

**MINUTES OF THE JUNE 6, 2022**  
**CHINCOTEAGUE TOWN COUNCIL MEETING**  
**Council Chambers**

**Council Members Present:**

J. Arthur Leonard, 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:**

Christopher D. Bott, Vice Mayor

**Staff Present:**

Mr. Michael T. Tolbert, Town Manager  
Mr. Robby Fisher, Police Chief  
Mr. E. Bryan Rush, Emergency Management Coordinator

**Call to Order**

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

**Invocation**

Councilman Taylor offered the invocation.

**Pledge of Allegiance**

Mayor Leonard led in the Pledge of Allegiance.

**Public Comment**

Town Manager Tolbert read the Public Speaking Rules.

Mayor Leonard opened the floor for public comment.

- Ms. Paula Nees, 6417 Canal Lane, thanked Council for stepping up and having a proclamation against gun violence. She asked that they recognize the 1<sup>st</sup> Friday of June each year as Gun Violence Awareness Day, and everyone should wear orange that day. She read a poem.
  
- Mrs. Nancy Cunningham, 6319 Clark Street, on behalf of the Island Library congratulated the Lady Ponies and added that the Chincoteague Island Library Family is very proud of them. She reported on the upcoming events and fundraisers that the Island Library has planned for the year. She announced they have 4,596 Facebook friends. She also thanked the Town, the local businesses, local patrons, and visitors for their continued support.

**Agenda Adoption**

**Councilman McComb motioned, seconded by Councilwoman Bowden to adopt the agenda as presented. All present were in favor and the motion was carried.**

**Ayes: Bowden, McComb, Richardson, Savage, Taylor**

**Nays: None**  
**Absent: Bott**

### **Recognition of CHS Ladies Champions**

Mayor Leonard stated that he believes that this is the first time ever that they have had a clean sweep in the Ladies' District Championships in all 3 sports. He stated that the Town felt they needed recognition. He read and presented CHS Principal Farrell with a plaque in recognition for the Ladies winning the district championships this year, for display at the school. Each member of the CHS Lady Ponies Teams introduced themselves and listed the sports they participated in.

Council congratulated them on a wonderful year and wished the Lady Ponies Softball Team luck in their state tournament Tuesday.

### **District 1 Supervisor Report**

Supervisor Billy Joe Tarr reviewed the personal property and real estate tax rates, increases and decreases. He reported on a cigarette tax the County plans to impose which is \$1 per carton. He advised that if the Town chooses to impose the cigarette tax of \$1 per carton, the County will not collect from the Town. However, if the Town chooses not to collect the tax the County will. He then talked about the ARPA Tourism Fund. The County received \$260,000 designated for tourism activities of which \$80,000 goes to Chincoteague. This could be used for a new kiosk, marketing, new initiatives, and redesigning the website.

Supervisor Tarr reported on the state budget funding where they have passed significant increases in deputy salaries to start at \$42,000. COLA is 5% and there is a compressing salary adjustment of \$100 per year times years of service. He announced the local match for the Inlet Study has been approved and included in the budget. He talked about the Maryland gas tax holiday and advised that Virginia gas tax holiday hasn't been approved. He advised of the grocery sales tax reduction. He explained they couldn't do a complete grocery sales tax holiday because 1% of grocery sales tax goes to building schools. He reported that the state has also approved a 5% raise for teachers this year. He stated they had a strategic planning conference at the Chincoteague Firehouse 2 weeks ago that resulted in a list of the top 3 priorities: 1) Broadband connection for the remaining people who have no internet. 2) The housing shortage. The study shows they are about 1,000 homes short. 3) Hampton Roads Sanitation District is coming up the Shore.

Councilwoman Bowden asked about the cost to have Broadband. There was brief discussion.

Mayor Leonard asked how citizens could find out how close they are to Broadband.

Town Manager Tolbert advised they had a representative from Broadband at a Council meeting about a year and a half ago and he offered to invite him to come back.

Mayor Leonard advised that he saw where the Lt. Governor talked about hardening schools.

Supervisor Tarr advised he didn't know about it. He added that the reason they have the Lt. Governor they currently have is because of the schools. He is confident he will do something. He feels it's a serious issue. He agreed they should hire the retired police.

