

**MINUTES OF THE MAY 3, 2021**  
**CHINCOTEAGUE TOWN COUNCIL MEETING**  
**Council Chambers**

**Council Members Present:**

J. Arthur Leonard, Mayor  
Christopher D. Bott, Vice Mayor  
Denise P. Bowden, Councilwoman  
William T. McComb, Jr., Councilman  
Ellen W. Richardson, Councilwoman  
K. Jay Savage, Councilman  
Gene W. Taylor, Councilman

**Council Members Absent:**

**Staff Present:**

Mr. Michael T. Tolbert, Town Manager  
Mr. Robby Fisher, Police Chief  
Mr. E. Bryan Rush, Emergency Management Coordinator  
Mr. Harvey Spurlock, Public Works Director

**1. Call to Order**

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

**2. Invocation**

Councilman Taylor offered the invocation.

**3. Pledge of Allegiance**

Mayor Leonard led in the Pledge of Allegiance.

**4. Public Comment**

Mayor Leonard opened the floor for Public Comment.

- Mrs. Julie Brommer, President and Founder of Chincoteague Island Community Cats, spoke of the recent spay and neuter event at the firehouse. She reported they fixed, vaccinated, microchipped and gave flea and tick treatments to 46 cats. One cat gave birth to 5 kittens while at the firehouse. She thanked the Town for their support and use of the firehouse.

- Mrs. Joanne Moore with the Chincoteague Chamber of Commerce, gave an update of the Chamber's recent event "Around the Tump in 3 Days". There were approximately 250 cards given out to participants. She thanked the Town for their support.

**5. Agenda Adoption**

**Vice Mayor Bott motioned, seconded by Councilwoman Bowden to adopt the agenda as presented. Unanimously approved.**

**6. Staff Reports**

General Government

Town Manager Tolbert reported that the TAC plant is up and running and the Town is exclusively using the Chincoteague wells now. He also reported on the upcoming rocket launches. He advised that NASA has included the Town in their annual legislative budget request in order to move the Town's wells off of their property. The money, if approved, would be distributed in 5 years which would give time to move them. Town Manager Tolbert reported that he and Mayor Leonard participated in a call with Congresswoman Luria and others concerning the Inlet Study.

Councilwoman Bowden asked about going back to Richmond asking for help with the Study.

Mayor Leonard would be willing to go, and suggested Supervisor Tarr go with them.

Town Manager Tolbert reviewed the rates for the firehouse rentals. He advised he has 3 interested parties and will continue to work on the leases. He concluded by reviewing the financial report advising the Town is about where we should be for this time of year.

#### Police Department

Chief Fisher reported that his department had 51 summonses for the month of April. All officers and dispatchers have been recertified in CPR. He attended the swearing in of local Judge Patrick Robbins. He also advised of a local scam using the Police Department's number and his name telling people that they had an outstanding warrant and should pay for the fine with gift cards. He stated that he sent out a public service announcement.

#### Public Works

Public Works Director Spurlock stated that the last section of sidewalk for the Sarbanes Grant was poured last Friday. He thanked Mr. Bob Lefel of the U. W. Fish and Wildlife Service for his assistance during the project. The Department started the installation of the Brianna's Kindness Park playground equipment. He mentioned that a pole was installed in the Beebe Ranch traffic circle to hold another gateway for the water meter system. He concluded that the groundwater storage tank is scheduled to be painted next week.

#### Emergency Services

Emergency Management Coordinator Rush reviewed the monthly EMS Report comparing last year's calls to this year. They received the new chair chairs and are looking for buyers for the old ones. They received new monitors as well. Staff has been recertified in the required training. He also stated that he needs to hire part-time and one full-time staff member.

### **7. Review of State of Emergency**

Emergency Management Coordinator Rush gave an update on the COVID-19 statistics, positive cases, hospitalizations, deaths and vaccines. He feels the Governor will lift some more restrictions on the 15<sup>th</sup>. He also advised that the 2021 Hurricane Season has been predicted to be above average. They are predicting 17 named storms for the Atlantic Basin, 8 hurricanes and 4 major hurricanes. He advised that now is the time to start preparing. He concluded with "Wash your hands, wear your mask, and watch your distance".

### **8. Committee Reports**

Public Works Committee

Councilwoman Richardson reported that Public Works Spurlock already spoke about the sidewalks. She reported that the ditches were fixed in Misty Meadows and a citizen expressed how very pleased they were with the work.

