

(No January 2022 Council Meetings)

**MINUTES OF THE FEBRUARY 7, 2022  
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  
K. Jay Savage, Councilman  
Gene W. Taylor, Councilman

**Council Members Absent:**

Ellen W. Richardson, Councilwoman

**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

**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**

- Mr. Barry Abell, 3776 Main Street, came before Council regarding the placement of the benches at the Watermen's Memorial. He explained why and how the Watermen's Memorial came about expressing how sacred this is and should be treated. He advised at a recent visit to the Memorial, they saw benches with brass name plaques of loved ones. The Watermen's Memorial has a place for name plaques for those local area residents who died at sea. There are criteria for the name to be added to the Watermen's Memorial: name, birthdate, date of death, certificate that the deceased was lost at sea, and a small write-up explaining the circumstances of the loss. The criterion was included in the application to ensure that this site would not become a place for just anyone who liked the view. Yet, there are two benches with personalized memorials without meeting the criteria.

Mr. Abell suggested that Council consider enacting the same rules as Memorial Park where they don't allow plaques or other memorials. He asked Council to: 1) create a committee for the Watermen's Memorial that is dedicated to the improvement and preservation of the site, 2) relocate the personalized benches to another location on the right as you walk up the hill, 3) do not allow personized benches at the Watermen's Memorial making the same rules and

regulations as Veteran's Memorial Park. He also added that when they fill up the names on the memorial, they can get another granite marker. He feels that no one should be able to get a bench with a personalized plaque at the Waterman's Memorial that honor those who were lost at sea. He commented further.

- Ms. Kathy Michaelian, Chincoteague Tennis Association and the Pickleball Group, asked Council to consider the proposal from the RCEC to use the ARPA funding for the resurfacing of the tennis courts at Memorial Park and the pickleball courts at the Amrien Center. She urged Council to make this decision for the funding and complete the project as soon as possible.

### **Agenda Adoption**

**Councilwoman Bowden motioned, seconded by Vice Mayor Bott to adopt the agenda adding the annual reports from the Chamber and the Library. All present were in favor and the motion was carried.**

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

**Nays: None**

**Absent: Richardson**

### **Chamber of Commerce Annual Report**

Chamber Executive Director Shotwell reviewed the Chamber's 2021 Annual Report. She reviewed the mission statement, the impact study, marketing, media outlets, advertising, social media reports, staffing and outreach, business development, business retention, membership services and benefits, Chamber events, the marketing grant, and upcoming plans. She thanked Mayor Leonard and Council for their continued support.

### **Chincoteague Island Library**

Mr. Paul Miller, President of the Chincoteague Island Library gave the annual report. He reviewed the history, accomplishments, events, programs, and information. He thanked Council for their continued support.

### **Announcement of Christmas Decoration Winners**

Mayor Leonard announced the winners of the 2021 Christmas Decorated Homes Contest:

Most Traditional Home:

1<sup>st</sup> Place: Mr. & Mrs. Richard Conklin

2<sup>nd</sup> Place: Mr. & Mrs. Jack Bowden

Most Festive Home:

1<sup>st</sup> Place: Mr. & Mrs. Robert Daisey

2<sup>nd</sup> Place: Mr. & Mrs. Bill Birch

Best Overall Home:

1<sup>st</sup> Place: Sonny Rodgers

2<sup>nd</sup> Place: Ms. Logan Holland

### **Staff Reports**

#### **General Government**

Town Manager Tolbert reviewed the monthly report. He reported on the delay in the piers at the Harbor, due to supply issues. The piers should be delivered by the end of March with a

completion time of early April. He continued with the Harbor fuel report. He added that the County will be conducting a reassessment this year. There is a new tenant at the old fire house with others expressing interest in renting space. He reviewed the Financial Report, Meals and Transient Occupancy Taxes, and Building and Zoning.

#### Police Department

Chief Fisher gave a brief update from December and January. He and Town Manager Tolbert attended a Board of Directors' meeting in Newport News, adding there are plans to increase the academy prices. He advised that in December they had the Annual Toy Run with toys donated to local children and Atlantic Fire Company, and also cookies with Santa. The January report consisted of training for staff and the boating incident.

#### Public Works Department

Public Works Director Spurlock commended the Public Works crews for the great job they did pushing snow in the early hours of the morning during and after the snowstorm. The fuel system will be installed Wednesday. He has submitted a request to add Ocean Breeze roads to the VDOT Urban Maintenance Program and should hear the decision sometime in June. He reported that the brickwork at the Brianna's Kindness Park is almost done.

Councilwoman Bowden thanked Public Works Director Spurlock and staff for the stormwater repair on Anderton Ave.