Councilman McComb asked about the remaining ARPA tourism money.

Supervisor Tarr continued that it will remain open as ARPA has to be used by December 31<sup>st</sup>, 2024, and the plans have to be submitted by December 31<sup>st</sup>, 2023.

Council thanked Supervisor Tarr for giving an update.

### **Resolution for Gun Violence**

Mayor Leonard read the Resolution for Gun Violence



## **PROCLAMATION**

### **IN RECOGNITION OF DECLARING FRIDAY JUNE 3, 2022, TO BE LOCAL GUN VIOLENCE AWARENESS DAY**

This proclamation recognizes that Friday June 3, 2022, will be proclaimed Local Gun Violence Awareness Day in the Town of Chincoteague to honor and remember all victims and survivors of gun violence and to declare that we as a community, we must do more to reduce gun violence.

WHEREAS, every day, more than 100 Americans are killed by gun violence, alongside more than 200 who are shot and wounded, and on average there are more than 13,000-gun homicides every year; and

WHEREAS, protecting public safety in the community we serve is the public official's highest responsibility; and

WHEREAS, support for the Second Amendment rights of law-abiding citizens goes hand-in-hand with keeping guns away from people that shouldn't have them; and

WHEREAS, the vast majority of legal gun owners abhor gun violence and love and respect the peace and liberty that this Country stands for, and

WHEREAS, on June 3, 2022, people across the United States will recognize National Gun Violence Awareness Day and wear orange in tribute to victims of gun violence; and the loved ones of those victims; and

WHEREAS, The color orange symbolizes the value of all human life; and

WHEREAS, anyone can join this campaign by pledging to wear orange on June 3rd, 2022 to help raise awareness about gun violence; and

WHEREAS, by wearing orange on June 3rd, 2022, citizens will raise awareness about gun violence, the value of human life and honor the lives of gun violence victims and survivors; and

WHEREAS, we renew our commitment to reduce gun violence and pledge to do all we can to keep firearms out of the wrong hands and encourage responsible gun ownership to help keep our children safe.

NOW, THEREFORE BE IT RESOLVED that the Town of Chincoteague declares June 3, 2022, to be Local Gun Violence Awareness Day. I encourage all citizens to support their local community's efforts to prevent the tragic effects of gun violence and to honor and value of all human life.

Signed: \_\_\_\_\_

John Arthur Leonard, Mayor

Attested: \_\_\_\_\_

Michael T. Tolbert, Town Manager

### **Staff Reports**

#### **General Government**

Town Manager Tolbert reported on the Harbor floating piers. He gave a brief report on Student Government Day along with the seasonal change of the Maddox Boulevard Traffic Signals. He then reviewed the May 2022 Financial Report. He also advised that Senator Lewis confirmed that the required local match for \$1.5 million for the Inlet Study was in the recently passed State budget. He reported on the Meals and Transient Occupancy Tax collections. He advised they are preparing for Pony Penning, and he briefly reviewed the Building and Zoning monthly report. He added that Building and Zoning Administrator Bowden has also been reviewing the cloud-based permit software. He announced that Mr. Jeff Fitchett, the Roads Supervisor, will retire effective June 17<sup>th</sup>. He wished him well in his retirement.

Councilwoman Bowden stated that each time they hear the report from Building and Zoning, it seems the Administrator keeps getting busier and busier. She asked if it was time for this department to have an assistant of some kind.

Town Manager Tolbert feels he needs help, which is why they are trying to obtain the software system. He would like to get this ordered and see how it works out first.

#### **Police Department**

Chief Fisher gave an update to the report in the packet. He stated they picked up with the calls for service in May. They had some Zoom training. Investigator Barnes is currently in 1<sup>st</sup> line supervisor training. They provided overnight security for the Chincoteague Chamber of Commerce Seafood Festival and attended the festival for crowd and traffic control. They also assisted the Chincoteague EMS with a mock traffic accident for prom attendees. Sgt. Adams attended the first part of a Law Enforcement Leadership Institute at Christopher Newport College. He will go back for 4 more days in August for the 2<sup>nd</sup> part. He recommended that other

officers attend this class. They participated in the Student Government Day. He also attended a meeting at the USCG base with the USCG Chief, CVFC Chief, Emergency Management Coordinator Rush, EMS Supervisor Barrs, USF&W and Marine Police for Pony Penning preparation. They presented Police Department Scholarships to: Ms. Lindsey Bailey, Ms. Emma Jackson, and Ms. Megan Horner at the CHS Senior Awards Program. Investigator Barnes attended online training for Train the Trainer in Narcan. He plans to have all of the officers trained and there will be 2 instructors in-house. He also signed an MOU with the Health Department of Virginia to be able to get the Narcan.