Budget & Personnel Committee

**Vice Mayor Bott motioned, seconded by Councilman McComb to approve a request from the Chincoteague Chamber Commerce for a donation of \$25,000 to come from the Beach, Recreation and Tourism Fund. Unanimously approved.**

**9. Adoption of the Minutes for the April 5<sup>th</sup>, 2021 and April 15<sup>th</sup>, 2021 Council Meetings.**

**Vice Mayor Bott motioned, seconded by Councilman Savage to adopt the minutes of the April 5<sup>th</sup>, 2021 and April 15<sup>th</sup>, 2021 Council meeting as presented. Unanimously approved.**

**10. FY 22 Budget Hearing**

Mayor Leonard opened the public comment. There were no comments and Mayor Leonard closed the public comment.

Town Manager Tolbert advised there were no changes to the FY 22 Budget. He stated that a vote to approve the proposed Budget will be held at the Council Workshop to be held, Thursday, May 20<sup>th</sup>, 2021.

**11. Review of FY 2020 Audit**

Town Manager Tolbert gave a report on the audit. He praised staff for all their hard work.

**12. Consider Ocean Breeze Roads Resolution**

Mayor Leonard asked for a motion.

**Councilwoman Bowden motioned, seconded by Vice Mayor Bott to approve the resolution to accept the streets in Ocean Breeze into the Eastern Shore District. Unanimously approved.**



**RESOLUTION**

**TOWN COUNCIL, TOWN OF CHINCOTEAGUE**

**STREET ACCEPTANCE  
OCEAN BREEZE**

## EASTERN SHORE DISTRICT

**WHEREAS**, certain streets on the attached sketch titled Ocean Breeze, Chincoteague Island and described on the attached Form U-1 (Rev. 7-1-17), 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**, the above streets serve a genuine public need; now, therefore, be it

**RESOLVED**, by the Chincoteague Town Council this 3rd day of May 2021, 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 33.1-41.1, 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 (50) feet with necessary easements for cuts, fills and drainage; and, be it

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

Signed:

Attest:

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Hon. John A. Leonard, Mayor

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Harvey Spurlock, Public Works Director

### **13. Employee Retroactive Pay**

Mayor Leonard stated that Council needs to vote on the retroactive pay.

**Councilwoman Bowden motioned, seconded by Councilwoman Richardson to give the employees the retroactive pay. Unanimously approved.**

### **14. Consider FY 21 Budget Amendment**

Town Manager Tolbert asked for Council's permission to advertise the FY 20 Budget Amendment.

**Vice Mayor Bott motioned, seconded by Councilman Taylor to approve the advertisement of the FY 20 Budget Amendment. Unanimously approved.**

**15. Closed Meeting in Accordance with §2.2-3711 (A) (5) of the Code of Virginia to discuss discipline of specific personnel, prospective business opportunities, and probable pending litigation.**

**Councilwoman Bowden motioned, seconded by Vice Mayor Bott to go into a closed meeting in accordance with §2.2-3711 (A) (5) of the Code of Virginia to discuss discipline of specific personnel, prospective business opportunities, and probable pending litigation. Unanimously approved.**

**16. Certification of Closed Meeting in Accordance with §2.2-3712 (D) of the Code of Virginia:**

**Councilwoman Bowden motioned, seconded by Councilwoman Richardson in accordance with §2.2-372 (D) of the Code of Virginia that the Council certify that to the best of each Council Member's knowledge.**

**(1) only public business matters lawfully exempted from opening meeting requirements under this chapter and**

**(2) only such public business matters were identified in the motion by which the closed meeting was convened,**

**were heard, discussed or considered. Unanimously approved.**

**17. Mayor and Council Announcements/Comments**

Councilman Savage commented that staff does a great job.

Councilman Taylor stated that he was thankful for the visitors that came to the Island last year. He hopes this year is even better.

Councilwoman Bowden thanked the Chincoteague Island Community Cats for their service to the Island.

Mayor Leonard would like to see the Town give more in scholarship money in the future adding a 4-year commitment.

**18. Adjourn**

**Councilwoman Bowden motioned, seconded by Councilwoman Richardson to adjourn. Unanimously approved.**

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J. Arthur Leonard, Mayor

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Michael T. Tolbert, Town Manager