#### Emergency Services

Emergency Management Coordinator Rush reviewed the monthly and yearly stats comparing 2021 to 2020. He advised of the ANTARES launch scheduled for February 19<sup>th</sup>. He also gave the local and statewide stats on COVID-19.

Vice Mayor Bott asked if they would be conducting an investigation into the water incident.

Emergency Management Coordinator Rush advised he is planning an After-Action Report to include the VMRC and Sheriff's Department to see what went well and the failures to help with future incidents.

#### Committee Reports

##### Budget and Personnel Committee

Vice Mayor Bott advised they met on January 11<sup>th</sup>, reviewed and approved the FY23 Trolley Budget. They also reviewed taxes and fees along with projected revenues. He feels there was a great deal of inequality in the fees and asked staff to look into this to be discussed at tomorrow's meeting.

#### Adoption of the Minutes for the December 6, 2021, Council Meeting.

**Councilman McComb motioned, seconded by Councilwoman Bowden, to adopt the minutes of the December 6<sup>th</sup>, 2021, Council meeting as presented. All present were in favor and the motion was carried.**

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

**Nays: None**

**Absent: Richardson**

**Consider Reappointment of Committee and Commission Members**

**Planning Commission Reappointment**

Mayor Leonard advised that the four-year terms have expired for: Mrs. Mollie Cherrix, Mr. David Britton, and Mr. Ray Rosenberger. Each of the members have been contacted and are willing to seek reappointment.

**Councilman Taylor motioned, seconded by Councilwoman Bowden to reappoint Mrs. Mollie Cherrix, Mr. David Britton, and Mr. Ray Rosenberger to the Planning Commission for another four-year term. All present were in favor and the motion was carried.**

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

**Nays: None**

**Absent: Richardson**

**Harbor Committee Reappointment**

Mayor Leonard reported that Mr. Mike Handforth's two-year term has expired, and he has agreed to seek reappointment.

**Vice Mayor Bott motioned, seconded by Councilwoman Bowden to reappoint Mr. Mike Handforth to the Harbor Committee for another two-year term. All present were in favor and the motion was carried.**

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

**Nays: None**

**Absent: Richardson**

**Building Code Board of Appeals**

Mayor Leonard advised that Mr. Rob Tye's five-year term has expired, and he has agreed to continue his service.

**Councilwoman Bowden motioned, seconded by Councilman McComb to reappoint Mr. Rob Tye to the Building Code Board of Appeals for another five-year term. All present were in favor and the motion was carried.**

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

**Nays: None**

**Absent: Richardson**

**Review of the FY23 Trolley Budget and Grant Submission**

Town Manager Tolbert advised the Trolley Budget has already been discussed and was inadvertently put in this agenda. The grant was applied for February 1<sup>st</sup>.

**Consideration of Pump and Haul Agreement – White Raven's Nest**

Town Manager Tolbert advised that Mr. & Mrs. Landen inquired about a Pump and Haul Permit for their business located at 6382 Maddox Blvd. Requirements were discussed and per the Town's Policy a written request was received.

Mr. & Mrs. Landon explained in detail their situation. They were advised by the Department of Agriculture that they needed a Pump and Haul Permit for a mop sink and a hand sink for gray water. The Health Department advised they would have to go to the Town.

There was lengthy discussion and Councilman Taylor feels they should approve this.

**Councilman Taylor motioned to approve the Pump and Haul Permit request as presented.**

There was no 2<sup>nd</sup> at this time and discussion continued.

Mrs. Landen added that they were in the process of getting ready to sign a 10-year lease on this property. She advised that this is a 500-gallon tank.

Councilman Savage asked if there were any conflicting ordinances to regulate the Pump and Haul for food trucks. He also asked if there were any permits that center around commercial activities.

Town Manager Tolbert advised there is no Pump and Hall Ordinance. He stated that they have searched and listed Town approved Pump and Haul Permits. They are either the Town's or non-profits'. The Pump and Haul Permit for the Black Narrows Brewery was with the DEQ not the Health Department.

Mrs. Landen advised that their request is with the Health Department.

Councilman Taylor stated that Council approved one business in the past.

Vice Mayor Bott feels this is a terrible situation. The Town's Pump and Haul is based on state allowance. The Town could grant temporary approval based on the fact that septic is in the near future or a permanent Pump and Haul based on the inability to put septic on a property along with proof. He feels this is a quality situation and he asked how to differentiate.

Mrs. Landen added that they fell under the Department of Agriculture through the Health Department who made them aware of the Pump and Haul.

Councilman Taylor asked how the Town can deny this when they have Pump and Haul.

