly report is included in the packet. He added that they had 296 calls for service. He reported that in March the officers completed their refresher training for the tasers including a course for excessive force. He stated that the Senior Luncheon was a huge success with 185 in attendance.

Planning Department

Planning Director Marney reported that they are continuing to work on the Flood Plain Act with a training session scheduled. He advised that they are working on Ordinances to cover micro-

homes. He also stated that he assisted Public Works Director Spurlock with a loan application for the auto-read water meter project.

Public Works Department

Public Works Director Spurlock advised that the report is in the packet. He stated that Planning Director Marney did an outstanding job putting the information together for the loan application. He stated that the Hallie Whealton Smith drainage design has been finalized. He also stated that Accomack County has arrived with the ditch witch. He reported that they will be doing drainage work in Misty Meadows and Highland Park.

Councilman Leonard asked if the Main Street Project was on track.

Public Works Director Spurlock advised that it is in the process of getting back on track. He stated that the concrete is being scheduled. He added that there are a lot of requirements with VDOT. He also stated that the pavers have been delivered.

General Government

Town Manager Ritter reported that the Emergency Medical Service responded to 66 calls for the month of March which is 12 more than March of 2015. He stated that there were 32 ALS calls, 20 BLS calls and there were 14 other calls. He stated that EMS has been working on the orientation for the 2 new part-time staff; Cory Pashkowitz and Thomas Copenhaver. He stated that they have received the final DCR Grant disbursement for the Robert N. Reed Downtown Water Front Park Project. He reported that they are working on Business Licenses which are due April 30th. He added that decals went on sale March 15th and due to be displayed by April 15th. Town Manager Ritter also stated that they have finalized the quarterly newsletter.

AGENDA ADDITIONS/DELETIONS AND ADOPTION

Councilman Ellis feels that this is a long agenda along with items that are going to be lengthy along with a closed session regarding employee matters. He asked Mayor Tarr if he would give any consideration to postpone the closed meeting matter to a later date. He explained that last year the same situation was addressed in the May Council Workshop meeting. He added that the agreement isn't due until June 1st.

Town Manager Ritter stated that there is another item under personnel matters from the Harbor Committee to discuss during closed session as well. He feels they need executive session.

Mayor Tarr stated that it has been properly advertised that they are going into executive session to discuss personnel matters.

Councilman Jester motioned, seconded by Councilman Frese to adopt the agenda as presented. Unanimously approved.

13. Consider Adoption of the Minutes

- **Regular Council Meeting of March 7, 2016**
- **Council Workshop Meeting of March 17, 2016**

Councilman Frese motioned, seconded by Vice Mayor Richardson to adopt the minutes of the March 7, 2016 and Council Workshop Meeting of March 17, 2016 as presented. Unanimously approved.

14. Public Hearing, Ordinance to Vacate Subdivision Lot Line for Mr. & Mrs. Thomas Bowden.

Mayor Tarr opened the public hearing.

Town Manager Ritter advised that the public hearing has been properly advertised.

Mayor Tarr asked if there was anyone from the audience that wished to speak regarding the vacation of the subdivision lot line for Mr. & Mrs. Thomas Bowden. There were no comments and Mayor Tarr closed the public hearing. He asked Council's pleasure.

Vice Mayor Richardson motioned, seconded by Councilman Ellis to adopt the Ordinance to vacate the subdivision lot line between parcels 030A5-4-67 and 030A5-4-68. Unanimously approved.

15. Public Hearing, Ordinance to Vacate Subdivision Lot Line

Mayor Tarr opened the public hearing for Mr. & Mrs. David Knight.

Town Manager Ritter advised the public hearing was properly advertised.

Mayor Tarr asked if there was anyone from the public to bring before Council regarding this request. There were none and Mayor Tarr closed the public hearing. He asked Council's pleasure.

Vice Mayor Richardson motioned, seconded by Councilman Frese to adopt the Ordinance to vacate the subdivision lot line between parcels 030A1-6-36B & 37B. Unanimously approved.

16. Public Hearing on a Deed of Gift (Parcel C)

- **Possible Adoption of a Resolution for the Deed of Gift**
- **Possible Adoption of a MOU with Chincoteague Cultural Alliance**
- **Possible Adoption of the bid for a Shared Septic System for the Island Gym**

Mayor Tarr advised that this is the public hearing regarding the Deed of Gift of Parcel C.

Town Attorney Rowan advised that this is a deed of gift from JAD Associates to the Town. He stated that the deed states as part of taking the property the Town will give up the rights to use the septic easement on other properties of JAD. He stated that the easement gave significant value to the property. He added that before the Town agreed to waive the rights to the septic easement they felt a public hearing was appropriate.

Mayor Tarr opened the public hearing. He advised that this is to accept the deed of gift from JAD Associates to the Town of Chincoteague. There were no comments and Mayor Tarr closed the public hearing. He asked if there were any questions from Council or staff.

Councilman Frese stated that he has several feelings on this. He stated that first he questioned the Deed of Gift. He feels this is causing the Town to give up a valuable asset and having to put in a new septic system with a large sum of money. He stated that he resents this because it's not a gift. He stated that a gift is one of which that there is no quid-pro-quo and this isn't. He also resents further for whatever reason there was no knowledge disseminated to Council and was a shock to him. He stated that he studied this and is more confused. He doesn't agree with this and feels they are asking the taxpayers of Chincoteague to forfeit sums of money and to pay sums of money taking away from the kids' playground equipment. He stated that this whole thing is sour.

Councilman Taylor stated that a lot of people don't think that the gym and the property gets used. He stated that at some point he would like to see another gym built. He advised that it is used by the middle school, the recreation programs and the U. S. Coast Guard. He asked about the cost of the shared septic system.

Town Manager Ritter referred to the information in the agenda packet.

Councilman Jester explained that they would remove the current failing septic system. He stated that they would be working with the Cultural Alliance who does a lot for the community. He stated that they are trying to tie together adjacent properties for community events. He added that the Coast Guard has saved the Town about \$30,000. He feels this property is a huge asset. He agreed that it needs improvements and added that is actively used. He stated that looking at the entire picture it is a positive thing to do.

Councilman Taylor read that the total septic system would cost \$29,145 and the Town's portion would be \$14,573. He stated that as a person that deals in land he would definitely give \$14,000 for that land.

Councilman Ellis stated that the property, when it was first mentioned, was to be used for overflow parking for the gym events. He asked if there was adequate parking for the gym.

Town Manager Ritter advised that there are times that the gym parking is full. He stated that it could be used for overflow parking. He added that it could be paved for basketball courts and additional Pickleball courts.

Councilman Ellis stated that parcel C services the septic for the CCA building and the gym. He asked if the easement served the Center in perpetuity.

Town Manager Ritter advised that it was.

Councilman Ellis stated that when the CCA purchased the land and for whatever reason chose to give up the easement as part of their building was concerned.

Town Manager Ritter stated that it was sold to the CCA by the owners of the property without the easement.

Councilman Ellis stated that they have an easement in the package. He stated that they have 1 year in the agreement to get their own septic. He stated that the CCA knew they were going to have to purchase a septic system.

Mayor Tarr interjected that they were prepared to do that until the Town stepped in with the deed of gift to the Town. He stated that its cost effective for the Town to go in with them as opposed to each installing a new septic system.

Councilman Ellis stated that if the Town doesn't accept lot C then the Town won't have to purchase a septic system because there is already a system.

Councilman Jester stated that the Town will have to purchase a septic system. He stated that this system is over 20 years and the drain fields don't go beyond 20 years. He also stated that at some point the Town will have to purchase a drain field.

Councilman Ellis asked whose responsibility it is.

Mayor Tarr advised that it's the Town's responsibility.

Councilman Frese stated that his septic has been at his house for 25 years and functioning very well. He stated that some of the soil is good and if taken care of it will function for more than 25 years. He also stated that they are paying for half of the system and paying for half of the expense. He stated that it's no detriment to the CCA because they are on the hook for half of the system.

Mayor Tarr asked Public Works Director Spurlock about the septic system, the drain field and current system that is serving the CCA along with the Island Activity Center.

Public Works Director Spurlock advised that there is a combined system with the Island Activity Center and the CCA. He stated that there is a small holding tank at the back door of the gym. He advised that it is failing rapidly. He stated that it is pumped to a larger holding tank to the property owned by the CCA. He explained that when they give up their easement that tank is going away. He stated that the Town will be forced to do something at that point. He added that there is a good possibility that the Town will not be able to get a permit from the Health Department to use the system across the street. He also stated that there has been soil analysis there as well.

Councilman Frese questioned the septic across the street. He would like to talk to the Health Department as this isn't his understanding.

Councilman Ellis asked about the septic capacity on lot A that serves the gym.

Public Works Director Spurlock stated that there is a very small tank right at the back door of the gym. He believes its 250 gallons with a transfer pump that pumps it to the large tank.

Mayor Tarr added that the Town's perpetual easement is 300 gallons of drain field capacity.

Town Manager Ritter added that this is in the sewage easement limitation agreement.

Councilman Frese stated that the Town could put a tank running a line under the road over to the easement with whatever size tank is needed. He stated that they wouldn't need that 300 gallon tank along with the 250 gallon tank. He doesn't feel they're talking about all that money and the easement would still be in perpetuity for the Town's use.

Mayor Tarr added that's right until those drain fields go bad.

Councilman Frese still wants to talk to the Health Department and see because that's not his understanding.

Councilman Taylor stated that both the CCA and the Town's properties if needed they could put an above ground system if they had to. He stated that the reason to do it together is because the restrooms are next door and it would be a shared or combined thing. He stated that they both could do it separately with the Town could put a \$16,000 system in and the CCA could put a \$16,000 system in. He understands why they would want a shared system to help support them. He stated that whether they acquire the property or not they will get parcel C and put a system on their own property for \$16,000. He advised that the mass drain field would support a whole school. He added that he doesn't want to be responsible for replacing that system. He also stated that the above ground system is by far better for the environment. Councilman Taylor also stated that the Town doesn't need the upkeep of the massive drain fields for only 2 restrooms.

Town Manager Ritter stated that the joint system that they are requesting to partner in will be on the CCA property and the Town agreed to pay for the little bit of electricity.

Mayor Tarr stated that with 2 individual above ground systems there will be twice the maintenance on 2 separate systems. He stated that they are looking at the future to share the cost of the maintenance of that system as 50/50. He added that Council did hear about all of this in closed session. He feels it's a win-win situation for everyone. He explained that they are taking a building lot that has \$40,000-\$50,000 worth of value to give up drain fields here on Chincoteague. He added that they are getting that building lot for \$14,500 and putting in a new system.

Councilman Ellis added that there are going to be more expenses. He asked if there were any estimates to bring that up to some usage.

Public Works Director Spurlock stated that this will vary dramatically on what is decided. He stated they can clean it up in-house. He added that to pave it would be no more than \$10,000. He stated that if they intend to pave it and put additional basketball courts and parking area or whatever the Committee decides that area to be, the cost would be minimal.

Councilman Ellis asked if this area was designated as a subdivision.

Town Manager Ritter responded that this was the School Board property.

Councilman Ellis stated that the survey talked about the subdivision of lands of JAD Associates.

Mayor Tarr interjected that it isn't a subdivision. He stated that it used to be one parcel and it was divided into parcels A, B and C. He explained that A is across the street and B is the CCA property.

Councilman Ellis stated that the Town has subdivision ordinances and asked if the Town needs to do anything to be in compliance with that.

Councilman Frese stated that a parcel of land could be subdivided into 3 lots but if more it had to come under the subdivision laws.

Mayor Tarr again stated that it isn't a subdivision.

Councilman Ellis asked about the septic system estimates.

Public Works Director Spurlock explained the breakdown of gallons per bedroom. He stated that this system is easily expanded to a larger system.

Mayor Tarr stated that they were looked into by Boggs and Bundick along with the 2 engineers. He stated that this system was highly recommended by the engineers. He stated that they recommended they apply for the 900 gallon permit so that it could easily be expanded to the 1,200 in the future without going back for a permit from the Health Department. He stated the quote is based on the 900 gallon. He added that this is actually costing the CCA some money as they didn't have to have a system that large. He stated that it is the best interest of the community to put in the larger system.

There was brief discussion about cost and where the information is in the packet.

Councilman Ellis stated that when they received the information this is what they received. He stated that he believes they talked about using the property as parking. He stated that it is about process and not the property itself. He also stated that it concerns him because this the first that he has heard about a public hearing on the MOU between the Town and the CCA in the newspaper this past Thursday. He added that he didn't know they were considering the MOU. He stated that it seems to him that Council should have seen it first. He stated that the MOU was signed by the CCA President in February 2017. He asked how they signed off on this when Council didn't hear about this until March.

Town Manager Ritter advised that this was supposed to be on the March meeting and was pulled off the agenda because it needed to go to a public hearing. He advised that he contacted Town Attorney Rowan who researched this and advised it needed a public hearing.

Councilman Ellis asked Town Manager Ritter why they had to read about it in the newspaper instead of hearing about it from the Town.

Councilman Taylor asked if the closed session was recorded.

Town Manager Ritter advised he would look into it.

Councilman Ellis stated that it bothers him that it was dropped on him tonight for an approval.

Town Manager Ritter stated that the CCA approved this knowing that Council would have to approve it.

Councilman Ellis responded that he understands but they had the information in mid-February and Council didn't get it until the end of March.

