

MINUTES OF THE JULY 6, 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:

None

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.

- Ms. Alice Burton from West Virginia, advised she is there regarding the complaint about cats at the last Council meeting. She advised she's been coming to Chincoteague for several years trapping cats with the Chincoteague Island Community Cats for neutering and spaying. She has recently been appointed as their Education Advisory Council Chairperson. She reported that she spoke with the property owner regarding the complaint. He advised of his plan to install a 6' privacy fence. She offered assistance to those who complain about the cats. She gave her credentials with animals as Chief Animal Control Officer for 14 years. She offered help.

- Ms. Julie Brommer, President of the Chincoteague Island Cats, reiterated their mission which starts with community support and finding a solution for cats. She stated that it is not appropriate for cats to destroy property or cause problems for neighbors, but there are humane deterrents. She commented of her appreciation for Ms. Burton who is an expert in cats. She commented further adding that it's about people and enjoying Chincoteague. She added that she brought 190lbs of dry dogfood to the Mana Café to distribute to homebound residents.

- Mrs. Ginger Birch, 7079 Bunting Road, advised she has been trapping, spaying, and neutering cats for over 20 years. She stated that the cats are abandoned. She doesn't want to see cats or dogs go hungry. She added that she has friends that help her feed the cats.

- Mr. William W. Fox, II, 5138 Serenity Lane, addressed Council regarding the need for a Parks and Recreation Advisor. He stated that the Town has a lot of parks, and with baseball fields at the Little League property, he feels there are a lot of opportunities for leagues. He stated that the office staff is currently overseeing this on the side on top of their full plate. He added that because their plate is so full, it could get double-booked. He suggested a full-time employee to oversee this. He feels this position could pay for itself. He gave an example of a weekend softball tournament that could potentially bring in over 360 people or more to the Island to sleep and eat here paying taxes from hotel rooms and campgrounds. If you offer these types of events and tournaments, leagues, in basketball, pickleball, soccer, softball and flag football, it could pay for itself. He feels the Town is missing out on an opportunity for more tax revenue providing something to do for everyone of all ages.

Councilman Taylor feels that in the real world this would be a 10-hour a week part-time job as it is a small town, unlike the County. He stated that the people who are willing to work with the youth has a heart and passion for it. He asked Mr. Fox if he would participate and take the reins.

Mr. Fox interjected that he does not believe it is a part-time job. He advised that he can name 10 places between parks, fields and recreational spots that are rented out regularly and with events that need to be planned with someone on call that would need to be there all week, 5 days a week. He explained how it wouldn't work once you start planning these events. He stated that this is not a 10-hour a week job. He feels this person should also be in charge of cutting the grass, lining the field, spraying the fields and covering the fields when raining. He commented further.

5. Agenda Adoption

Councilwoman Bowden motioned, seconded by Councilwoman Richardson to adopt the agenda as presented. Unanimously approved.

6. Staff Reports

General Government

Town Manager Tolbert reported that the Town has received \$1.491 million for the ARPA funds. They are still working on a selection of projects for this fund. The public hearing is scheduled for July 15th and has been advertised. He stated that he spoke with Mr. Isdel with VODT who is committed in working with the Town. He gave an update on the Causeway work. VDOT will be installing the permanent lines with reflectors in the center line and no reflectors on the edge lines. They requested that VDOT add signage, rumble strips along center line and reflectors on the edge lines along the Causeway. The traffic light at Maddox was reprogrammed to work all three lights together. Chief Fisher observed the operation and advised that it seems to be working with a few alterations. VDOT has committed to working with the Town. The Town submitted an official request to VDOT to reprioritize the projects on the Causeway: 1) add shoulders, 2) raise the intersection at Maddox Boulevard and 3) raise the road base along the

entire Causeway to prevent closures. The ANPDC is also sending a letter. This matter has also been put on the agenda for the next Board of Supervisors' meeting.