Vice Mayor Bott asked how you justify allowing this and when another business has to pay a lot of money for a septic system. He expressed his concerns about the quality issue.

There was discussion.

Mayor Leonard added that this is a 2-year contract, and it would come back to Council.

Town Manager Tolbert stated that the Town's Policy states 2 years but is not included in the State Code.

Vice Mayor Bott stated that the State Code requires the fact that you are putting in a septic system or you have proven that you cannot put in a septic system.

Councilwoman Bowden stated that they are ready to sign a 10-year lease if this is approved. She asked that if in 2 years the owner or business would be prepared to put in a septic system. She has a problem with equality of what the state says. She asked if the state could stop the Town from approving this.

Town Manager Tolbert responded that it doesn't differentiate between entities.

Councilwoman Bowden asked about the difference between the requests of the Department of Agriculture with the Landens and the DEQ with the Brewery.

Town Manager Tolbert advised that it is a different type of waste and regulated differently.

Vice Mayor Bott stated that it is still being regulated through the Department of Health not the Department of Agriculture.

Mayor Leonard stated that the Health Department shrugged it off and referred it to the Town.

There was further discussion about this matter.

**Councilman Taylor motioned, seconded by Councilman Savage to approve the Pump and Haul Permit from White Raven's Nest. The motion was not passed.**

**Ayes: Taylor, Savage**

**Nays: Bowden, Bott, McComb**

**Absent: Richardson**

Town Manager Tolbert stated that they can go back to the Health Department and see what they will allow.

Mrs. Landed advised that they will only allow septic, and this changes their plans drastically.

### **Mayor and Council Comments**

**Closed Meeting in Accordance with §2.2-3711 (A) (1 & 5) of the Code of Virginia to discuss specific personnel issues and prospective business opportunities.**

**Councilwoman Bowden motioned, seconded by Councilman McComb to go into a closed meeting in accordance with §2.2-3711 (A) (1 & 5) of the Code of Virginia to discuss perspective business opportunities. All present were in favor and the motion was carried.**

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

**Nays: None**

**Absent: Richardson**

**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 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: Bott, Bowden, McComb, Savage, Taylor**

**Nays: None**

**Absent: Richardson**

**Adjourn**

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

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

**Nays: None**

**Absent: Richardson**

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J. Arthur Leonard, Mayor

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Michael T. Tolbert, Town Manager

**MINUTES OF THE FEBRUARY 17, 2022  
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, Chief of Police

**Call to Order**

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

**Invocation**

Councilman Taylor offered the invocation.

### **Pledge of Allegiance**

Mayor Leonard led in the Pledge of Allegiance.

### **Public Comment**

There was none.

### **Agenda Adoption**

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

### **Review of Budget Expenses: G/G, CPD, P/W**

Town Manager Tolbert reviewed the proposed FY23 Budget expenditures for General Government, Public Works, Roads, Mosquito Control, Police Department and Dispatchers. He advised of and explained the increases and comparisons to the previous budget.

There were questions regarding salary increases, staffing increases, and promotional increases in the budget.

### **Consider Letter of Intent**

Mayor Leonard read the Chronology of Events:

The Town of Chincoteague has been working and studying sewage disposal for many years and we continue to do so. I would like to review the most recent Chronology of events related to this Issue.

- October 2011 – The Council formed a Wastewater Advisory Committee whose five members were local business owners and engineers for the purpose of determining the wastewater needs for the Town and to make recommendations to the Council for wastewater collection and disposal alternatives.
- June 2013 - The Wastewater Advisory Committee issued its final report and concluded that the entire island should not, at this time, transition from individual septic drainfields and private treatment systems to a single public wastewater utility system stating -

*“It is clear that a voluntary connection agreement will be needed that would allow the cost burden to be carried by the commercial and public customers serving the tourism industry. These issues mean that there will likely be more than one type of treatment facility used to manage the needs of Chincoteague Island.”*

The committee identified the Town’s concentrated commercial areas of Main Street and Maddox Blvd as being the primary targets of initial treatment efforts.