Councilman Frese stated that it's costing the Town money and he doesn't think they should cost them more. He stated that the Town has spent \$7 million on the downtown. He added that most of that was in grants. He also stated that the Town put up almost $\frac{3}{4}$ of a million of the taxpayers money. He asked when the Town starts thinking about the taxpayers. He added that the Town never cuts taxes. He feels the Town is proud to raise meals tax and on the tourist. He stated that he didn't know that the Town Attorney was working on this until it was in the packet. He advised that he contacted Councilman Ellis and Vice Mayor Richardson and they didn't know anything about it either. He stated that he is either dense and didn't pay attention or he is not in the circle. Councilman Frese stated that he is a member of Council and he feels the whole thing has escaped him. He stated that when he reads "deed of gift" and reads through this realizes it's not a deed of gift, its barter.

Councilman Leonard asked if it was a plus for the Town.

Councilman Frese sharply responded that it wasn't.

Councilman Leonard asked if he didn't believe a \$50,000 or \$60,000 piece of property is a \$14,500 value for the Town.

Councilman Frese responded that it's great but it's not a deed of gift.

Councilman Leonard stated that it's a plus for the taxpayer.

Councilman Frese interjected that if you're selling something to the Town you tell us you're selling it and what your price is. He feels this thing is so convoluted he couldn't figure it out.

Councilman Leonard stated that if someone offered him \$20 and he had to give them \$5 back he would take that offer every time.

Mayor Tarr advised that when this was first brought to Council, it was about purchasing the property to enhance the property at the old gym.

Councilman Frese stated that he doesn't recall that.

Councilman Jester stated that they did discuss it. He stated that it would enhance the community.

Mayor Tarr stated that Council was given the plat. He asked why the plat would be given if they weren't going to talk about it. He also stated that they went out and instead of having to make an offer on a piece of property, the property was offered to the Town with one stipulation. He stated it was to release the sewer rights of the 300 gallons over to parcel A. He added that in doing so Public Works Director Spurlock had it evaluated. He also stated that the pumping system was evaluated a couple of months prior to that. He stated that today they are pumping illegally and it needs to be fixed. He also stated that the whole system needs to be fixed and is pumping illegally. He added that it doesn't have an alarm and needs maintenance. He also stated that there was a price of \$4,000-\$5,000 to get everything to normal. He advised that the research was done on the drain fields and they have failed. He feels this is a win for the Town. Mayor Tarr stated that they are going to spend money on the system they have or they can get a piece of property and buy a sewer system.

Councilman Taylor stated that he remembered the closed session about being interested in the property. He stated that when Councilman Leonard was leaving his statement was that they won't have to buy that property.

Councilman Frese suggested that Councilman Taylor buy the property.

Councilman Taylor advised that this no problem and he would gladly donate \$16,000 for a septic for the Town.

Councilman Ellis stated that Public Works Director Spurlock advised this would come from the 5% disposition from the Meals Tax which is budgeted at \$35,000 for playground equipment. He stated that they approved a pavement extension last month for the Ocean Boulevard extension to come out of the same fund to the tune of \$21,000. He also stated that the Recreation Committee has made some substantial improvements to the parks. He asked if all of that is paid for with donations.

Councilman Jester advised that it's a combination from the Police Department, the grocery store and 2 years of donations as well as the playground fund.

Councilman Ellis stated that \$21,000 was appropriated last month, this is \$15,000 and some of it was used for playground equipment which is more than the \$35,000.

Town Manager Ritter advised that there was a line item in the budget specifically for the playground equipment that was just purchased.

Councilman Frese asked how much was in the fund for the playground equipment.

Councilman Jester responded that they decided that with the money from the Police Department and the grocery store they agreed to take every other year of the money from the 5% of Meals Tax.

Councilman Frese stated that they are earmarking certain things and do everything else in the world with the rest because it's not marked for.

Town Manager Ritter stated that the line item is called "Recreation" so it can go towards recreation items.

Councilman Frese stated that they allocated it for something else.

Town Manager Ritter responded that they didn't realize that they were done with the playground equipment. He stated that they thought because the gym is a recreational facility it would fit under the umbrella of recreation. He also stated that it's coming to Council and if they choose not to do it they can look for another source.

Councilman Jester feels it's a no brainer. He feels it will enhance the recreational facility with the Town. He stated that it's not just for kids, it's for adults. He added that they are also getting a new septic system. He mentioned the events that the CCA brings to this community. He also stated that they are working together to bring people to the community to spend Meals Tax and Occupancy Tax. He sees the terminology being an issue. Councilman Jester also stated that there is a positive point of doing this in making a nice recreational point for adults and kids.

Councilman Ellis stated that on page 48 there is a resolution and thinks the last sentence is a misprint. He read the sentence.

Town Manager Ritter stated that it should state April.

Councilman Ellis also stated that in the proposed 2017 Budget on the last page is a memorandum from the Finance Director. He stated that she was to examine ways that the Town could come up with funds to purchase parcel A to a tune of \$250,000. He asked if this was tied in together as some plan to use it for recreation. He asked what they would use the property for.

Town Manager Ritter advised that it is used for youth football and Little League. He stated that if it's developed it will never be open space again. He added that if they could keep that open space alongside the gym then it can be used for football and soccer along with other things. He stated that it's a draft budget and if it isn't wanted then at Wednesday's meeting it can be removed.

Councilman Ellis feels this raises red flags in his mind.

Town Manager Ritter stated that it was discussed.

Mayor Tarr stated that it came up in February and was discussed as one of the 5 year or 10 year plan.

Councilman Ellis stated that it was and it was listed in the document for the Planning Commission to consider.

Mayor Tarr added that this is why it was forwarded to budgeting. He added that you can't implement things without plans.

Councilman Ellis asked if the property was for sale and that was the assessed value of the property according to the appraisal. He asked if that is what the Town pays.

Mayor Tarr advised it isn't. He stated that this is a decision of Council.

Councilman Ellis added that it is a decision for JAD Associates as well.

Mayor Tarr stated that it is for sale.

Councilman Frese stated that he has heard how the whole system on that lot has failed. He asked if this could be postponed for another month to check with the Health Department to see if it's failing. He feels if it is then it's a horse of a different color.

Councilman Ellis asked how long it takes to install a septic system.

Public Works Director Spurlock advised that an above ground system takes 2-3 days.

Councilman Ellis stated that the CCA has until December before they have to terminate the lease. He added that they have time.

Councilman Frese asked again that this be postponed for a month.

Mayor Tarr advised that they are still in the public hearing. He asked if anyone had anything else to come forward.

Ms. Jane Wolffe advised that if there are any questions she is willing to answer as she knows as much about this property as anyone. She stated that their goal was to save this property for the public good and luckily the CCA came along to purchase that part of the property. She stated that they rented the property for 10 years charging the Senior Citizens less than the loan payment. She stated that Arthur cut the grass on this property on his own for 10 years. She added that he is one of her partners on the property. She stated that the drain field on parcel A was installed in 1970. She advised that Mrs. Stacy Hart, who is an engineer, has looked at this system. She contacted the Health Department and was advised that everything that's permitted is the new Pete moss system.

Ms. Wolffe also stated that she contacted their attorney to help the CCA and the Town. She stated that Town Attorney Rowan was the CCA's attorney when they purchased the property and knows the situation. She stated that Mrs. Stacy Hart has worked with the Town to help form a more affordable system. She also added that JAD has repaired the system over and over. She stated that even when the County owned the building and property JAD paid for the maintenance and repair to that system. She stated that they had an appraisal done and thought about putting the property up for sale. She added that they thought better of it and offered it to the Town

because it's adjacent to the gym. She feels they are trying to help the Town. She mentioned the huge drain field on the lot with large concrete tanks that are in the way for the sports teams.

Ms. Wolffe is hoping they can do this or they can sell the property to pay off the outstanding mortgage. She estimated payment out of their pockets of \$1,000 per month over the years to maintain the property for the uses which estimates up to approximately \$10,000 per year for over 10 years. She stated that she is tired of that. She stated that it's up to Council. She added that it was 2 parcels, parcel A where the drain field is and parcel B, the lot CCA purchased. She mentioned the fence that was put up. She stated they tried to work with the CCA of what they could spend. She stated that the CCA was able to use lot C as long as they could maintain it. She advised that they surveyed the property and kept lot C. She stated that their first thought was to sell it. She also stated that after they discussed it further they decided to offer it to the Town. She believes that the surveyor put "subdivision" because they took lot C out of the parcel B.

Councilman Ellis asked what the rationale for eliminating the easement was when they were doing all of this.

Ms. Wolffe advised that it is a big piece of property with a system that is no good to anyone. She stated that it would be the Town's responsibility to repair it if anything happened. She stated that the CCA will not be using it because they're putting in a new system. She added that it will be the Town's responsibility to maintain it.

Mrs. Patricia Farley, Vice President of the CCA, stated that she chaired the building acquisition. She advised that everything Ms. Wolffe stated is exactly correct. She stated that the septic fails when they have a number of people using it. She also stated that they, JAD and the Town have all had it evaluated. She added that it will need replacing. She mentioned an issue with parcel C. She stated that they do not use it and the only plan they have for it is during the Artful Flea as an exit route. She stated that they would contact the Police Department for traffic control.

Councilman Ellis stated that he saw the easement for entrance and exit to and from parcel B.

Mayor Tarr interjected that the easement goes away when parcel C is sold.

Councilman Taylor stated that there were only 2 bids on this property, his being one. He stated that he had a discussion with the other bidder explaining that if they didn't take it he would have developed on it. He stated that he understands why it was purchased by JAD and offered to the Town because Mr. Donald Leonard had a vision to have recreation for the youth. He stated that he understands why and knows what they are saying is true. He feels it is best and thanked the Leonard family for this.

Ms. Wolffe added that she understands what Councilman Ellis is saying about parcel A. She explained that they wanted the Town to have the first opportunity to buy it before it goes into the open market. She stated that they would like the Town to consider if they would have use for it and if it was in the budget.

Councilman Ellis asked if parcel A was big enough for parking for special events.

Mayor Tarr stated that staff was going to look into pros and cons about the property to bring to the meeting. He advised that Town Manager Ritter has started contacting all of those who use the property and the gym. He added that they hope to have that information before the next meeting. He explained why all 3 things are on the table at once which is because they're all tied together. He stated that if they don't accept the deed of gift and accept the sewer easement they can't enter into an agreement with the CCA and there is no since to approve the Town's share in the septic system. He stated that it had to go all into one agenda item because it is all tied in together.

Councilman Ellis stated that it would have been helpful to have received the information from the Town Manager or Public Works Director in advance so that they could do their homework.

Town Manager Ritter apologized.

Councilman Ellis appreciated the response.

Councilman Frese stated that he feels the same way, like he was left out in the cold. He stated that the more he read and studied this he couldn't figure it out.

Councilman Ellis asked if this was tabled for a month would this make any difference in what the CCA or JAD plans to do.

Mrs. Farley responded that they need a new septic system.

Mayor Tarr advised that there is a workshop scheduled for the 21st.

Councilman Leonard feels that it gives enough time.

Mayor Tarr asked Council if postponing this matter until the 21st is sufficient.

Council concurred.

Mayor Tarr announced that this will be postponed until the workshop meeting on the 21st.

17. Budget and Personnel Committee Report of March 8, 2016

- **Possible Motion to Approve Dispatch Position Descriptions**
- **Possible Motion to Approve Facility Supervisor Position Description**
- **Possible Motion to Approve the Harbor Rate Schedule**

Chief Mills stated that since the Town no longer has the 911 dispatching he would like to update their position duties and description. He reviewed the certifications that are no longer necessary along with fine tuning the positions.

Mayor Tarr asked if there were any questions. There were none.

Councilman Frese motioned seconded by Councilman Jester to approve the Dispatch Position Descriptions. Unanimously approved.

Public Works Director Spurlock stated that the Facilities Maintenance Supervisor worked out even better than he had imagined. He stated that the only part that would make it better is to make this a salary position. He also stated that there is a salary range listed. He also added that he and the Town Manager haven't met to decide the salary of this position but did create the range. He added that it will give them a lot more scheduling flexibility within the Public Works Department.

Mayor Tarr stated that the Maintenance Supervisor job description is already on the books. He advised Council that their job this evening is to change this position from a nonexempt to exempt.

Public Works Director Spurlock added that the salary range needs to be approved as well.

Mayor Tarr asked if there were any questions.

There was brief discussion about the change from an hourly rate to a set salary.

Councilman Ellis asked if the change will cost the gentleman in this position.

Public Works Director Spurlock advised that it won't if he has anything to do with it. He added that the gentleman in that position is a tremendous asset to the Town.

Councilman Ellis discussed total income.

There were a few comments.

Vice Mayor Richardson asked when this starts.

Town Manager Ritter responded that once it is approved it can start.

Public Works Director Spurlock stated that once approved they need to finalize the salary and salary range. He stated he would bring the range back to the workshop.

There were questions about the salary range.

Public Works Director Spurlock asked if he could finalize this and bring it back to the workshop.

Council agreed.

Mayor Tarr stated that the 3rd part of the Budget and Personnel meeting is the adoption of the Rate Schedule for the Curtis Merritt Harbor. He referred this to Town Manager Ritter.

Town Manager Ritter stated that they usually discuss this at the draft budget schedule. He stated that Mayor Tarr suggested this be discussed separately before Council. He explained that the slip lease is from June 1st to May 31st. He stated that the increase is 3% per year. He stated that under recreational vessels sub-permit rate they thought to increase the weekly rate from \$55 to \$70. He also advised they are changing the monthly rate from \$220 to \$250. He added that this is at the Harbor Master's recommendation.