Town Manager Tolbert reported on the Meals and Transient Occupancy Tax. June was a good month and they have met their Meals Tax budgeted expectations. The Transient Occupancy Taxes was almost the last 3 years combined and exceeded the adjusted budget. The Building and Zoning has had a busy month and the Building and Zoning Administrator is doing a great job. He reported that the County's electrical inspector, Mr. C.L. Bundick has retired. Mr. Mark Wood plans to open his own inspection agency to do both counties and Chincoteague once he receives his certifications and licenses.

There was brief discussion regarding the collection of Transient Occupancy taxes and that the light cycle modifications seem to be working.

Police Department

Chief Fisher reviewed the June report. They helped the Accomack County Sheriff's office with the Chincoteague High School graduation along with the Senior's Parade. They provided parking and traffic control for the launch at the Curtis Merritt Harbor. He reported that they hired a part-time dispatcher and a new part-time traffic control officer. He added that they hired a full-time officer who he will introduce at the August meeting. He reported that they had their VCIN audit which was favorable. He commented on the weekend traffic and delays. He added that the Town has been awarded the grant for the School Resource Officer.

Public Works

Public Works Director Spurlock reported that other than routine Public Works duties, they have managed to get the Brianna's Kindness Park near completion with sidewalks and parking lot with the exception of 1 piece of equipment which arrived and will be installed this week along with stone and mulch. The playground will be complete within the next 2 or 3 weeks. He is waiting for the sewage permit and one piece of the adult exercise equipment is missing. He encouraged everyone to go by and look at the progress. He mentioned the kayak launch emergency removal. He added that the Sarbanes work is 100% complete.

Mayor Leonard requested the aerial mosquito control to be scheduled.

Emergency Services

Emergency Management Coordinator Rush reported that the Antares launch has been moved to August. They hired 3 part-time Paramedics and 1 EMT. He gave a shoutout to the Greenbackville Volunteer Fire Company for loaning their ambulance because they have one out of service. He was also happy to report the Fire Company received an 80/20 grant for the Rescue Squad Assistance Fund to purchase another ambulance in the amount of \$174,000 which could take 12-15 months. He advised of Tropical Storm Elsa. There will be gusty winds Thursday through to Friday Morning with 1-3" of rain. Most of the weather should stay off the coast with 40-50mph gusts.

7. Committee Reports

Curtis Merritt Harbor Committee

Mayor Leonard reported they held an emergency Harbor Committee meeting because of the kayak ramp that fell in and was removed. They would like to replace it with a floating ramp. They discussed the BIG grant and putting in ramps at the Robert Reed Park to accommodate smaller boats. The Harbor is full, and the gas sales are at a record pace.

8. Adoption of the Minutes for the June 7, and 17th, 2021, Council Meetings. Vice Mayor Bott motioned, seconded by Councilwoman Richardson to adopt the minutes of the June 7th and 17th Council Meetings as presented. Unanimously approved.

9. Consider Purchase of VSP

Town Manager Tolbert advised because of the recent tragic fatal accident on the Causeway and delays in the accident investigation it halted all access to the Island for over 6 hours. He advised that he and Chief Fisher spoke with 1st Sargent Kevin Myers with the Virginia State Police about the cause of the delays. 1st Sgt. Myers faulted a malfunctioning piece of equipment used to survey the accident scene. 1st Sgt. Myers described a piece of equipment that would speed up the investigation of an accident scene. There are 2 of these units on the I64 corridor that were unavailable because they were purchased with funds from the Tidewater area and restricted to use on the I64 corridor.