- October 2020 – The Circuit Court approves an extension of Hampton Roads Sanitation District’s service area to include all of Accomack County.
- November 2020 - The Town was approached by Todd Burbage of Bluewater Development Corp. concerning the possible acquisition of the sewage treatment facility at Sunset Bay Condominiums.
- November 2020 - The Town manager and an independent engineering consultant began an evaluation of the plant and associated facilities.
- November 2020 - Council was presented with the possibility of the plant’s acquisition at its workshop meeting. The presentation was held in executive session to protect the Town’s position due to the competitive nature of the offer with other private entities.
- December 2020 – at its monthly meeting, Council was presented with a preliminary report of the plant’s condition but due to the imposed time constraints, could not complete a proper evaluation of the facility and likewise could not determine the plant’s overall viability. Council passed on the opportunity to acquire the facility at that time.
- February 2021 – The Town Manager Contacted Mr. Burbage to determine the level of interest of the transfer moving forward.
- April 2021 – Council was informed of Mr. Burbage’s continued interest in the transfer of the facility to the Town at a reasonable cost.
- July 2021 – The Council conducted a public hearing to determine the public’s priorities for the expenditure of \$2.98M of ARPA funding. Seventy-five percent of speakers listed public sewage treatment and disposal as a priority.
- July 2021 – The Town contacted Hampton Roads Sanitation District to propose HRSD’s assumption of ownership and subsequent operation of the Sunset Bay Facility. HRSD offered to provide a consultant to evaluate the plant and the proposed transfer and also to commission a broader study to identify a more permanent solution for the sewage disposal needs of Northern Accomack County.
- August 2021 – HRSD experts performed several onsite inspections of the Sunset Bay Plant and associated facilities.

- October 2021 – HRSD consultant submitted a report and recommendation for the Sunset Bay facility which was reviewed in executive session at the October Workshop Council meeting.
- October 2021 – The Town negotiated with Mr. Burbage the transfer of the plant, land and associated facilities to the Town of Chincoteague at no cost.
- October 2021 – HRSD agreed in principle to accept the facility and permits from the Town, to operate the plant moving forward with the existing customers and to develop additional capacity to utilize the unused permits. The Town agreed to fund construction of the collection system as well as control approval for connections to the system.
- November 2021 – The Town agreed in principle to fund necessary one-time upgrades to the facility and transfer the plant to HRSD for all future operation, maintenance and expansion.
- December 2021 – The Town’s ARPA committee proposed the utilization of ARPA funds for the necessary upgrades to the Sunset Bay Facility and design and construction of a collection system for a planned Island service area.
- December 2021 – Bluewater Development agreed in principle to transfer the plant and associated facilities directly to HRSD to simplify and expedite the transfer process.

## Summary

The decision to pursue a limited-service area with an existing DEQ permitted facility and additional permits for expansion allows the Town to offer through HRSD a partial solution to sewage collection, treatment and disposal for commercial and public customers that do not have other viable options. This decision directly correlates with the stated priorities expressed by the public at the ARPA funding hearing. The use of ARPA funds to construct a collection system while pursuing other available State and Federal funding opportunities will help keep the costs of such solutions primarily within the private sector, without placing undue burden on local taxpayers.

Mayor Leonard also read a Letter of Intent:

**CUSTIS, DIX, LEWIS & CUSTIS, L.L.P.**

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February 17, 2022

Town of Chincoteague

Hampton Roads Sanitation District

c/o Mr. Mike Tolbert, Town Manager

c/o Mr. Ted Henifin

6150 Community Drive

1434 Air Rail Avenue

Chincoteague, Virginia 23336

Virginia Beach, Virginia 23455

**RE: Chincoteague Wastewater Treatment Facility**

**Letter of Intent for Donation from Chincoteague Sunsets, L.L.C.**

Dear Mr. Henifin and Mr. Tolbert:

Hope you are well. As you know, I represent Chincoteague Sunsets, L.L.C., a Virginia limited liability company ("*Chincoteague Sunsets*") in various capacities, including with respect to its ownership of the private wastewater treatment plant located adjacent to the Sunset Bay Condos on Chincoteague Island, Virginia. This letter of intent is submitted to you as a memorandum of understanding between the parties that Chincoteague Sunsets, L.L.C. does intend to donate the real property and all wastewater treatment facilities (collectively, the "*Facilities*") to the Hampton Roads Sanitation District ("*HRSD*") at no cost to Chincoteague Sunsets, L.L.C., conditioned on the following obligations of the parties:

1. Express confirmation by the Town and HRSD that the donation of the Facilities to HRSD by Chincoteague Sunsets is a tax-deductible gift and that the appropriate donee party shall execute any and all substantiation gift receipts and acknowledgments, gifting agreements and issue any other confirmations desired by Chincoteague Sunsets or that may be required by the IRS to evidence the gift as tax deductible by Chincoteague Sunsets;
2. The Town of Chincoteague shall facilitate the transition, at its sole cost and expense, and fund any and all improvements to the Facilities required by HRSD;

3. HRSD to further upgrade and operate the plant to include additional unused capacity moving forward with the Town reimbursing HRSD the full cost for all work required to fully honor previously purchased capacity;
4. The Town will identify a limited sewer service area within the corporate limits;
5. Town will construct a collection system in the identified area; and
6. HRSD shall provide sewage treatment for this limited-service area up to the capacity of the permits, and the Town and HRSD shall honor all existing customers that currently are served by the Facility or have purchased EDUs as of the date immediately prior to the donation of the Facilities with service to those previously purchased EDUs that are not connected at the time of the donation to be provided as soon as plant capacity is available.