There was brief discussion.

Mayor Tarr stated that these are the proposed changes to the rate schedule.

FISCAL YEAR 2017
Rate Schedule
Curtis Merritt Harbor
(June 1, 2016 – May 31, 2017)

25 ft Slip \$473.00
30 ft Slip \$534.00
40 ft Slip \$802.00
50 ft Slip \$1167.00
Slip at head of Collector Pier \$1283.00

Loading Dock fees are \$7.00 per day after 4 hours for commercial vessels and \$10.00 a day for recreational vessels with a \$25.00 minimum.

Sub-permit rate for Commercial Vessels: \$4.50 per day or any portion of a day.

Sub-permit rate for recreational vessels: \$15.00 per day or any portion of a Day with a \$ 30.00 minimum or \$70.00 a Week (7 days) or \$250.00 a Month (30 days) any size slip.

Nets or other items left on dockside for storage over 3 days will be charged a \$10.00 fee per day.

Boat repair area for with a Harbor permit is \$10.00 per day after 7 days per season haul out.

For Non Harbor resident Boat repair area will be \$15.00 a day charge after the first 8 hours.

Fees or Penalties for leaving the work area not cleaned \$50.00 one-time penalty per haul out. If payment is not received all Harbor and Town Property privileges will be prohibited.

Trailer parking with Harbormasters permission, short term (less than Two weeks) \$5.00 per day. Trailer must have a tag and a user fee sticker.

Councilman Frese motioned, seconded by Vice Mayor Richardson to approve the Harbor Rate Schedule. Unanimously approved.

18. Resolution to Accept Woodland Drive into the Urban Maintenance Program

Public Works Director Spurlock stated that this is a standard resolution when the Town adds a road into the VDOT Urban Maintenance Program which requires a U2 Form and a Council Resolution. He stated that the Maddox family has tentatively agreed to a deed transfer to the Town. He stated that he has conferred with VDOT and it meets all the requirements. He stated that VDOT Planning Department has reviewed it.

Councilman Frese asked about the width.

Public Works Director stated that the right-of-way is 50' wide. He added that the paved width is only 16' wide which is allowable because the road has been there since 1951.

Councilman Ellis stated that this action was placed on hold because the road was upgraded.

There was discussion between several Councilmembers.

Councilman Ellis asked if this is accepted into the program would the Town have any fiscal responsibility.

Public Works Director Spurlock advised that the Town would as they do with any other road adopted into the program. He added that every year VDOT pays the Town based on the amount of lay miles in the system.

Councilman Frese motioned, seconded by Councilman Taylor to adopt the Resolution to Accept Woodland Drive into the Urban Maintenance Program. Unanimously approved.



RESOLUTION

**TOWN COUNCIL
TOWN OF CHINCOTEAGUE, INC.**

WOODLAND DRIVE

**EASTERN SHORE DISTRICT
VIRGINIA DEPARTMENT OF TRANSPORTATION**

WHEREAS, certain streets on the attached sketch entitled Woodland Drive, located entirely within the corporate limits of Town of Chincoteague, and described on the attached Form U-1 (Rev. 1-1-07), fully incorporated herein by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of Accomack, County; and

WHEREAS, the street meets the requirements established by the Virginia Department of Transportation; and

WHEREAS Woodland Drive was established prior to July 1, 1950 has at least 30' of R/W and at least 16' of hard surface; and

WHEREAS, the above streets serve a genuine public need; now, therefore, be it

RESOLVED, by the Chincoteague Town Council this 4th day of April 2016, that the Virginia Department of Transportation be, and is hereby, requested to take the necessary action to add the above described streets into the Urban System for maintenance, as provided in 33.2-319, Code of Virginia,; and, be it

RESOLVED FURTHER, that this Council does guarantee the Commonwealth of Virginia a minimum unrestricted right-of-way of thirty (30) feet with necessary easements for cuts, fills and drainage; and, be it

RESOLVED FINALLY, a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Signed:

Attest:

Hon. John H. Tarr, Mayor

Robert G. Ritter, Town Manager

Town Attorney Rowan stated that the resolution refers to a Code section which is provided for 33.1-41.1 Code of Virginia. He advised that the new Code section is 33.2-319.

Public Works Director Spurlock advised that he would make the revision.

19. Resolution for a Water Meter Project

Town Planner Marney advised that he assisted Public Works Director Spurlock with the loan application package which included a wide variety of documentation the past 3 fiscal years budgets. He added that it included proposals for the upcoming year. He stated it was submitted this past week and covers everything for the budgeted project. He also stated that it will cover all costs which were \$965,000. He advised that the Town should hear back from this in June.

Public Works Director Spurlock stated that the resolution will authorize the Town to apply for the loan. He stated that there is no obligation whatsoever of either party at this point. He also stated that this is a loan for the auto-read meter project with an interest rate of 1.5%.

Councilman Frese asked if this was for the entire island.

Public Works Director Spurlock advised that it is.

Councilman Ellis asked if this is the Neptune meters.

Public Works Director Spurlock stated that it is and it's something they will have to work out with the Virginia Department of Health. He stated that they have already started a sole-source justification. He advised that they have exclusions and the majority of the meters in the system currently are Neptune. He also stated that the details will have to be worked out if the loan is approved. He added that VDH advised there is a 99% chance the loan will be approved.

Councilman Ellis stated that at the Public Works Committee meeting in November they decided to have a pilot study. He asked if this was being done.

Public Works Director Spurlock stated that it is being done. He stated that they have installed 41 meters and they could almost be read sitting in the office. He also stated that the most attractive thing about this system is that they aren't going to justify costs by not having to go out and read meters every month. He added that they get real-time leak detection. He advised that this is a fixed base system where the transmitter will be at the top of the water tower and will literally update computers in the office up to every minute.

Councilman Frese stated that as he recalls if there's a leak somewhere it will pick it up.

Public Works Director Spurlock added that it will issue a leak alarm. He explained that it looks for a constant steady flow for an extended amount of time.

Councilman Frese asked how long it will take to put in.

Public Works Director Spurlock stated that it takes a couple of months to do the whole island. He also added that this amount includes a contractor doing the work.

Councilman Frese motioned, seconded by Councilman Leonard to adopt the Resolution for a Water Meter Project. Unanimously approved.



**A RESOLUTION
OF THE
CHINCOTEAGUE TOWN COUNCIL**

WHEREAS, the Town of Chincoteague is seeking to upgrade our water system by replacing mechanical water meters with a fixed based AMI system; and

WHEREAS, this improvement to the Town's water system will upgrade the registers for newer water meters, change out aging meters and install associated software to allow for improved water accountability; and

WHEREAS, the Town of Chincoteague has applied to the Virginia Department of Health, Office of Drinking water for a loan to implement this project;

NOW, THEREFORE, BE IT RESOLVED that the Chincoteague Town Council acknowledges the application of a loan from the Virginia Department of Health for such improvements.

BE IT FURTHER RESOLVED that the Mayor of the Town of Chincoteague, or his designee is hereby authorized and empowered to execute in the name of the Town of Chincoteague all loan documents necessary to secure funds and implement the approved project.

DATED this 4th day of April, 2016.

John H. Tarr
Mayor

ATTEST:

Robert G. Ritter, Jr.
Town Manager

20. Mayor & Council Announcements or Comments

Councilman Frese reported on the Community Center. He stated that Mrs. Shotwell was voted in as Chairman of the Board. He stated that she has stepped in and doing a lot of investigation. He feels she's doing a fantastic job.

Councilman Taylor congratulated the Police Department and Dispatchers. He stated that this directly tells what they are doing to keep a safe community. He stated that he has been places in Virginia where he doesn't feel safe. He thanked the Department for continuing what the past Chief has done.

Councilman Ellis also congratulated the Police Department for receiving the accreditation. He asked about the meeting with Ms. Darden and there was a suggestion to have the Secretary of Natural Resources visit the island to speak with the watermen. He asked if this was pursued.

Town Manager Ritter stated that he understands that Delegate Rob Bloxom is looking into what type of language the Secretary would be using and he will forward it to the Town. He stated that they can invite her to come.

Councilman Ellis stated that the monuments and plaques look good at Mariners' Point. He stated that it's something that the people can be proud. He understands that he's been moaning and groaning about the process. He requested that if there are things that are coming up for discussion he would like information and analysis from staff along with their recommendation. He stated that he didn't know all of the information brought this evening.

Councilman Jester mentioned the Airbnb which is where you go online to rent someone's bedroom. He stated that it would be interesting to go to the site for Chincoteague to see if there are Airbnb rentals are going on here.

Chamber Director Shotwell advised that they are in the area and it should be looked into further.

Councilman Jester expressed his concern because of the rental homes that pay Transient Occupancy taxes and have to meet the parking requirements.

Vice Mayor Richardson stated that she is proud of the Police Department and they have worked very hard. She stated that she hasn't heard anyone speak badly of them. She also stated that at Mariner's Point the tide and waves are beating it up. She suggested doing something quick before it is lost.

Town Manager Ritter advised that there is someone coming Thursday from the Army Corps of Engineers to look at it.

Mayor Tarr stated that they met with the Colonel and was advised that it's something they could do and that they have funding for this.

Vice Mayor Richardson mentioned the flooding in Ocean Breeze. She stated that its a canal running through Ocean Breeze.

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

• Personnel Matters

Councilman Jester 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. Unanimously approved.

Councilman Frese moved, seconded by Councilman Jester to reconvene in regular session. Unanimously approved.

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

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, Frese, Leonard, Taylor, Ellis, Richardson

Nays- None

Absent- None

Adjourn

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

Mayor

Attest: Town Manager

**MINUTES OF THE APRIL 21, 2016
CHINCOTEAGUE TOWN COUNCIL WORKSHOP MEETING**

Council Members Present:

John H. Tarr, Mayor

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

CALL TO ORDER

Mayor Tarr called the meeting to order at 5:00 p.m.

INVOCATION

Councilman Ellis offered the invocation.

PLEDGE OF ALLEGIANCE

Mayor Tarr led in the Pledge of Allegiance.

AGENDA ADDITIONS/DELETIONS AND ADOPTION

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

Councilman Frese stated that at the last full council meeting he misspoke about the property being sprung on Council knowing nothing about it. He advised that by listening to the minutes it was discussed in closed session. He stated that while he didn't understand what it was all about, he misspoke in error. He apologized to Mayor Tarr, the Councilmembers and to the citizens.

1. Discuss Possible Letter to be Sent to the U. S. National Park Service for Draft GMP and EIS

Mayor Tarr advised that Council has been working on this with staff. He also stated they have gone over it with Delegate Bloxom.

Town Manager Ritter stated that the issue after reading the GMP has been narrowed down to a few items. He reviewed those items. He stated that the National Seashore Act basically wants to regulate all of the watch houses and hunting blinds. He also stated they addressed aquaculture. He read the public law and feels it is an outreach on their authority. He also read information regarding leasing lands which should be verbiage added in the alternatives. He stated that we want to support a continued way of life for horseshoe crabbing. He read the language under fin fishing "oyster watch house, duck blinds, aquaculture and horseshoe crab harvesting should all be treated the same as fin fishing. They all have the same historical and culture value to our community and all or a part of our way of life in the past and future. The Seashore Act of 1965 did not give up any of the Commonwealth rights to allow and control any of these activities but actually promote them." He stated that they thank them for their GMP and looking at some of our concerns previously. He asked if anyone has any more information that they think should be hit on. He reminded Council that they have until the end of the month.

Councilman Jester asked if they were going to send Rev. Johnson's letter.

Councilman Ellis likes the stronger language. He asked what would be next if these things are not changed or included.

Town Manager Ritter advised that the next approach would be litigation.

Councilman Frese suggested enlisting the help of the statesmen.

Town Manger Ritter agreed.

Mayor Tarr advised that Delegate Bloxom and Senator Lewis will address the state's rights in their letters. He advised that Delegate Bloxom expects the state of Virginia taking them to court. He stated that if there are any additions, corrections or changes to forward them to Town Manager Ritter.

Councilman Jester asked to include their letters with this one showing that they concur.

2. Discuss Parcel "C"

- **Possible Adoption of a Resolution for the Deed of Gift**
- **Possible Adoption of a MOU with Chincoteague Cultural Alliance**
- **Possible Adoption of the Bid for Shared Septic System for the Island Gym**

Mayor Tarr stated that this has been brought back with more information.

Town Manager Ritter stated that everyone received a copy of the memo that was issued yesterday. He apologized that they didn't get everything out to them as they didn't receive all of the information until yesterday. He stated that they received the Boggs report on the septic system. He stated that the IAC has a pumping tank which gravity feeds a tank on the CCA property. He also stated that the tank pumps to the field tank drains on parcel A. He added that the small tank at the IAC is failing. He advised that the Town would have to replace the tank and put the proper pumps and alarms in that tank to pump it over to the drain fields using parcel A. He stated that this would be approximately \$6,000 or more if the field drains or force main going over to the field drain collapses. He advised that it hasn't actually been going to the field drain.

Councilman Frese asked where it has been going

Town Manager Ritter responded that it's actually a cesspool. He stated that on the MOU the CCA agreed to be a partner with the Town on an easy treat low pressure discharge system of about 900 gallons per day. He stated that this system is expandable if the Town wants to expand it to a 1,200 gallon per day system which would cost \$14,573. He explained that the life expectancy is about 20 years on a septic system. Town Manager Ritter stated that the other tangible benefit of dealing with the 3 step process is the benefit to the shared system with the CCA. He added that it eliminates the easement on parcel A and obtains parcel C which enhances the Town's ability to deliver recreation opportunities for the future. He stated that it could be additional parking, overflow parking with basketball courts, volleyball courts or anything. He referred to the report. He stated that the conclusion states that it is unsatisfactory. He also stated that Public Works Director Spurlock spoke with the Health Department.