Town Manager Tolbert stated that Supervisor Tarr has asked for and received approval for the CVFD to purchase the entire unit at the cost of \$16,500. He also advised that he spoke to Mr. Mike Mason, and he agreed to put it on the Board of Supervisor's agenda for the July Meeting. He also agreed to contact the Northampton County Administrator for the same purpose. He stated that he asked Mr. Mason to propose that each county donate 1/3 to the purchase price and that he would ask the Town Council to donate the remaining 1/3. 1st Sgt Myers has agreed that if the unit is purchased with local funds and donated to the VSP. He stipulated that it would remain on the Eastern Shore and available for use here at all times. He asked Council to consider approval of 1/3 of the cost of the equipment not to exceed \$5,500 toward the purchase of this forensic equipment.

Vice Mayor Bott motioned, seconded by Councilman McComb to approve up to \$5,500 toward the purchase of the VSP accident investigative equipment. Unanimously approved.

10. Presentation of Detached Quarters Proposal

Mr. Landsberger addressed Council with his proposal to add "Detached Quarters" to the R1 District in the Town Zoning Ordinance. He explained the reasons for the detached quarters to be for ailing, disabled and/or elderly family members. He explained further giving examples. They don't want to change the single-family zoning. He stated that if they meet the setbacks and septic, they should be able to build granny flats or detached quarters for a family member to live. He stated that he brought this before the Planning Commission and they did not send their decision to Council within 30 days, which is why he is before Council for a ruling.

Mr. Chuck Ward, with Starboard Environmental, LLC., gave a presentation explaining the history of structures and reasons which caused zoning laws that also created problems. He gave solutions and explained possible problems caused by hidden quarters that do not meet State and Town Codes. He read the proposed ordinance. He added that this would be an extension of the

existing living space. He believes that adoption of this such of ordinance would add value to this community. He feels it is not a major change, it is a set of guidelines to allow a safe and systemic approach to addressing a real life need that we all recognize and understand. This is nothing more than to change the existing Zoning Code to allow additional space to be constructed but not physically attached to the principal structure. He added that as communities change the Zoning laws change. He offered to answer questions and address Council's concerns.

Councilwoman Bowden stated that she sees this happening and friends and other relatives are staying there for Pony Penning. She stated that she is concerned what happens when it is sold. She also commented on the lack of enforcement. She added that no one will know how many people are staying there.

Mr. Landsberger interjected that no one knows who is staying in his house right now. Lack of enforcement is not a reason not to have good zoning. He added that if there is an ordinance in place there would be a C.O.

Vice Mayor Bott stated that he has a lot of questions. He also stated that he can see the value in the ideas. He suggested sending it back to the Planning Commission to approach it at all angles. He added that he has questions and would like them to address it. He would also like to see the Ordinance.

Mr. Landsberger interjected that they made the presentation to the Planning Commission and their response was to eliminate the fee for a special use permit. He stated that the Planning Commission chose not to act and according to what he read he could bring it to the Council for a decision.

Town Manager Tolbert explained the options: 1) approve the request and move to a hearing. 2) not proceed and the matter would die. 3) return it to the Planning Commission so they can study it further and report back to Council.

Vice Mayor Bott stated that this is why he wanted to send it back to the Planning Commission.

Mayor Leonard asked if this is not allowed in R1, but allowed in the R2, R3 and R4 Districts.

Mr. Landsberger responded that it has to be detached in R2, R3 and R4 Districts. He added that in Richardson's Landing they are not allowed, but in Oyster Bay they are.

There was further discussion.

Town Manager Tolbert will speak with Mr. Rosenberger. He also advised that it was his understanding that the Planning Commission decided not to meet in July, and the next meeting will be in August.

Councilman Savage asked if there is any history supporting the R1 regulations.

Councilwoman Bowden motioned, seconded by Councilman McComb to send this matter back to the Planning Commission to get official word before they take action. Unanimously approved.

11. Consider Committee Appointments and Recommendations

Mayor Leonard advised that Mr. Chuck Ward resigned from the Board of Zoning Appeals. He also advised that the judge would appoint a member to fill his position. There is a vacancy on the Recreation and Community Enhancement Committee. He asked for a nomination.