Councilman Taylor commented about the Texas school shooting and having sufficient protection for the officers.

There were comments.

Mayor Leonard thanked Chief Fisher for going to the elementary school. He hopes the state will step up so they will have another SRO.

There was further discussion of the funding for additional SROs.

#### Public Works Department

Town Manager Tolbert reported on the progress at the Brianna's Kindness Park, paving and striping the outdoor pickleball courts, tennis courts, and basketball courts, along with fencing replacement. The plants have been completed at the Brianna's Kindness Park. The spring paving is completed. There was an incident where a company was boring across Maddox Boulevard who drilled through the water main. The Town repaired the leak and Branscome, who was still on the Island paving, was able to professionally patch the road. The Town plans to bill Spectrum and their contractor for the repairs. He added that the Public Works staff continue with routine maintenance, water, weed control, and a lot of grass cutting.

#### Emergency Services

Emergency Management Coordinator Rush advised that Paramedic Drewer conducted CPR class for the 3 new hires in Public Works. They conducted a mock car crash at the Chincoteague High School to remind the students of the dangers of drinking and driving prior to prom and graduation. They also conducted spring training which included water rescue. He thanked Mrs. Wilder at the Refuge Motor Inn for allowing staff to train using their pool. He reminded everyone that lifeguards are scarce this summer on Assateague and other non-lifeguarded pools which is why they focused on water safety and water rescue. He reported on the EMS Advisory Board meeting, explained some of the changes and advised of the upcoming grant.

Emergency Management Coordinator Rush stated they are monitoring current conditions for weather focusing on the tropics. They completed the After-Action Report for the aircraft crash. He advised they continue planning for fireworks and Pony Penning. He has met with the USCG and outside agents to work out details. The Antares launch has been moved to September 15<sup>th</sup> and Hurricane Season is predicted to be a busy one with 14-21 named storms. He also reported on the COVID statistics and reminded everyone to get their boosters, inoculations, pay attention to the new monkey pox, and be weather aware.

## **Committee Reports**

### **Public Works Committee**

Councilwoman Richardson reported they met May 3<sup>rd</sup> and everything they discussed has already been reported on.

### **ARPA Committee**

Mayor Leonard advised they met May 4<sup>th</sup> and received a presentation from the ESCADV.

### **Budget and Personnel Committee**

Mayor Leonard reported they met May 10<sup>th</sup> to review and approve the FY22 Budget Compliance and the FY22 Budget Amendment. They also changed the Playground Equipment Fund to the Park Fund.

### **RCEC**

Councilman Taylor reported they discussed the shading for the Dog Park and Brianna's Kindness Park. They also discussed surveillance cameras. He thanked Council for their approval and help with the Brianna's Kindness Park.

### **Adoption of the Minutes of the May 2<sup>nd</sup>, and 19<sup>th</sup> Council Meetings**

**Councilwoman Bowden motioned, seconded by Councilwoman Richardson to adopt the minutes of the May 2<sup>nd</sup>, and 19<sup>th</sup> Council meetings as presented. All present were in favor and the motion was carried.**

**Ayes: Bowden, McComb, Richardson, Savage, Taylor**

**Nays: None**

**Absent: Bott**

### **Review of Employee Medical Options**

Town Manager Tolbert explained the increase of 12% this year and added that they budgeted for a 5% increase which makes the total increase \$29,575. He stated that he has talked with USI, and they requested a quote from the lead contenders who refused to submit a quote as they couldn't compete with Anthem's rates and coverage. USI gave alternative plans with Anthem which would reduce the annual increase but would increase the out-of-pocket cost to the employee. This is the first significant increase the Town has had in 4 years. He stated that it is difficult to budget the increase in healthcare because they're unable to report the new rates by the end of the calendar year as we are a small entity. He suggested continuing to put an increase of 5% in each budget, allowing the overage to be placed in a reserve account to help cover a larger increase in the future. He asked Council to approve the existing health plan at the stated rates.