Public Works Director Spurlock advised that the \$6,000 estimate is the best case and is to just install a tank and a pump that would service the Island Activity Center. He stated that this is assuming that the rest of the system is intact. He advised that the gentleman from the Health Department from Accomack County stated that in no uncertain terms would the Town get a permit to repair or replace the drain fields across from the gym. He also stated that due to current regulations and the known soil composition on Chincoteague it is highly unlikely to get a permit. He added that this forces the Town into some type of secondary treatment system such as an easy treat system.

Councilman Frese asked if this would be in conjunction with the existing drain fields.

Public Works Director Spurlock stated that it would not. He added that if the drain fields have indeed failed the Town would not be able to use them anymore. He explained that they could not be repaired or replaced by permit.

Councilman Frese asked if a letter was given to that effect.

Public Works Director Spurlock responded that they can't do that without doing a complete soil analysis on those drain fields.

Councilman Frese stated that there isn't a soil analysis and they last 20 years.

Public Works Director Spurlock stated that they are comparing regulations that were put in some time in the 70s. He stated that the sewage regulations are very different today. He added that there are very few locations on the Island that can be permitted for a drain field system.

Councilman Frese asked how many systems were installed in the 70s or before that are still functioning.

Public Works Director Spurlock responded that he has no idea.

Councilman Frese stated that they couldn't make a judgement then.

Mayor Tarr interjected that the report from Boggs stated that of the 22 drain field lines only 4 are functioning properly. He added that 18 have gone bad and this report was 2 years ago. He added that a full sewage report was done on the property.

Councilman Ellis asked if this was done 2 years ago for the CCA.

Mayor Tarr and Town Manager Ritter advised that this was correct.

Councilman Ellis then asked how many times in the 2 years since the report was done has the IAC system failed.

Town Manager Ritter responded that it hasn't failed. He added that it isn't pumping over to the field drains. He corrected himself and stated that it has since failed because it isn't pumping over to the field drain. He added that it isn't pumping correctly.

Councilman Frese asked where it is pumping.

Town Manager Ritter stated that it is acting more of a cesspool than anything.

Councilman Ellis and Councilman Frese commented that they are surprised that the Health Department hasn't been on this.

Councilman Ellis stated that if there haven't been any failures then how long is it operational.

Town Manager Ritter asked him to repeat the question.

Councilman Ellis rephrased the question by asking has Boggs indicated how long this system is operational.

Councilman Jester stated that it isn't operational now.

Public Works Director Spurlock asked them to keep in mind that using the large tank is no longer an option because there were conditions in the purchase of that property. He stated that the Town is looking at the best case scenario to spend \$6,000 to pump over to a failing drain field. He added that they are nearing the situation where they have to do something.

Councilman Taylor stated that even if he's saying the drain field is perfect, the difference between the \$6,000 and the \$14,000 is \$8,000. He then asked if the property is worth \$8,000. He stated no matter what, they have to spend \$6,000 to put a tank and pump system. He added that the only thing on the mass drain field is the Town. He stated that it could last 20-30 years. He mentioned the CCA building being expanded to a senior citizen building and feels they should go to the 1,200 gallon system to start with. He added that it is an \$8,000 difference and he feels the property is worth \$8,000.

Councilman Frese asked if Councilman Taylor feels it's worth \$8,000 plus giving up the drain field easement with 20 lines on it.

Councilman Taylor responded that they only have a 300 gallon per day if that. He stated that the Town can put an above ground mound system on that property.

Mayor Tarr added that they have a price of \$25,000 to put a new system into the Island Gym if it was a standalone system.

Councilman Frese stated that they put one in for the Sea Tag that cost \$28,000 or \$29,000. He also stated that this is a heck of a lot more than 300 gallons a day.

Mayor Tarr added that this falls under a commercial property.

Councilman Frese responded that his is commercial property as well.

Mayor Tarr stated that it's whether they want to pay \$8,000 now or \$28,000 later.

Councilman Frese stated that 300 gallons a day isn't going to cost \$8,000.

Mayor Tarr advised that they were given a price of \$25,000 for a new above ground system.

Councilman Frese wanted to know how many gallons this supports.

Mayor Tarr responded whatever the legal amount for the use of the building which goes by the square footage.

Councilman Frese stated that they are comparing apples to apples.

Mayor Tarr stated that he is only referring to the Island Gym and not his place.

Councilman Frese stated that he knew for a fact because he had to pay for it.

Vice Mayor Richardson asked what it would cost the Town to do a current inspection. She stated that she looked into the tank earlier today and it is pumping into the large system.

Councilman Jester asked if it was pumping into the drain field.

Vice Mayor Richardson advised its pumping into the tank itself.

Mayor Tarr interjected that the drain field isn't working.

Vice Mayor Richardson stated that it isn't full.

Councilman Jester stated that it isn't full which is why they're not seeing problems. He stated that it doesn't make sense to deal with a 40+ year drain field. He stated that to get a new cleaner system would make all the sense in the world.

Councilman Taylor asked if parcel C was worth \$8,000 or not.

Councilman Frese doesn't feel this is the question before Council. He stated that the question before Council is what's happening today, tomorrow and so on. He also stated that today they have in perpetuity a drain field they can pump across the street. He stated that they aren't going to assume any other liability for any other party or operational control or financial obligations with a dual system. He does not agree with a dual system. He feels they can do anything they want and the Town has to pay for half of it. He stated that it isn't in the best interest of the Town and taxpayers. He also stated that they have a drain field across the street in perpetuity and when or if it fails they will only have to put in a \$6,000 tank with proper pump.

Mayor Tarr added that this isn't the total.

Councilman Frese advised that he isn't convinced that it's more than that if they need it. He also isn't convinced that they need it.

Mayor Tarr stated that he will call the Health Department tomorrow and guarantees there will be a repair to the system by the CCA and the Town.

Councilman Frese stated that Public Works Director Spurlock has talked to the Health Department. He added that he can't understand if it's that bad he's surprised they haven't come here to inspect it.

Mayor Tarr stated that he doesn't think they were told it was bad or the pumping system is bad. He doesn't think anyone that is working for the Town would do that. He stated that they asked about the use of the drain fields across the street and what a repair permit would be if they had to do a repair on the drain fields.

Councilman Ellis asked for 5 minutes to put some things on the table. He stated that he isn't necessarily opposed to this idea for a new joint system. He stated that for one it isn't a lot of money. He added that two, the CCA provides a very valuable service for the citizens of this community. He stated that what bothers him is the process that is being used. He also stated that it keeps raising red flags in his head. He asked to share this with Council. He stated that he made an incorrect statement. He advised that on April 4th he stated that it was the first time he heard of the possible gift of parcel C from JAD and the idea of a joint septic system of CCA. He stated that he was told at that time it was discussed in January. He advised that he reviewed the minutes and there was a closed meeting on January 4th.

Councilman Ellis stated that the closed meeting wasn't on the original agenda and was proposed by Mayor Tarr at the meeting which was 2 topics to discuss. He explained that one was discussion about the Town Attorney and the other was acquisition of property. He stated that they do not have minutes for the closed session. He advised that he had a copy of the disc that was kept from that meeting. He stated that he listened to that several times. He prepared a summary of the closed meeting. He advised that it is not verbatim. He gave Council a copy and suggested they listen to the recording and review his notes. Councilman Ellis stated he has provided Council with a timeline of this entire matter. He stated that this covers from January 4th to the April meeting.

Councilman Ellis asked if it was ok to briefly discuss these items with Council and the public. He stated that at the January 4th closed session was not on the agenda and was added with Council approval. He understands that closed sessions are not to be discussed in public. He stated that during the closed session the public was informed for the 1st time of the gift of parcel C to the Town in return for the Town's termination of the sewage easement of parcel A. He stated that the possibility of working with the CCA of a joint septic system was also presented to Council for the 1st time at that meeting. He shared statements of what they were told at that meeting.

Councilman Ellis advised that they were told specifically by Mayor Tarr that if they decided to accept the gift of parcel C then no immediate action was required with regard to terminating the sewer easement of parcel A. He also stated that no immediate action was required for a new joint system to be installed. He stated that Mayor Tarr advised that he has been meeting with the CCA for about a year and a half while they were trying to purchase the property. He also advised that Mayor Tarr stated that he had not read the document. He stated that he has read the document and is sure Council has now as well. He stated that Mayor Tarr advised at that time that he had not read the document and has talked to the CCA and they would have 2-3 years or until the property was sold to put in a new septic system. He also advised the Mayor Tarr stated the Town would have the same type of agreement and would not have to do anything right away.

Councilman Ellis advised that Mayor Tarr stated that if Council was interested in pursuing the gift of a parcel of land under the proposed condition that Council would be provided with more information of actual costs of a new septic system which is required by the Health Department. He also stated that Mayor Tarr stated that Public Works Director Spurlock would speak to the CCA to get some accurate true numbers about costs and he would come back to Council for a decision. He advised that Mayor Tarr added that they would have an opportunity to meet with someone from CCA concerning the matter. Councilman Ellis stated that this was on January 4th. He referred to the timeline, January 4th was the first time this was mentioned and there was no rush as nothing had to be done right away. He stated that they had a matter of 2-3 years to terminate the agreement and get a new system.

Councilman Ellis reported that the next meeting with Council was the January 14th workshop meeting. He stated that he has gone through the approved Council minutes and there were 5 meetings after the January 4th meeting. He advised that the comments were taken directly from the minutes. He stated that on January 14th they were dealing with something that Mayor Tarr asked Council to address which was a 5 year capital expenditure request. Councilman Ellis advised that in that meeting Councilman Jester stated that he would like to see something done with the IAC. He stated that Councilman Jester expressed that this is a place of activity for the Island and would like to see the building fixed up and made extra equipped for further activities mentioning pickleball.

Councilman Ellis stated that Mayor Tarr advised that they were making progress with the adjoining property there. He was unsure if Mayor Tarr was talking about parcel A or parcel C. He stated that Mayor Tarr felt that if they worked with the CCA it would be a wonderful place for the farmers' market to grow and there were several other projects included for next year. Councilman Ellis informed Council there was no mention made in that meeting of parcel C. He also stated that there was no mention made about a joint septic system. He continued that the next Council meeting was February 1st and nothing related to parcel A, parcel B, parcel C or a septic system was mentioned in that meeting. He stated that the next meeting was February 14th and they discussed long-term planning considerations for capital expenditures. He stated that Town Manager Ritter added #10 on the list he prepared which was similar to what the Planning Commission used. He stated that this was to purchase the adjoining property of the IAC, which was parcel A. He continued that Town Manager Ritter advised it could be used for additional parking or for youth football practices along with a baseball field on that property. He stated that Councilman Taylor asked about the amount on the appraisal. He stated that Mayor Tarr advised

that parcel A was appraised and goes all the way to the church property. He again stated that nothing was said about a gift of parcel A or parcel C or a joint septic system.

Councilman Ellis read further on the timeline that the next meeting was March 7th and nothing was mentioned about parcel A, parcel B, parcel C, deed of gift or a joint septic system. He stated that the next meeting was March 17th and again nothing was addressed about any of these topics. He stated that the initial discussion was January 4th about accepting a deed of gift of parcel C with a condition. He added that the initial meeting was January 4th when a joint septic system was mentioned and wasn't mentioned later in January, February or March. He advised that at the January 4th meeting they were told it was 2-3 years away. He stated that at the April meeting that this was the first time he had heard about it. He stated that he may have had a short-term or long-term memory problem but he had put it away. He stated that he mentioned it in the budget workshop last week. He advised he keeps a separate file of matters coming up before Council any time soon so that he can do his homework and research in order to speak intelligently making intelligent decisions for the taxpayers of the Town. He stated that in January when it said 2-3 years away he piled the information in the folder for that meeting and put it away.

Councilman Ellis stated that he was surprised to read in the Beacon and later that afternoon in the Council packet that they were having a public hearing about this matter. He added that in the packet it was a possible adoption to accept the gift, a possible adoption of the MOU with the CCA and possible adoption of a shared septic system. He stated that the way this came about raises red flags. He doesn't understand that something that was raised 3 months ago has to be decided on at a particular meeting. He stated he has a lot of questions before he can vote on this for staff and the Town Attorney who is now out due to illness and won't return any time soon. He feels they need legal advice. He also has questions for the CCA on how this evolved and for JAD the grantor in this case. He stated that a red flag has come up and it isn't a lot of money but he isn't comfortable voting with the questions. He advised that if he had some satisfactory answers he may be more than happy.

Councilman Taylor asked if the CD could be played to the meeting.

Mayor Tarr stated that they could play it. He advised that a few things were left out of some scenarios which was exactly all of Council on January 4th was in favor of going forward with pursuing this piece of property. He added that they were also in favor of working on the deal with the CCA in the fashion that they did.

Councilman Ellis interrupted that there wasn't a vote.

Mayor Tarr responded that everyone in that room was in favor of going out and pursuing this.

Councilman Ellis again interrupted stating that in all due respect, everyone wasn't in favor.