Councilman Taylor nominated Mr. David Johnson to serve on the Recreation and Community Enhancement Committee. The nomination was seconded by Vice Mayor Bott. Unanimously approved by Council.

Town Manager Tolbert explained that there is a vacancy on the Building Code Board of Appeals, which was his position. He recommended to replace the Licensed Profession member with Mrs. Stacey Hart, P.E. who has agreed to serve as a member of the Building Code Board of Appeals.

Vice Mayor Bott nominated Ms. Stacey Hart to serve on the Building Code Board of Appeals. The nomination was seconded by Councilman McComb. Unanimously approved.

12. Consider Modified Ordinances

Councilman Savage presented the modified ordinances that were approved by the Ordinance Committee.

Sec. 46-3. Deposits on sidewalks, streets, lanes, alleys.

No person shall throw upon any sidewalk, street, lane, or alley any paper, rags, old shoes, tin cans, bottles, fruit or vegetable peelings, glass, decayed fruit, dead animals, **tobacco waste products** or any other refuse or waste.

(Code 1977, § 8-2, **Amended July 2021**)

Councilwoman Bowden motioned, seconded by Councilwoman Richardson and Councilman McComb to adopt the addition to Sec. 46-3 of the Town Code as amended. Councilman Savage continued.

Sec. 10-59. Enclosures.

It shall be unlawful for any person to keep horses, ponies, mules, donkeys, cattle, sheep, goats, **domesticated fowl** or similar animals in the town unless they are safely and securely enclosed by a fence and provided, they are properly housed. Such housing shall not be nearer than ten feet to any adjoining property line and no nearer than 30 feet to the principal building on any adjoining property. The enclosure shall be kept in such sanitary condition as to comply with all provisions of law.

(Code 1977, § 4-3; Ord. of 4-15-1999, **Amended July 2021**)

Councilman McComb motioned, seconded by Councilwoman Bowden to adopt the addition to Sec. 10-59 of the Town Code as presented. Unanimously approved.

Councilman Savage read the next change:

Sec. 10-56. Hog pens; keeping hogs.

Within the corporate limits, it shall be unlawful for any person to:

- (1) Have a hog pen.
- (2) Keep one or more hogs.

(3) Pet Pig Exemption

It is prohibited to keep a pig or other swine as a household pet, except for a purebred miniature Vietnamese potbellied pig, *sus scrofa vittatus*, Chinese house pigs or pygmy pigs; Juliana Pig that is registered as such and is kept for the sole purpose of providing human companionship. No other swine, pig, hog, boar or member of the Suidae family may be maintained as a pet within the Town of Chincoteague Incorporated Limits.

The permitted pig shall be no younger than six weeks of age and shall be spayed or neutered. Owners must supply upon request of an animal control officer or employee/agent of the Town, proof that the swine is a registered, purebred miniature potbellied pig (*sus scrofa vittatus*); Chinese house pig or pygmy pig; Juliana Pig. Failure to do so shall result in an order to remove the swine and a citation of not less than \$250.

No person or residence shall own or keep more than one pig of the permitted species listed above.

No breeding or sales of pet pigs are permitted in any residential zoning district. Additionally, no slaughtering of pet pigs is permitted within the incorporated limits of the Town.

No pet pig shall be housed outdoors. No outdoor shelters shall be erected for this purpose.

A permitted pig shall be maintained primarily within the residence of its owner. No pig shall be kept outside; however, a permitted pig may be exercised from time to time within a securely fenced enclosure on the owner's property or while under the owner's physical control by means of secure leash, chain, or cord.

No pet pig shall be starved or otherwise deprived of healthful sustenance appropriate for its species and particular nature. Depriving a pet potbellied pig of healthful sustenance for any purpose, including for the purpose of stunting its growth, shall constitute cruelty to animals and be punishable per State Code.