Councilman McComb asked about the HSA option with the higher deductible.

Town Manager Tolbert advised that those who chose the HSA option receives the difference in premium into their HSA.

Councilwoman Bowden stated that she does not want the employees burdened financially any further.

**Councilman Taylor motioned, seconded by Councilwoman Bowden to approve the current healthcare plan for the Town employees with the same coverage they currently have. All present were in favor and the motion was carried.**

**Ayes: Bowden, McComb, Richardson, Savage, Taylor**

**Nays: None**

**Absent: Bott**

### **Mayor and Council Comments**

Councilwoman Bowden stated that she appreciated that Council and Mayor Leonard were willing to express willingness to approve the Proclamation Against Gun Violence. She advised she is a legal gun owner with a concealed carry permit and believes in the 2<sup>nd</sup> Amendment. She doesn't know the resolution. She knows the country is divided and there has to be room in this country at the federal and state level to come to a compromise. She stated that they have to get away from the party differences. She continued that the people of this country have more in common than not. She added that they are in bad times and hopes something will start in DC to figure out what to do to keep our children safe as there has to be a resolution.

Councilwoman Bowden also advised that a couple of years ago the CVFC held a fundraiser for the Brianna's Kindness Park called the "Front Seat Perk" where they offered 2 seats at the Fire Company's dock to view the swim and a ride in the Pony Parade. The ticket sales were from a site called Better Unite. Because they didn't have Pony Penning last year, they rolled it over. On behalf of the CVFC, she presented the Town with a check in the amount of \$11,416.57 for the Brianna's Kindness Park. The Better Unite also pulled the winner. She advised that the winner was Ms. Cindy Macklin who brainstormed to do something to honor Brianna. She concluded with "Go Yankees".

Councilman McComb stated he assumed the Town would want to collect the cigarette tax as opposed to allowing the County to collect our share.

Town Manager Tolbert stated it is much simpler to go through the Board. He is unsure how much this will net the Town but will look into it.

Councilman McComb wants the Town to collect this and Council agreed. He echoed Councilwoman's sentiments and congratulated the Lady Ponies and wished them well in tomorrow's game.

Councilman Taylor thanked the CVFC for the donation to the Brianna's Kindness Park. He also expressed his appreciation to the contractors and people that gave time and money. He also stated that it's an impressive place.

Councilwoman Bowden stated that all they had to do was say they would be able to get up close to a pony and the money started dropping.

Councilman Savage congratulated the Lady Ponies on a great job. He stated that it was amazing they swept the team sports. He commended Town Manager Tolbert for taking on the Public Works Director position in the interim and for going above and beyond. He stated he appreciates

Chief Fisher for their response in protecting our children and for looking for grants. He stated that the Town is very blessed on the Island as it only takes 1 person to shake loose somewhere.

Mayor Leonard reminded everyone that summer is here, and the people are here. He urged everyone to have patience and be friendly. He thanked Council for being pro-active in providing the SRO for the schools a couple of years ago. He also congratulated all of the Lady Ponies Teams. He concluded with he hopes everyone paid their county taxes today.

**Closed Meeting in Accordance with §2.2-3711 (A) (5 & 7) of the Code of Virginia to discuss specific prospective business opportunities and pending legal matters.**

**Councilwoman Bowden motioned, seconded by Councilman Savage to go into a closed meeting in accordance with §2.2-3711 (A) (5 & 7) of the Code of Virginia to discuss perspective business opportunities and personnel matters. All present were in favor and the motion was carried.**

**Ayes: Bowden, McComb, Richardson, Savage, Taylor**

**Nays: None**

**Absent: Bott**

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

**Councilwoman Bowden motioned, seconded by Councilman Savage 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 only such public business matters were identified in the motion by which the closed meeting was convened, were heard, discussed, or considered. All present were in favor and the motion was carried.**

**Ayes: Bowden, McComb, Richardson, Savage, Taylor**

**Nays: None**

**Absent: Bott**

**Adjourn**

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

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J. Arthur Leonard, Mayor

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Michael T. Tolbert, Town Manager