Mayor Tarr asked for the floor. He stated that from January 4th to April 4th there were several meetings with staff, sewage engineers, attorneys, JAD, the CCA because this was a 3 part deal as you can see in the agenda packet. He added that it had to be worked out between 3 different parties before it could be brought back to Council. He explained that this is why it took from

January 4th to April 4th to bring back. He stated that he wasn't sure what the conversation was about putting it off for the 3 years and would like to go back and listen to that part. He also stated that at that time he wasn't sure the CCA purchased the property. He stated that he did not know what was in their document at that time. He also added that they had "X" amount of time to get rid of the sewage off the property. He stated that he assumed that he was given the same amount of time. He explained that this is why it wasn't brought back to Council. He added that when they bring things back to Council and they haven't done all of the due diligence then Council is upset. He then stated that if they do their diligence Council is upset.

Mayor Tarr stated that staff doesn't know what to do. He advised that they researched prices on new systems. He also stated they surveyed the current pumping station which is illegal and they have gone over the tank system. He also advised they met with Bundick and Boggs on the site. He stated that they located drain fields with the Town's equipment along with surveys. He added that they did this with due diligence of the Town and staff. He is unsure of what else they can do. Mayor Tarr stated that Council can't be involved in micromanaging every little detail of a deal that's put together. He commented that this is what staff is for. He stated that he apologizes if anyone feels left out. He stated that several years ago a policy was passed that Council packets go out on Thursdays. He explained that this was for one simple reason so that if anyone has any problem with anything that is in the packet they could come into the office and talk with staff to get their answers before they come to the Council meeting. He added that if they couldn't get their answers it was removed off of the agenda.

Mayor Tarr stated that it is the same for this evening. He stated that if they had questions for staff about the meeting they should have asked. He added that staff hasn't seen them.

Councilman Jester asked Councilman Ellis to define red flags. He takes it as a negative comment that indicates something is wrong.

Councilman Ellis responded that it is meant that way.

Councilman Jester asked him to define and asked if it was occlusion and wanted to know what he was trying to say.

Councilman Ellis advised that he is trying to say that with all due respect that the statement was a direct quote: "2-3 years or until the property was sold" which was stated on January 4th. He stated that when the information came out on March 31st in the packet there was a copy of the easement that indicated that there would be 1 year from the date of purchase. He stated that he understands that and isn't questioning that. He again stated that Council was told 2-3 years or until the property is sold. Councilman Ellis stated to Mayor Tarr that he understands that he had staff working on this from January through April. He also stated that it seems to him that it would have been wise at sometime in February or March to at least apprise or make Council aware of what was being done rather than Council thinking that this something that was not coming down the road but rather put on his doorstep on March 31st.

Mayor Tarr stated that if they had thought that this was a major issue like responding to the CCP there would have been multiple meetings of the Town Council over a long period of time. He

advised that they were told at the January 4th meeting that it was a good idea to go forward. He added that this is what staff did.

Councilman Ellis stated that he still feels they were not answering questions.

Councilman Frese stated that he would like to make an observation. He stated that the question is to assume the Town said they didn't want to do anything and what would the CCA do. He stated that he assumes they would put in a system that would cost \$14,000 or \$15,000 on their property. He stated that if he's wrong someone tell him.

Mayor Tarr advised that the CCA was prepared to put in their own system and is prepared today to put in their own system at a cost of \$20,000 - \$22,000.

Councilman Frese asked if this was for 900 or 800 gallons per day.

Mayor Tarr responded that they wouldn't need that much.

Councilman Frese stated that it wouldn't cost that much and he knows for a fact because he was given a price by one of the people that put it in.

Mayor Tarr stated that he can't help what price Councilman Frese puts together.

Councilman Frese stated that he didn't price his. He added that he priced the CCA's. He also stated that he priced it within the last week.

Mayor Tarr added that they may need to talk to him about it so they can get a cheaper system.

Councilman Frese asked that his point is would they be able to function as they are now without the Town. He believes the answer is an obvious, yes. He then asked why they would want to take the Town onto their system. He stated that the Town makes it a larger system and puts in the electrical service agreeing to pay the electric item. He understands why they would do this. He asked if it would harm the CCA if the Town does not go in with them. He doesn't think so. He asked for someone to speak up if it would. He then stated that it then resolves to the Town looking at this question as representatives of the taxpayers and citizens of Chincoteague. He does not think that a joint system is in either party's best interest because the Town doesn't know. He also stated that the Town doesn't have any say over what can and cannot be done in those properties affecting those systems. He stated the Town could do something that affects the system because it's a joint system. He also stated that they could do something that affects the system. He asked why put either party in that, when it's not necessary. He doesn't see any need for it. He also stated that he doesn't buy the fact that a great big system can be put in for \$29,000 which the Town knows about. He added that it's going to cost pretty close to that if the Town doesn't go on it. He stated that the figures don't add up. He also stated that it's the way it looks to him.

Mayor Tarr asked Mr. Jim Dayton with the CCA who has worked with the sewage engineer and the pricing to explain the pricing for Council.

Mr. Dayton advised that the pricing that the Mayor stated is correct.

Councilman Frese asked if he had prices because the Town hasn't seen them.

Mr. Dayton responded that they are the CCA's prices and the Town has their own prices.

Councilman Frese stated he received a rough estimate.

Councilman Ellis stated that in the closed session Mayor Tarr stated that the cost for the Town to have their own system, which Public Works Director Spurlock got from Bundick was \$25,000.

He also stated that Public Works Director Spurlock advised that in conversations he had with the CCA they had received lower prices. He added that the specific figures he received were \$10,000, \$12,000 and \$15,000.

Mr. Dayton responded that they have had prices between \$15,000 and \$22,000.

Councilman Frese asked if this was for a single system.

Mr. Dayton advised that it is for a single system.

Councilman Ellis asked if they could pursue this.

Mayor Tarr responded that they could if they wanted to.

Councilman Ellis stated that when the CCA purchased this there was an article in the paper in November 2015. He advised that they had 2 major expenses coming up. He stated that one was the installation of a new heating, ventilation and air conditioning system and the second was an independent septic system separate from the Town. He stated that at that time he is assuming they were intending to put their own septic system in because there must have been a condition of the sale of the property to the CCA that they terminate the lease.

Mr. Dayton stated that the newspaper isn't a legal document. He stated that the septic system has failed and is a cesspool.

Councilman Ellis asked Mr. Dayton if they were intending to put in a system separate and apart from the Town.

Mr. Dayton responded that they were.

Councilman Ellis then asked what the manner was of which the subject came up. He asked if they contacted the Town or did the Town contact the CCA.

Mr. Dayton stated that there have been many conversations over several years. He feels that neither of them are addressing Councilman Taylor's question.

Councilman Frese asked which question.

Mr. Dayton responded that it's the question of acquiring parcel C for essentially \$8,000.

Councilman Frese commented.

Mr. Dayton feels it is the win/win item in this situation.

Councilman Ellis stated that when he says "red flag" that parcel C has nothing to do with the septic system on parcel A.

Mr. Dayton agreed that the septic system has nothing to do with parcel A.

Councilman Ellis asked about the connection between accepting parcel C and even having to give up the easement they've had for 30-40 years. He doesn't see the connection.

Mayor Tarr responded that JAD in their contingency to the Town if parcel A is accepted the sewage and encumbrances have to be removed off of parcel A. He added that this is within a certain amount of time which is the same amount of time as they have given the CCA if they accept parcel A as a gift. He stated that it made common sense instead of putting in 2 systems in costing \$25,000 each to combine the systems sharing the cost and maintenance. He added that this is how all of the conversations got started. He stated that if they don't want parcel C and didn't think it would be a good idea then they wouldn't be here today. He also stated they would be repairing the sewage system.

Councilman Frese asked if it was to be repaired, where it would be.

Mayor Tarr was unsure because they haven't addressed it.

Councilman Frese stated that this should be taken into consideration. He asked where the Town would put the system.

Mayor Tarr stated that if a new system was to be installed on the Town's property they would have to have it looked at. He explained that they would probably go on the north side of the gym along with rerouting the piping that comes out of the gym on the south side to make it go to the north side. He added that it's the only space the Town has.

Councilman Frese stated that this would be the tank and the drain field would be across the street.

Councilman Taylor responded that this would be an above ground self-contained system.

Councilman Frese asked where that would be put.

Councilman Taylor stated it would go right where the LP gas tank is.

Councilman Frese asked if it was Town property.

Councilman Taylor advised it was.

There were comments as to where the gas tank was.

Councilman Ellis stated that he still doesn't see any correlation between parcel C and terminating the easement.

Mayor Tarr explained that the connection is that this is the terms of accepting the property if the Town wants it. He added that if they don't want it there is no correlation. He stated that if they want the property they have to remove the septic and encumbrances off of parcel A and this is what is in writing and what the deal is. He stated that someone is giving you a piece of property and they would like to have the septic and encumbrances. He added that if he doesn't think that's a good deal then no.

Councilman Jester stated that he went over there to look at the IAC and at times the parking lot is full. He added that there are a lot of activities there. He asked why not have the adjacent area which can provide many benefits? He stated that they are putting a package together for the complete area. He asked why they wouldn't want to work with the CCA. He commented that they aren't lepers. He stated that they have brought many good things to this community. He also stated that they bring people to the community who spend money in our community. He stated they have done a great deal of things for the art community from the little kids up to the elderly people. He added that by not doing this it is like sticking a thumb in their eye. He stated that this is a small community. He grew up here and learned something by living here and that's to cooperate with people, to live together. He also stated that what they are saying is not working together and it's not the way he grew up here.

Mayor Tarr asked Councilman Ellis if what he was saying is that at the January 4th closed meeting Council didn't agree that this was a good deal and go out and work on it.

Councilman Ellis thinks that it was the general consensus.

Mayor Tarr responded that this is what he thought and doesn't know why they're here.

Councilman Frese stated that he didn't hear anything in the interim. He also stated that apparently Mayor Tarr, Councilman Leonard and Councilman Jester...

Councilman Jester interrupted him advising that he only knew what they said in the meeting. He advised that in March he wasn't in the state that he was in Nevada. He also stated that when he saw the packet it just made sense. He commented that it doesn't take a rocket scientist to figure it out.

Mayor Tarr advised Councilman Frese that in that meeting he said it was a good deal and asked why the Town wouldn't do it.

Councilman Frese asked who said it was a good deal.

Mayor Tarr responded to Councilman Frese that he did. He stated that he can ask Councilman Ellis because that is what he said.

Councilman Frese stated that he thought they were supposed to be sober when they came to those meetings.

Councilman Taylor stated that he thinks they need to play the CD.

Mayor Tarr stated that they don't have to and that was the exact wording that was stated on the CD.

Councilman Taylor stated that he is in the middle because he wants the property for the kids.

Mayor Tarr responded to Councilman Taylor that he has said that if the Town doesn't want it then he does.

Councilman Taylor stated that he does. He asked if he could speak because he actually wants the property. He stated that if they don't want to have a joint system they can move the gas tank and have a self-contained on the property. He agreed that as long as you have to pipe within 60' of it that it would be about \$16,000. He stated that it would be the Town's to maintain without sharing. He stated that as long as they get their easement off of their property we can get parcel C. He stated that it would be another \$10,000 up charge to get lot C.

Councilman Frese stated that he didn't understand what he was trying to say.

Councilman Taylor explained that instead of doing a joint septic system with the CCA, which he is in favor of, the Town can put an above ground system of at least 400 gallons a day. He stated they already have to spend \$6,000 to pump it across the street to have a tank and pump station. He then stated that they could have their own system for \$16,000 they could get an above ground system that pumps 400 gallons a day on the property and still get parcel C. He added that they are still removing 400 gallons per day because it won't be going across the street, it will be going on the Town's property.

Councilman Frese reiterated that Councilman Taylor was saying that for \$16,000 the Town can move the tank and put one on the Town's property.

Councilman Taylor interjected that this is to have the Town's own above-ground system instead of going across the street on lot A. He also stated that they are 100% correct. He explained that the Town doesn't have to do anything and they have an easement for the rest of their life for 400 gallons a day going across the street. He added that if a deal is better to have a Town owned above ground new system that's also better for the environment along with getting a piece of property for less than \$10,000.

Councilman Frese stated that if you look at it like that he is all for it. He stated that he has one other thing but can't say it.

Councilman Taylor asked about the other 2.

Councilman Frese stated that if that were changed to more along the lines of what he was just talking he believes he would think a lot differently about it. He added that with the present system he doesn't agree. He stated that there is one other item but he can't bring it up in open session. He also stated that he would rather discuss it in closed session.

Councilman Ellis stated that his concern is not the joint system. He stated that he doesn't have a problem with it. He stated that his issue is the process. He also stated that his red flag is that one of the conditions for the CCA to purchase the property is to give up their easement. He asked if this was correct.

Ms. Jane Wolffe responded that this was also a condition of the bank.

Mayor Tarr stated that it was because of the sewer report.

Ms. Wolffe advised that it was.

Councilman Ellis stated that the condition for the Town to receive parcel C was to give up the easement. He asked what was so important about having the easements terminated.

Ms. Donna Leonard stated that drain fields don't last forever. She advised that it is a very old system and a failing system. She stated that whether the Town doesn't want to go into the deal, the Town puts their own system in or not or not going in with the CCA and the drain fields fail then stuff is going to start getting deep at the IAC.

Councilman Jester asked why you would want to keep a 40 year old drain field that's full of stuff.

Ms. Leonard stated that it can't be repaired or replaced and there is nowhere to pump to because the drain fields are completely failed.