The provisions of this Chapter that pertain to dogs and cats, and all other applicable provisions, apply also to pet pigs, except as specifically provided herein:

No pet pig kept within Town incorporated limits shall exceed the weight of one hundred twenty (120) pounds. The zoning administrator may require a licensed veterinarian's certification as to the weight of any pet pig which, in the opinion of the zoning administrator, exceeds one hundred twenty (120) pounds in weight.

All pet pigs kept in the Town shall be vaccinated against all major swine diseases every six (6) months. Any person keeping a pet pig shall comply with all state laws and regulations governing the keeping and production of swine.

(Code 1977, § 4-1, Amended July 2021)

Vice Mayor Bott motioned, seconded by Councilwoman Bowden to adopt the addition to Sec. 10-56 of the Town Code as presented. Unanimously approved.

Councilman Savage continued.

Sec. 58-6. Persons riding bicycles or riding or driving animals.

Every person riding a bicycle, **electric bicycle, electric scooter, electric skateboard, hover board, or any similar device**, or an animal upon a roadway and every person driving any animal thereon shall be subject to the sections of this chapter applicable to the driver of a vehicle, except those sections which by their very nature can have no application.

(Code 1977, § 11-5, **Amended July 2021**)

Cross reference—Animals, ch. 10.

Councilwoman Bowden motioned, seconded by Councilman McComb to adopt the amendments to Sec. 58-6 of the Town Code as presented. Unanimously approved.

Councilman Savage read the addition

Sec. 42-29. Rules and regulations.

(a) The following rules and regulations shall be applicable to the uses of all town-owned recreational facilities:

- (1) Each facility shall be open from
 - a. Robert N. Reed Park shall have the hours of operation from one-half hour before sunrise to midnight each day.
 - b. Veterans Memorial Park shall have the hours of operation from one-half hour before sunrise to 10 p.m. each day, with fishing allowed to midnight.
 - c. Donald J. Leonard Park shall have the hours of operation from one-half hour before sunrise to midnight each day.
 - d. Island Nature Trail shall have the hours of operation from one-half hour before sunrise to one-half hour after sunset.

Such hours of operation may be modified by the town manager, his designee, or the director of public works from time to time. Hours of operation shall be conspicuously posted. Entering onto the facility between the hours of closure except during the course of a bona fide emergency shall constitute a criminal trespass.

(2) No person shall take a drink of an alcoholic beverage as defined under Code of Virginia, § 4.1-100 et seq. or tender a drink thereof to another, at any such public facility, except as may be expressly permitted under Code of Virginia, tit. 4.1.

(3) No person shall possess any opened container of alcoholic beverage, as defined in subsection (a)(2) of this section, at any such public facility, except as may be expressly permitted under Code of Virginia, tit. 4.1.

(4) Except as otherwise provided by law and giving due consideration to the present and proposed uses of the public facility, no person shall take a drink of or consume any alcoholic beverage, as defined in subsection (b)(2) of this section or tender a drink thereof to another or possess any opened container of an alcoholic beverage at such public facility.

(5) The above provision for consumption of alcohol will not apply to any person while situated on a boat for which a slip has been leased at the Robert N. Reed Park.

(6) Violation of subsections (a)(2), (3) and (4) of this section shall constitute a class 4 misdemeanor.

(7) No person shall, with the intent to cause public inconvenience, annoyance or alarm or recklessly creating a risk thereof, while at such public facility, engage in conduct having a direct tendency to cause acts of violence by the person at whom, individually, such conduct is directed; provided, however, such conduct shall not be deemed to include the utterance or display of any words or to include conduct otherwise made punishable under this article.

(8) No open fires or burning shall be permitted at any time except for the purpose of the preparation of food and in cooking grills situated at the facility or provided by such persons. This subsection shall not prohibit the smoking of tobacco products except as may be required by state law.

(9) No person shall destroy, deface or injure any part of such property, real or personal, or otherwise throw or discard or cause to be thrown or discarded on such property or any part thereof any paper, bottle, can, fruit or vegetable peeling, glass, rag or any other refuse or waste, except in a receptacle provided for the disposal of refuse or waste.