Councilman Leonard stated that you have all the activities that are currently on that field and would have to stop if this system failed. He added that sewage would be leaching you wouldn't want your kids playing in sewer.

Ms. Leonard also stated that you have a perpetual easement but the life of the drain field isn't perpetual.

Councilman Ellis asked if JAD was planning on selling this property if the Town doesn't receive it.

Ms. Leonard responded that they haven't put it on the market yet. She stated that the intention in the beginning was for all of that property to be of community good. She also stated that they are going through the process of determining what would be best for the community good. She added that Councilman Taylor could say that the community doesn't want it and it could be sold for development. She also added that this isn't what they want.

Councilman Jester stated that this is where the cheerleaders practice.

Councilman Ellis stated that he went and got the deed for the property when it was given. He stated that he knows there are restrictions that goes with that easement that says the property cannot be developed. He stated that no structure, no building or anything like that can be put on it as long as that easement is in effect. He stated that quite frankly it's what raised the issue that it is a money thing. He just wanted to know the situation up front.

Councilman Taylor stated that they can build on the property and they just can't build over the drain fields.

Councilman Ellis responded that it states that for parcel A there is a restriction in the deed that says no building, structure or anything like that can be placed on parcel A while that easement is in effect.

Mayor Tarr stated that he doesn't believe this is true because one has already been put there.

Councilman Ellis asked Mayor Tarr if he wanted him to read it.

Mayor Tarr responded that he isn't an attorney and stated that he could read it if he would like to.

Councilman Ellis read "it is the deed as a covenant or restriction running with the land which shall be binding on any grantee or subsequent owner of said real estate no buildings or other improvements shall be erected, constructed or maintained on that portion of tract II, parcel A. Wherein, such easement is situated except with the written consent of the School Board."

Mayor Tarr stated that he agrees with him except the easement is the sewer easement which is the drain fields.

Councilman Taylor stated that it's just that portion and they can build everywhere else. He stated that naturally you can't build on top of a septic system. He added that you have to be 10' away.

Ms. Wolffe stated that with giving lot C to the Town they are giving land that has been appraised for over \$40,000. She stated that the only way to recoup that value is to add value to parcel A. She stated that they would sell parcel A, of course. She asked who wouldn't do that if they owned a piece of land. She also stated that the Town could put in a new septic system. She asked why they would ever need the easement to that lot once the new septic system is put in and that's inevitable. She stated that Ms. Leonard has a story of what they found in those lines. She added that there is no wonder why those 4 lines are working out of 22. Ms. Wolffe also stated that they have had problems with the house drain system and they are in the process of getting a permit to put a new system on the house property. She stated that they are already taking steps to prevent more problems for the house septic system.

Ms. Wolffe stated that it was just an idea that they had to help the Town and would help them. She stated that if they need to sell that property, if the easement is there then that's that piece of property that they would not be able to include in parcel A. She stated that they know that they can't build and any future owner can't build or use that piece of property.

Councilman Ellis stated that he understands and appreciates what she said about the deed. He stated that it was his understanding that it included all of parcel A. He added that he stands corrected on that.

Ms. Wolffe stated that she doesn't want the Town to miss the opportunity to receive this gift. She also stated that they can certainly sell the piece of property with no questions about it. She added that it was just something they wanted to do as a family. She stated that if the Town doesn't want it then its fine.

Councilman Ellis stated that he understands that her family has done a great deal for the Town.

Councilman Frese added especially their father.

Mr. Dayton stated that the final issue on this is if the Town decides not to go in on the shared system the CCA will move forward with a new septic system on their own. He stated that they have a time line and will have to do it almost immediately. He stated that once they do it the Town will then have the opportunity to have a less expensive new septic system. He added that after that with the CCA, the new septic system will no longer be available so that any repair and maintenance to the system will cost the Town more than it does now. He stated that this is a consideration.

Councilman Taylor stated that what he likes about the joint system isn't about the cooperation. He stated that they can double the size of the system and they both aren't using it at the same time. He stated that it's not just cooperating with the CCA and he wants to cooperate. He stated they are doubling the size of the system and they both won't be using it at the same time. He added they will have the double capacity. He understands they can go on their own and the Town can go on their own. He stated that all they would have to do is move the gas tank and put a 450 gallon per day system in. He also agreed that they can put a \$16,000 system in if they don't want to go in with the CCA. He stated that he doesn't see anything sinister. He advised he's been working with land his whole life and understands why they want to get rid of it to get that small portion back naturally and that's what the swap is for. He said it's not about not getting to use the whole piece of property and it's nothing sinister. He added that they just don't get to use the part with the drain field on it. He stated that he thinks it's a good deal even if they had to do it on their own for some reason they didn't want the joint system to double the capacity with the CCA they can move the tank and put it there. He stated that they have room if they don't want the joint ownership with someone. He also stated that he can respect that going in on our own and the Town being the only one to take care of it. Councilman Taylor stated that this would be a Council's decision. He added that as far as seeing something sinister, there isn't anything sinister. He advised that he has been dealing with land since he was 13 and there's nothing sinister there. He stated they are getting back that section and they're getting back where they traded that land.

Councilman Leonard stated that he's been silent through most of it and was asked to leave during that closed session. He stated that what he is about to say is just his feelings as a part of JAD. He stated that when they purchased that property the only thing they had in mind for that property was the community. He stated that what would benefit is the Town of Chincoteague. He also stated that they purchased that property with the intent that they were going to do something with that property in whole for the Town. Councilman Leonard advised that they have spent out-of-pocket money to see whether or not they could use the old structure that was there. He stated that for years they tried to rehab the old structure, the school building itself. He stated that most knew the old school building and went to that building for either in high school or elementary school. He added that it broke his heart when they had to tear that building down. He stated that it was something that couldn't be saved. He stated that they wanted to use that property for the community. He reminded Council that the seniors lost their building in town. He stated that they approached JAD and they had the building they could use. He also advised that they rented them the building for what it cost them.

Councilman Leonard stated that unfortunately the seniors couldn't have a building anymore, it stayed vacant and the CCA moved in there adding that yet again it's another community organization. He stated that if they were looking at max profit or max gain on the money the first thing they would have done after buying that building is to have torn everything down and started developing it. He added that this is not their intention. He advised that the back field is being used for community activity. He stated as his 1/3 ownership of JAD all he wants to see on that lot is the continuation of youth sports, YMCA, the CCA or something. He stated that if they don't keep that property, look around the island, the property is getting to be a valuable commodity around this island. He advised that if the Town doesn't do something with it someone else will. He again stated that with his 1/3 ownership he wants to see it stay in the community.

Councilman Frese asked if he could go into closed session.

Mayor Tarr advised that they couldn't go into closed session because it wasn't approved and the agenda has already been approved.

Councilman Frese stated that it was added in January.

Mayor Tarr explained that it was asked to be put on the agenda before it was adopted. He stated that he will be glad to try to help in some other way.

Councilman Frese asked if he would step outside and he will tell him what his problem is and see if he has a way out of it.

Mayor Tarr stated that he won't. He stated that they don't operate that way. He asked if there were any other Councilmembers that had any questions for the CCA or JAD. He asked Councilman Ellis if he had enough information from CCA and JAD.

Councilman Ellis advised that he does have enough information.

Councilman Frese stated that he still thinks there's a problem. He asked if this could be extended.

Mayor Tarr advised that it is up to Council. He stated that it has been postponed once already to get information, for Council to bring their concerns to staff and to get any information they needed to get. He stated that they have to poll Council on that.

Councilman Ellis asked that they have until December 7th to terminate the easement.

Mr. Dayton advised that they have until December 15th to be off the drain field. He stated that in order for the building to be used at this time it requires a lot of maintenance on the CCA's part to make the tank capable of accepting the implement from the building. He stated that it is included where the drain line runs from the IAC to their tank. He advised that he has been doing maintenance on the system for over a year and he is tired of it. He stated that if Council sees fit not to approve this that its fine but they are ready to proceed on their own. He advised he is in charge of all of the maintenance on the building. He stated that essentially they want to go now as the busy season is coming up and they want to get this up as soon as possible. He added that he can't leave Town during an event because of the problems.

Councilman Ellis stated that he is trying to say that they don't have to have it until December but for practical purposes they need it right away.

Mayor Tarr stated that in their agreement and resolution they have 12 months. He added that if they are going to do a shared system they are going to have to work out that timeline and make it happen. He asked the consensus of Council.

All of Council agreed to postpone once more.

Mayor Tarr stated that by general consensus of Council they have agreed to postpone item #2 until the May meeting. He stated that it is very disturbing as Mayor as this is the 2nd meeting they've had on it. He stated that if Council has questions and answers that they need that's what staff is here for. He also stated that they are trying to work with a family that's gifting the Town a piece of property with one caveat that they remove the sewer and encumbrances off the piece of property. He stated they are working with a group that does a lot for the Town of Chincoteague. He advised that he is ashamed that they have to sit there and talk about coercion and red flags when everyone in the room is trying to work together. He stated that it really concerns him as mayor.

Councilman Ellis asked if he could respond to that.

Mayor Tarr advised he would have his chance.

3. Possible Motion to Approve Facility Supervisor Position Description

Public Works Supervisor Spurlock stated that he went to the Budget and Personnel to make this change in position from a non-exempt to an exempt position. He stated that the hourly rate has

been resolved and the range and personnel handbook is identical to the Roads Supervisor position. He stated that the salary has been reviewed and established.

Town Manager Ritter advised that the packet shows the correct salary range and the highlights in the new document is in addition to what they already have.

Public Works Supervisor Spurlock expressed the importance of this position and feels that they should make it exempt as the Town acquires more facility, like the IAC. He feels they are transitioning more from the labor to the maintenance. He feels it's an overall cost savings to the Town.

Councilman Taylor motioned, seconded by Councilman Frese to approve the Facility Supervisor Position Description as changed and salary range as established. Unanimously approved.

4. Mayor & Council Announcements or Comments

Councilman Frese advised that he is disappointed in the ranker that's going on. He stated that he has some very strong feelings on it. He stated that he is unable to say because of the participants. He wanted to make this known.

Councilman Ellis stated that he is disappointed in Mayor Tarr's comments. He stated that when he was elected for the position he was elected to represent all of the citizens of this Town. He also stated that he takes his responsibilities very seriously and before he makes any decision on a vote he wants to be sure he understands all of the aspects of that situation and all of its ramifications. He also added that the questions he had tonight were better answered by the Leonard family and the CCA. He stated that the questions he had for staff were essentially when the MOU was developed, why it was given to CCA in February and Council not seeing it until the April meeting. He stated that if Mayor Tarr is upset, so be it. He also stated that he is going to find out what he needs to find out before he has to make a decision on a vote.

Mayor Tarr stated that he respects Councilman Ellis' opinions and feels that's exactly how he should operate. He stated that when the word coercion is used.

Councilman Ellis interrupted and stated that he didn't use the word coercion. He stated that he used the words red flag.

Mayor Tarr advised that he used the word coercion at the April 4th meeting.

Councilman Ellis stated that he did not.

Mayor Tarr advised that he did and continued that when he does this without going out to get the facts then he has a problem.

Councilman Ellis corrected Mayor Tarr on the pronunciation of coercion and he advised that he did not use that term.

Mayor Tarr stated that it's the Chincoteaguers term for coercion.

Councilman Leonard stated that he has been on the Town Council for 4 years now. He stated that for 4 years it's been a pleasure to serve on this Council. He advised that they even had a lawyer commend Council for how well the Council worked together. He stated that the past couple of meetings, he is glad Celia isn't present to see them. He also stated that Council has had a lot of heated conversations that he isn't going to play a part of. He stated that they have had other actions take place that made him question a couple members. He added that it is still a pleasure to serve on the Town Council. He knows that it's still the process that has to take place. He also stated that if they're all not heard they're all not working. Councilman Leonard stated that as long as they can work together and he means together and not separately with any hidden agendas it would be a great thing.

Councilman Taylor stated to Councilman Frese that it was a lot of ranker tonight. He stated that it takes a big man to do what Councilman Frese did. He stated that he did it at a Council meeting and in public. He stated that he is proud of him. He thanked the Girl Scout and 3 Boy Scouts in attendance. He advised to the Scouts to grow up and be strong because they are growing up in a world that they are going to have to be strong. He urged them to stay strong, stay off drugs, alcohol and cigarettes. He added that they are going to need every brain cell to get through this tough life. He again thanked them for coming. He stated that he wished that they had acted better. He added that our future looks great.

Adjourn

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

Mayor

Attest: Town Manager

MINUTES OF THE MAY 2, 2016 CHINCOTEAGUE TOWN COUNCIL MEETING

Council Members Present:

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

CALL TO ORDER

Mayor Taylor 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.

INTRODUCTION OF STUDENT GOVERNMENT DAY STUDENTS

Mayor Tarr welcomed the students that participated in Student Government Day.

Student Government Mayor Sam Stanfield thanked the Town and Council for taking them around to show the students what the Town does. He also thanked the Town for the meals they provided.

Student Government Mayor Stanfield introduced the participants: Mayor; Sam Stanfield, Town Manager; Samantha Kelly, Chief of Police; Justin Newsome, Public Works Director; Cody Britton, Councilmembers; Garrett Gilfoyle, Jakeil Handy, Hannah Lilliston, Luke Betts, Lily Orlando and Noah McGee.

Student Government Mayor Stanfield advised that at their Student Council meeting their 1st agenda item was to remove some of the houses along Maddox Boulevard that serve as eyesores. He also added that they could provide tax incentives for those lots to become businesses or public parking for the businesses that already exist. He stated that the 2nd agenda item was to hire 4 new full-time EMTs. He added that they felt that one EMT on duty at all times was insufficient to provide the help necessary to make sure all of the citizens are safe at all times. He also stated that it would be worth the cost.

Student Government Mayor Stanfield continued to the 3rd item on their agenda which would be to enforce a no parking zone along Maddox Boulevard during the peak summer season between early June and mid-August. He stated that this would reduce the congestion down the road during the summer. He also stated that they would like to put together money to purchase a big screen television for the Emergency Operations Center to provide better video conferencing with other departments to better communicate in case of an emergency. He concluded that they would also like to implement public wastewater on the main business district on Maddox Boulevard and Main Street. He added that they could try to encourage more diverse businesses like restaurants that can't afford to bring their septic up to standards on their own.

Mayor Tarr thanked the Student Government participants and stated they did a great job. He also thanked Principal Karen Taylor for allowing the students to participate each year. He invited the participants to take their respective seats for pictures. He also announced that most of them will be voting for the first time tomorrow.

OPEN FORUM/PUBLIC PARTICIPATION

Mayor Tarr opened the floor for public participation.

- Chamber Director Shotwell updated Council on the Seafood Festival. She advised that the tents are up and are within 200 tickets of being sold-out. She thanked Public Works Director Spurlock and the Public Works Department for getting the LOVE chairs back. She advised that the Chamber applied for a grant to fund the rebuilding of the chairs.

Mrs. Shotwell also advised that she is the Chairman of the Board of Directors for the Chincoteague Recreation and Convention Center Authority. She thanked Town Manager Ritter and staff for their help over the past few weeks with a few logistics. She informed Council that Mrs. Hanratty resigned as Executive Director of the Center. She also advised that a couple of their Board Members, Mr. Potts and Mrs. Ballerini resigned. She stated that with the help of Ms. Heady, Administrative Assistant, Mr. Fernandez, Maintenance Contractor and the help of the Board Members Councilman Frese and Lori Walton the community yard sale went on as planned.

Mrs. Shotwell reported that they hosted the Tyndall benefit, the Delmarva Firemen's Convention and will host the Town elections tomorrow. She advised the Mr. Bill Borges was hired as interim director to assess the Center's policies, bylaws, infrastructure, events, revenue streams and so forth. She added that he will provide guidance as the new board members are appointed by the Town and acclimated to the job at hand. She also stated that this will give a full Board of Directors time to hire a new Executive Director without feeling rushed. She feels that Mr. Borges is a great choice. She mentioned the Center's office hours and added that the Facility Maintenance position will be advertised soon. She stated that the Board of Directors is reviewing new revenue streams, marketing avenues, new community projects and partnerships. She mentioned that the facility is opened during the Trolley Tour for restroom breaks and to speak with personnel about the Center. She thanked Council and staff for their support.

Mayor Tarr welcomed Mr. Borges.

- Mrs. Jane Wolffe advised that the Maddox Campground property was recently sold to Mr. Burbage, who is a developer on Chincoteague. She stated that there is a lot of marsh around the campground from the Village over to the Farmer's Daughter restaurant. She explained that it extends from Maddox Boulevard all the way over to the road that goes to Piney Island on Eastside Road. She also explained the adjacent marsh areas are zoned C4, Resort Commercial. She stated that when the Town did the remapping the thought that this could be developed was pretty far from anyone's mind. She feels that it isn't far from anyone's mind today. She stated that it could be filled if they were mitigating other marshlands anywhere else. She asked the Town to immediately speak with Mr. Burbage to keep the surrounding marsh areas untouched. She asked what the Town can do to make this happen. She would like Mr. Burbage to be onboard to preserving those marsh areas. She feels if those areas are developed there would be great disappointment. She added that there are already plans to develop the surrounding marshland.

- Mrs. Wanda Thornton stated that she agrees with Mrs. Wolffe. She stated that this worries her. She explained that 20 years ago when they were working on the Master Plan the government was working on a plan to not allow motorboats to go up and down the Assateague Channel. She stated that if the government gets a hold of any of that marshland they can use their half a mile jurisdiction that they claim they have on the water column. She added that they already have half a mile from the east and if they take half a mile from the west then no one can travel through there except by canoe or kayak. Mrs. Thornton stated that it would be extremely devastating to all of our working watermen, the tour boats and everything else. She stated that

her concern is that they will mitigate that marshland to get whatever else they want. She believes that the Park Service and Fish and Wildlife will be standing in line. She stated that Mr. Burbage has an overboard disposal approved at the original place downtown where the Crab House was located. She stated that Mayor Tarr knows Mr. Burbage and could talk to him.

Mayor Tarr stated that they would be glad to have Mr. Burbage come in and speak with himself, the Town Manager and Mr. Rosenberger as the Chairman of the Planning Commission. He welcomed the Island's District Supervisor, Mr. Billy Joe Tarr to the meeting.

STAFF UPDATE

Planning Department

Planning Director Marney reported that the Planning Commission's regularly scheduled meeting for April was cancelled. He advised that the next meeting will be May 10th. He reported on the Safe Routes to the School Trail that they have submitted a reimbursement request in the amount of \$117,507 and should hear back within the next few weeks. He also reported that the Wastewater Advisory Committee met last month and discussed the wastewater from the Town. He reported that there is a RFQ to submit for an opinion of professional guidance for managing the Town's wastewater treatment. He reported that they are waiting on the U. S. Fish & Wildlife Service and VDOT on the Safe Routes to the School. He advised that there will be a meeting for the Hazard Mitigation Plan Committee this Thursday. He will be fielding questions anyone will have on Maddox Campground. He stated that they also discussed various ordinances regarding micro-homes and food trucks.

Police Department

Chief Mills advised that the monthly report is included in the packet. He added that in April they had 346 calls for service. He reported that in April of 2015 they had 347. He stated that they are up in calls for the year through April at 1,100 calls for service and in 2014 they were at 905. He added that they are up over 200 calls for service so far this year from last year. Chief Mills advised that Capt. Fisher and Officer Butler went down-the-county for the Special Olympics and the torch run. He stated that they provided the drunk goggles and the golf cart.

Public Works Department

Public Works Director Spurlock commented that they went from pushing snow to cutting grass. He referred to the monthly report that was included in the packet. He stated that in addition to their routine duties they have 4 major projects going on. He stated that the paving is complete. He also stated that the Willow Street project is their biggest concern. He explained that flushing and disinfection is in progress this week before they can restart the water mains.

General Government

Town Manager Ritter updated the report from the Emergency Medical Service, they responded to 62 calls for the month of April which is 13 more than April of 2015. He stated that there were 38 ALS calls, 16 BLS calls and there were 7 other calls. He also stated that Emergency Management facilitated a MOU between the USCG and the CVFC referencing fire and EMS responses. He also reported that there is a planned ANTARES launch between July 6th and July 15th. He hopes that this gets pushed back to August as July isn't a good month for the Island. Town Manager Ritter also advised that they are preparing for July 4th and the bussing. He

reported that the website's new collections/payments are being used frequently which is beneficial. He also added that they are heavy into business licenses which were due April 30th.

Town Manager Ritter stated that the applications for the fishing piers have gone out. He added that they worked on the response letter to the National Park Service regarding the GMP and EIS went out Friday.

AGENDA ADDITIONS/DELETIONS AND ADOPTION

Councilman Taylor motioned, seconded by Councilman Leonard to adopt the agenda as presented. Unanimously approved.

22. Consider Adoption of the Minutes

- **Regular Council Meeting of April 4, 2016**
- **Council Budget Workshop of April 6 & 13, 2016**
- **Council Workshop Meeting of April 21, 2016**

Councilman Leonard motioned, seconded by Vice Mayor Richardson to adopt the minutes of the April 4, 2016, April 6 & 13, 2016 and the Council Workshop Meeting of April 21, 2016 as presented. Unanimously approved.

23. Discuss Parcel "C".

Councilman Frese stated that this is a difficult subject. He stated that Council has to remember first and foremost that their first obligation is to the taxpayers and citizens of Chincoteague. He also stated that they need an attorney present to answer the legal questions. He feels they should have the Health Department present to answer the numerous sewage questions. He read the water usage on the property. He advised that the majority of the gallons per day are coming from the house. He stated that the gym is hooked up to its own tank on its own lot. He also stated that it doesn't seem to be under stress and he added that he isn't an expert. Councilman Frese advised of a possible rupture in the line to the existing drainfields. He added that he couldn't see any of this either. He also stated that if there is a rupture or blockage it would be a relatively easy repair or fix. He asked why JAD, LLC would want the sewage easement if they are pushing the purchase of parcel A. He asked if the CCA tank or the drainfields was failing. He asked if liquid was seeping up on the ballfield. He added that he hasn't seen it. He feels that they need a professional to tell them this. He also mentioned that there is a conflict of interest with a member of Council.

Mayor Tarr advised that they weren't getting into the audience for discussion this evening. He advised that they looked at the water flow as well. He reminded Councilman Frese that the CCA didn't take over the building until September of 2013. He stated that when he reviewed the water flow since 2013 between the Island Activity Center and the CCA are within 1,000 gallons of each other. He also stated that they had the attorney look at all 3 documents before it was brought to Council. He stated that he made changes to the documents and caused Council to have a public hearing because he thought it was the right thing to do. He again stated that the attorney looked at all 3 items. Mayor Tarr reminded Council that they saw a sewage report 2 years ago on the drainfields as far as having a sewage inspection done. He also stated that as far as a conflict of interest he doesn't feel there is a conflict of interest. He stated that Councilman Leonard was asked to leave the room when this property was discussed. He added that

Councilman Leonard will not be voting or talking about this issue because he is part of JAD. He concluded that everything has been done legally, aboveboard and there is no conflict of interest.

Councilman Frese responded that he didn't say things weren't done legally and aboveboard. He stated that there was a question that the attorney refused to answer and he never got that answer.

Mayor Tarr stated that he has said all he is going to say about what Councilman Frese has given Council to review.

Councilman Frese stated that he has documentation from the official records. He advised that he stands by them. He stated that he has official records from the courthouse and is willing to show anyone.

Councilman Taylor asked if what they have now in the septic system is 300 gallons per day.

Town Manager Ritter advised this was correct.

Councilman Taylor stated that 300 gallons per day is less than what is required for a 2 bedroom home which is 400 gallons per day. He stated that if this septic was perfect then it is still worth it to him to give up the 300 gallons per day easement and the Town pay under \$20,000 to have a new above ground system. He added that it is better for the environment and to have a piece of property that adjoins the gym which they can expand the use for the children, youth and young adults along with the possibility of a senior center. Councilman Taylor stated that for \$20,000 they aren't only getting a piece of property they are getting a brand new system. He added that he would like to see this.

Councilman Jester stated that they would be giving up a 30+ year drainfield. He agrees with Councilman Taylor to get a new system makes all the sense. He also stated that to work with a civic organization means a great deal and is a no brainer deal. He feels they've discussed this over and over and wants to get on with it.

Councilman Ellis stated that he had a lot to say at the workshop meeting. He advised that at the end of the meeting he either misread or misunderstood a statement in the septic easement of the parcel. He stated that had he not had this understanding in his mind, he would not have made some of the statements that he made at the last meeting. He understands that he upset some people and he made very accusatory statements. Councilman Ellis apologized for this. He wanted Council to know it was an honest mistake and he read it numerous times and misinterpreted it. He advised that on Friday morning he met with Public Works Director Spurlock at 6:45am. He stated that Public Works Director Spurlock showed him around the area. He advised that Public Works Director Spurlock felt it was not up to par. He also stated that if he has learned over the years working in the schools is that he cannot be an expert on everything. He added that he needed to rely on folks who have expertise that he doesn't have. He accepted what Public Works Director Spurlock told him. He stated that it appears to him that at a minimum if they are going to keep what they have they will have to put up at least \$6,000 to be legal with the Health Department.

Councilman Ellis stated that if the Town goes on their own septic system it will be approximately \$25,000 for the Town. He stated that he and Public Works Director Spurlock discussed parcel C. He stated that he spent a lot of time over the last 2 weeks going over this and going to the property. He described a broken PVC pipe that leads to the drainfields. He stated that if this breaks open the Health Department could come and shut it down. He stated that he has learned from it. He stated that he still has questions about the process but it can be addressed in the future. He also stated that they are going to have a new mayor and councilmembers and it will be addressed.

Vice Mayor Richardson expressed her concerns. She stated that at the budget meeting they received a sheet on how they could pay for the piece of land. She asked why the Town would want to give up an easement if they planned to buy that vacant piece of land. She stated that everyone received the handout and she said she didn't get it but it was in her packet. She added that they didn't discuss how they could fund that piece of land. She again asked why Council would give up the easement if this was the intent down the road.

Councilman Taylor stated that if they were going to use that as a soccer and football field he would feel better to have an aboveground system than to have the kids playing on that property with drainfields that were very old. He doesn't want the Town's children playing on this.

Mayor Tarr responded that it started out as parcel A and before they got done they had discussed 2 pieces of property. He added that the other piece was a piece adjoining Memorial Park. He also stated that Councilman Taylor brought it up at that budget meeting to consider both pieces in the future.

Councilman Ellis stated that he separated parcel A purchase from the other parcel. He stated that if the money is in the budget then that is down the road. He feels they need to do something about the septic. He stated that this has to be decided on. He also stated that he has done a lot of reading on septic and joint septic systems. He added that there are various pros and cons. He stated that as far as he is concerned the purchase of parcel A is not the concern.