(10) Repealed. 10/07/13.

(11) No drugs are permitted.

(12) No excessive noise, as provided by article II of chapter 22, shall be permitted.

(13) No pets shall be permitted in the park, except in Donald J. Leonard Park and Phase I (paved section) of the Island Nature Trail.

(14) No fireworks or explosives are permitted unless a special permit is issued by the town.

(15) No person shall solicit for or conduct any business in any Town Park.
For purposes of this Section, "solicit for or conduct any business" means: Sell or offer to sell, lease or rent any article or service;

(16) Perform or engage in any act with the intent or expectation of receiving payment therefore from any person.

(17) Display goods, or descriptions or depictions of goods or services, with the intent to engage any member of the public in a transaction for the sale of any good or service; or

(18) Use the address of any Park in any transaction for business purposes including but not limited to the sale and or lease of goods and/or services for sale.

(b) For the purpose of this subsection the word “group” shall additionally mean either a preplanned assemblage of ten or more persons engaging in one joint activity, or an informal assemblage of ten or more persons coming together and engaging in one joint activity. The following rules and regulations shall be applicable to the use of the facility by groups for Veterans Memorial Park and the Robert N. Reed Downtown Park, so as to ensure that the facility is reasonably accessible to all citizens and guests, no liability is incurred by the Town or its agents and employees and the property is preserved and maintained for the benefit of future users:

(1) Any such group or member thereof shall, prior to utilizing the facility, secure a written permit from the office of the town manager.

(2) Such permit shall specify the area of the facility to be used by the group for its activity and the permitted hours, consistent with the planned activity, other groups desiring to use the facility or particular part thereof, and such other reasonable factors that the town manager or his designee may determine. The playground equipment cannot be exclusively reserved.

(3) The permit shall be further executed by the group or a member thereof and shall provide that the group or person executing the permit shall be responsible for any and all damages to the facility committed by such group or any member thereof. The town manager or his designee may require either that such person or the group provides evidence of financial responsibility or appropriate liability insurance.

(4) A copy of the permit shall be maintained in the town office and a copy delivered to the applicant, which shall be exhibited, upon request, to any member of the town manager’s staff or any police officer.

(5) The town manager shall, further, provide such group or person acting on behalf of the group a copy of the rules and regulations applicable to the facility. The person scheduling the event is responsible for cleaning the park at the conclusion of the event. If cleaning is not performed to the town’s satisfaction, the town will clean the park at the expense of the responsible party.

(6) The town manager shall, further, maintain a scheduling book in such a form as to show the particulars of each permit issued so as to not create unnecessary scheduling conflicts.

(7) Permits shall be generally issued on a first come, first served basis.

(c) The town manager, his designee, or any public officer who has probable cause to believe that any person is not utilizing the facility in accordance with this article shall have the right to terminate such person's use of the facility and to expel such person from the premises. Any person failing to leave when so instructed by any such person shall be guilty of a separate offense of trespass and punished as provided in this article.

(d) The following only pertains to the Robert N. Reed Downtown Park

(1) A user fee of \$50.00 shall be charged for each scheduled event with the exception of a community service event for which the fee may be waived at the discretion of the town manager. The income from user fees is a project program income and as such may only be utilized for park purposes.

(Code 1977, § 16-4; Ord. of 11-7-1991; Ord. of 7-6-1992 h, i, k(2)) (*Amended 11/02/09, July 2021*)

There was discussion regarding those kayak businesses that use the Park. Those businesses can not conduct the business by receiving money at the Park, they can however launch at the Park.

Councilman McComb motioned, seconded by Councilwoman Bowden to adopt the addition to Sec. 42-29 of the Town Code as presented. Unanimously approved.

13. Discuss Trolley Proposal

Town Manager Tolbert stated that he and Council received a proposal from Ms. Brenda Watson for the Trolley to be used for locals who need transportation to and from local businesses and to develop a local route.