Councilman Frese stated that the tank that is connected to the gym appears in every aspect to be functioning. He stated that if there is a break in the line it is a relatively inexpensive process to run a new line from the back of the building, across the street and to the drainfields the Town already has access to. He also stated that the amount that the gym uses doesn't take much of a drainfield to support it. He feels it's better than paying \$14,500 for a new system along with the CCA paying the same. He doesn't feel the CCA needs to spend \$29,000 for the combined volume of what the gym and the CCA will use. He knows that the current system appears to him to be good and functional. He added that it is not cracked or broken. He doesn't see the CCA loosing anything by the Town not coming in with them. He also stated that by combining they would have to put in a system twice as big. He doesn't see the gain. He believes they are holding down the costs. Councilman Frese stated that if they have to pay \$5,000 on replacing that short pipe is overspending. He doesn't think they have to spend \$14,500. He also doesn't understand the reluctance to go with a loan for the same cost if the Town went in with them. He stated that every figure came right from the official records of the court or Town. He also stated

that he has one other item that concerns him that can't be discussed in open session. He concluded that if he has to vote then he has to vote.

Councilman Jester stated that parcel A is a separate issue. He also stated that they planned to purchase property in the FY17 budget. He stated that while drainfields may appear to work when it is inspected they may not be working. He added that the Town faces the potential of going alone at some point and spending \$28,000 on our own and right now it's half the cost. He stated that the Activity Center is a great place that they acquired from the County and fixed up by the U.S. Coast Guard. He feels there is potential for it to be more useful. He also stated that it's adjacent to the CCA with all of their events and it is a great location for community events. He feels it's a no brainer issue.

Councilman Taylor motioned, seconded by Councilman Jester to adopt the Resolution for the Deed of Gift of parcel C from JAD, LLC. Motion carried.

Ayes: Taylor, Jester, Ellis

Nays: Frese, Richardson

Abstain: Leonard

Mayor Tarr stated that they also have a possible adoption of a MOU with the Chincoteague Cultural Alliance which states the entity of who is responsible for maintaining and operating the sewer system.

Councilman Jester motioned, seconded by Councilman Taylor to adopt a MOU with the Chincoteague Cultural Alliance. Motion carried.

Ayes: Taylor, Jester, Ellis, Leonard

Nays: Frese, Richardson

Abstain: None

Mayor Tarr stated that the third part is to adopt the bid for a shared septic system for the Island Activity Center.

Councilman Taylor motioned, seconded by Councilman Jester to adopt the bid for a shared septic system for the Island Activity Center in the amount of \$14,573. Motion carried.

Ayes: Taylor, Jester, Ellis, Leonard

Nays: Frese, Richardson

Abstain: None

24. Support Letter for Transportation Investment Generating Economic Recovery (TIGER) Grant.

Town Manager Ritter stated that the Town applied for a Federal Lands Access Program (FLAP) grant for the Maddox corridor to Main Street. He stated that it was a total project cost of \$2,000,000, which is an 80/20 match. He also stated that \$1.6 million was the grant and the Town would have a \$400,000 match to come up with. He stated that they were unfortunate in receiving the FLAP grant. He stated that he asked Council's authorization at a recent Council meeting to send a letter for the Paul S. Sarbanes Transit in Parks (TIGER) grant to be re-appropriated for the Maddox Campground which is the same project as the FLAP grant.

Town Manager Ritter explained the project costs and grant amounts. He stated that the Town will not be asked to contribute any money toward the bike path for the bicycle facilities along Maddox Boulevard. He also stated that if the grant goes through the Town saves over \$400,000. He added that the County requested a letter of support for the TIGER grant for \$1,065,000 and the rest of the grant funds. He explained that the Town found out about the grant application in April and it was submitted last Thursday. He stated that it has funding for the road going out into the new parking area.

Mayor Tarr stated that it started out with the Town having matching funds in the amount of \$500,000. He also stated that the second time the proposal came the match came back at about \$500,000. He added that the third time it came through which was Monday morning as a final draft using the Paul Sarbanes money as the final match and the TIGER grant as the other part of the match. He stated that there are no matching funds for the Town. He explained that it's a much larger grant than what is on Chincoteague. He stated that it's a federal grant that's being proposed. He also stated that if the EA goes well that money can be used to help with the infrastructure later. Mayor Tarr stated that the part that goes on Chincoteague is \$2.5 million with no match.

Town Manager Ritter stated that they requested a letter of support.

Mayor Tarr stated that the County voted on this and accepted the offer to apply for the grant and it passed unanimously. He added that it has been worked on by their Planning Department and the ANPDC.

Councilman Ellis stated that the bottom line is that the Town would have a bicycle facility from Main Street all the way up Maddox.

Town Manager Ritter added that the Town is saving \$400,000.

There were a few comments about how this will give the bicycles a larger path and help with the traffic in the Town.

Councilman Ellis motioned, seconded by Councilman Leonard to approve the letter of support for the Transportation Investment Generating Economic Recovery (TIGER) Grant. Unanimously approved.

25. Public Safety Committee Report of April 5, 2016.

- **Recommendation to Council to Institute a No Parking Zone on Main Street Between Burgess Street and Savage Street.**

Mayor Tarr advised that the report is in the packet and asked for questions or comments. He explained that they have a recommendation from the Public Safety Committee to institute a no parking zone on Main Street between Burgess Street and Savage Street. He advised that Chief Mills has worked on this and issued data.

Vice Mayor Richardson stated that it is supposed to be Savage Street to Burgess Street. She stated that there is a memo and she showed a picture. She stated that what was suggested was from Old Mill Lane to Burgess Street.

Mayor Tarr stated that it's the same area and the same problem.

Councilman Frese motioned, seconded by Vice Mayor Richardson to approve the suspension of parking zone on Main Street between Old Mill Lane and Peterson Street. Unanimously approved.

26. Recreation and Community Enhancement Committee Report

Councilman Jester stated that they had a presentation from Mr. Dean Orsino and Ms. Laurie Walton about a memorial for the old bridge downtown. He stated that they have been talking to someone about creating a sculpture for the Downtown Park. He also stated that the Committee asked him for more details on the sculpture and where it could be placed. He added that Ms. Walton stated that the money is coming from the Holiday Christmas Tour of Homes. He added that they would bring information back for Council's approval.

Councilman Jester also reported that they have been working on the Memorial Park playground. He stated that with the help of the Public Works Department the dome is up and the ponies on springs are complete. He thanked all those who donated and the Police Department for giving money each year along with the Island Grocery Store for the last two years. He added that it's something that the Town can be proud of.

Mayor Tarr advised that Mr. Orsino met with Public Works Director Spurlock. He stated that he would also like to do a storyboard about the old bridge and Causeway.

Councilman Jester stated that he explained that there is the old bridge cab and he feels where the fishing pier is now is a great place to show part of the Island's history.

Vice Mayor Richardson asked Councilman Jester if the Committee has mentioned the bridge tender's house and possibly making a museum out of it.

Councilman Jester feels it would be a great place for a small museum. He added that it needs fixing up. He stated that it's a great project for the next Council.

They commented further.

27. Resolution on the Annual Spring Clean-up, Paint-up, Fix-up Week

Mayor Tarr announced that Spring Clean-up, Paint-up and Fix-up Week is May 7th – 13th, 2016.

Councilman Taylor stated that this was one of the Student Council's main things, litter on the side of the road.

Councilman Jester stated that they need to get the word out to everyone. He also stated that when he went to the elementary school it was a big thing. He feels it's something that everyone should try to do.

Councilman Jester motioned, seconded by Councilman Leonard to adopt the Resolution for Spring Clean-up, Paint-up and Fix-up Week for May 9th – 16, 2016. Unanimously approved.



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 7th, 2016; 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 7th – May 13th, 2016 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, 2016 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

28. Resolution on the 2017 Virginia Department of Transportation Revenue Sharing Litter Grant Program

Mayor Tarr explained that the next Resolution is for the 2017 Virginia Department of Transportation Revenue Sharing Litter Grant Program.

Town Manager Ritter stated that it's something that is done every year so that the Town can obtain the Litter grant.

Councilman Taylor motioned, seconded by Councilman Leonard to adopt the Resolution for the 2017 Virginia Department of Transportation Revenue Sharing Litter Grant Program. Unanimously approved.



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 2017 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 2, 2016.

John H. Tarr, Mayor

Attest:

Robert G. Ritter, Jr., Town Manager

29. Resolution on Designating Hurricane Awareness Week

Mayor Tarr stated that Hurricane Preparedness Week is set for May 22nd – 28th, 2016.

Councilman Jester motioned, seconded by Vice Mayor Richardson to adopt the Resolution for Spring Clean-up, Paint-up and Fix-up Week for May 22nd – 28th, 2016. Unanimously approved.



**RESOLUTION
Hurricane Preparedness Week 2016**

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 22-May 28, 2016 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 22nd – May 28th, 2016 as "Hurricane Preparedness Week: in the Town of Chincoteague.

John H. Tarr, Mayor

Attest:

Robert G. Ritter, Jr., Town Manager

30. Proclamation in Recognition for National Public Works Week

Mayor Tarr also stated that the Town of Chincoteague would like to claim National Public Works Week as the week of May 15th, 2016.

Councilman Leonard motioned, seconded by Vice Mayor Richardson to adopt the Proclamation of Recognition for National Public Works Week. Unanimously approved.



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 15, 2016 "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 2nd Day of May, 2016.

Honorable John H, Tarr, Mayor

31. Proclamation in Recognition for National Police Week

Mayor Tarr stated that they have a proclamation in recognition of National Police Week which is the week of May 15th – 21st, 2016.

Councilman Jester motioned, seconded by Councilman Leonard to adopt the Proclamation of Recognition for National Police Week. Unanimously approved.



Town of Chincoteague

Proclamation

National Police Week May 15 – 21, 2016

To recognize National Police Week 2016 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, there have been 15,725 assaults against law enforcement officers in 2014, resulting in approximately 13,824 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, 252 new names of fallen heroes are being added to the National Law Enforcement Officers Memorial this spring, including 123 officers killed in 2015 and 129 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 28th Annual Candlelight Vigil, on the evening of May 13, 2016;

WHEREAS, the Candlelight Vigil is part of National Police Week, which takes place this year on May 15-21;

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 15-21, 2016, 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 Day 2nd of May, 2016

John H. Tarr, Mayor

32. Proclamation for Safe Boating Week

Mayor Tarr advised that they have a proclamation for Safe Boating Week which is May 21st – 27th, 2016.

Councilman Leonard motioned, seconded by Councilman Taylor to adopt the Proclamation for Safe Boating Week. Unanimously approved.



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 21 through 27, 2016 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 29th, day of April, 2016

Mayor John H. Tarr
Town of Chincoteague, Inc.
U. S. Coast Guard

CWO. Hank Deatrich
Officer in Charge

Station Chincoteague

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

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

33. Proclamation for Poppy Day

Mayor Tarr also advised that Poppy Day is May 21st, 2016 and they ask that all citizens pay tribute to those who made the ultimate sacrifice for freedom. He stated that they have a proclamation.

Councilman Leonard motioned, seconded by Councilman Jester to approve the Proclamation for Poppy Day. Unanimously approved.



**American Legion Auxiliary, Unit #159
Chincoteague, VA 23336**

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 Chincoteague, Virginia, do hereby proclaim, May 21, 2016 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 2nd day of May, 2016.

_____, Mayor

Attest:

_____, Town Manager

34. Mayor & Council Announcements or Comments

Councilman Taylor commented to Chief Mills that it's a great job when they can do their part with the County and vice versa.

Councilman Ellis commented that it was nice to see a full Council room. He stated especially under the circumstances. He also stated that it's important to attend the meetings and make their voices be heard. He added that without anyone in the audience the Council is on their own and it's not necessarily a good thing. He also stated that tomorrow is Election Day giving everyone an opportunity to vote. He suggested doing their research and elect the candidate that most represents them.

Councilman Jester stated that they just passed 2 proclamations, one for Public Works and one for the Police Department. He stated that he would like to ask everyone to recognize those departments. He stated that they are fortunate to have a great Public Works and Police Department that do things every day and night without everyone seeing all that they do. He added that they deserve thanks. He also stated that they do a great job not only for those who take a paycheck but for those who really appreciate their community.

Councilman Leonard asked to recognize Mrs. Helen Merritt. He stated that he has been on Council for 4 years and hasn't seen her at a meeting until tonight but he was glad she was present.

Mrs. Merritt stated that she believes she is the oldest member present. She stated that she has attended many meetings in the past. She stated that her husband was a politician and she attended many. She added that she kind of got tired of it. She also stated that she couldn't hear everything being said and suggested better acoustics.

Councilman Leonard stated that it is a very good suggestion and thanked Mrs. Merritt for coming out. He also stated that it is very important to come out to the elections tomorrow and vote. He stated that if they don't vote then they don't have a voice. He asked everyone to come out and support all those candidates that are running and let their voice be heard.

Councilman Ellis thanked the Chincoteague Kiwanis Club, Mr. Bob Zoller and Lexi Hubb for putting on and hosting the Meet the Candidates. He feels it was an interesting evening.

Mayor Tarr stated that he would also like to reiterate what Councilman Leonard said. He believes most of the candidates are present this evening. He wished them the best of luck. He stated that it's nice to have a community where you have more running than the seats available. He feels it shows that the community is interested in what's going on. He wished them luck and stated that he would see them at the next Council meeting.

Adjourn

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

Mayor

Attest: Town Manager