Councilwoman Bowden stated that she believed that not many people ride the Trolley. However, she thinks it could be a good thing 1 or 2 days a week throughout the winter. She understands that they have to have approval with the Trolley grant to see how they could use it. She added that it could benefit the elderly and those without proper transportation along with children. She suggested asking Town Manager Tolbert to see if this possible.

Mayor Leonard directed this matter to Transportation Director Welsh to look into it further. He added that they are strict with the Trolley routes and schedule, but it can't hurt to ask.

14. Consider New Kayak Launching Platform

Mayor Leonard advised that everyone is aware of the recent emergency and failure of the 2-year-old kayak ramp at Memorial Park. He stated that they would use Ravens Marine again who is the sole source supplier.

Vice Mayor Bott motioned, seconded by Councilwoman Bowden to approve the purchase and installation of a new kayak launching platform. Unanimously approved.

15. Mayor and Council Comments

Councilman Taylor stated that the police officers don't do anything for glamor. He is happy for the lady that is thanking his officers for saving her life. He stated that it had impact on her life. He wants to do something for all those involved. He added that he is also glad the state grant went through for the Fire Company.

Councilman McComb agreed with Councilman Taylor. He thanked the Department Heads. He stated that this has been a busy weekend and went off without a hitch. He also thanked Ms. Watson for sending the information on the trolley.

Councilwoman Bowden congratulated Emergency Management Coordinator Rush for his award of Businessman of the Year. She stated that she sings his praises morning, noon and night. She also stated that he has lifted his department to great heights building it from the ground up. She commended him for his dedicated service during COVID and his personal loss adding that he has been there for the Town. She also expressed her appreciation to Public Works Director Spurlock and his department as the Town looks great and his staff is hustling. She also stated that she appreciates everything Chief Fisher and his department does. She added that when she read the letter she knows what's important. She added that she also appreciates Town Manager Tolbert. She thanked Ms. Watson adding that we'll get on it.

Councilwoman Bowden also thanked Mrs. Brommer as she is an animal lover as well and will help in any way she can. She commended Ms. Burton and added that she doesn't want any animal starving or hurting. She added that they can't just get rid of them, they are living breathing things. She agreed that people need to be educated. She thanked Mrs. Birch as well for feeding the cats. She thanked everyone for everything they do.

Councilwoman Richardson stated that this is a wonderful place to live in. She added that you can say what you want about someone, but when it comes down to it, the people are right there to help. She stated that Council has a job to do and does their best to benefit as many as possible. She again stated that this is a wonderful place. She's seen good things happen and bad things happen, but they all pull together.

Mayor Leonard commented about all the people on Chincoteague, that we have been invaded, going from a population of 3,500 to 10,000-15,000. Chincoteaguers take it with stride as it used to be September when they got their Town back but not anymore, it's more like November. He reported that he deals with a lot of tourism, who think how wonderful it is and they can't get over how Chincoteague is a step back in time. He also congratulated the North Accomack Little League 8-10 Minor Girls' Softball Team for making it to the state finals. He commended the Major League Boys for making it close to the state tournament. He also commented on the Fire Company pizza sale.

Councilwoman Bowden reported they sold about 300 pizzas and 500lbs of potatoes for the Pony Fries. She added that they made over \$5,000.

Mayor Leonard stated that people waited 2 hours in line for their pizza and Pony Fries. He thanked Chief Fisher for the traffic control during the pizza sale. He added that they had a good time and plan to do it again Pony Penning.

16. 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 Councilman McComb 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, and prospective business opportunities. Unanimously approved.

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

Councilwoman Bowden motioned, seconded by Councilman McComb 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.**

18. Adjourn

Councilwoman Bowden motioned, seconded by Councilman McComb to adjourn. Unanimously approved.

J. Arthur Leonard, Mayor

Michael T. Tolbert, Town Manager