Chincoteague Sunsets is prepared to donate the Facilities as soon as possible upon the satisfaction of the conditions listed as #1, 2 and 6. Further, by execution below by all parties, Chincoteague Sunsets, the Town of Chincoteague and HRSD acknowledge that I have been asked to assist in drafting the documentation for the gifting of the Facilities and other documentation necessary for the gifting, including, but not limited to the drafting of easements and other deeds that may be necessary for the parties to carry out the transaction contemplated herein. The parties, by execution below, acknowledge that full and complete disclosure regarding such has occurred, that no adversarial relationship exists between them, and all do consent in writing for me to carry out such actions, waiving any conflict that has or may arise in the future related thereto. All parties acknowledge that I will have to withdraw from representation at such time that an issue or adversarial relationship arises between the parties.

Should the terms as presented herein be acceptable to you for the donation of the Facilities to HRSD by Chincoteague Sunsets, I do request that you please execute a copy and return to my attention as soon as possible. I look forward to working with each of you to carry out this transaction.

Sincerely,

John P. Custis, Esq.

Mayor Leonard reported to the public that this information has been posted to the website.

Councilman Taylor stated that this isn't an end-all, it's a start. The Hampton Roads Sewage District will handle this.

Councilwoman Bowden stated that this is a step in the right direction. It is not an end-all. It's moving forward for the years to come. The commercial industry is desperate, she hopes to make this work for everyone.

### **Mayor and Council Comments**

Councilwoman Bowden referred to the Superbowl commercials, commenting that there were several commercials for electric vehicles. She asked about charging stations and feels the Town

should look into this. She advised of transportation.gov for funding for charging stations. She wants the Town to look into this. She also stated that November 15<sup>th</sup> marks the 100<sup>th</sup> anniversary of the opening of the Causeway. She suggested planning a ribbon cutting ceremony to celebrate. She added that the Causeway brought the world to us and brought us to the world. She concluded that it is World Kindness Day and hopes everyone did something kind for someone.

Vice Mayor Bott advised the ANEC is working on the charging stations and suggested the Town coordinating with them. He commended Council, Mayor Leonard, and Town Manager Tolbert on the sewage. This is at no cost to the citizens and has a lot of potential moving forward. He added that Town Manager Tolbert worked tirelessly on this over the last year and with the Town's best interest.

Councilman McComb agreed with Vice Mayor Bott, the sewer plant is a great advancement and will be extraordinary for what it can do for the revitalization downtown. He thanked Mr. Burbage and his group as the Town wouldn't have been able to do this without them. He also wished the Chincoteague High School Girls Basketball Team luck going to regionals next week.

Councilman Taylor agreed with Vice Mayor Bott and Councilman McComb about the sewer. He asked everyone to remember, when you're out on the water, the young man who lost his life. He also thanked Council and Staff for being conservative because we don't know what's coming. He also asked to pray for the Country that everyone will be kind and love one another. He stated that they should compromise where compromise is better for all.

Councilman Savage stated that the citizens have spoken on the sewage treatment, and he commended Town Manager Tolbert for all his work on this. He feels this is a great start and building the foundation. He added that they have needed this for a while, he feels they're on the right track. He sees some good things with the Public Works staff, they're working hard and very diversified. He stated that the capabilities are here and utilized. He gave kudos to the Town. He also stated to continue praying for the Jenkins Family in their search. He concluded by saying may God bless the community.

Councilwoman Bowden stated that the Girls Volleyball Team won the district and was supposed to come to a Council meeting but couldn't because of COVID. She would like to have them at the March meeting.

Mayor Leonard suggested waiting for the softball team to win and have them all come before Council.

### **Adjourn**

**Councilman McComb, 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

**MINUTES OF THE MARCH 7, 2022**  
**CHINCOTEAGUE TOWN COUNCIL MEETING**  
**Council Chambers**

**Council Members Present:**

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

**Council Members Absent:**

William T. McComb, Jr., Councilman

**Staff Present:**

Mr. Michael T. Tolbert, Town Manager  
Mr. Tyler Greenley, Police Captain  
Mr. E. Bryan Rush, Emergency Management Coordinator  
Mr. Harvey Spurlock, Public Works Director

**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**

Mayor Leonard opened the floor for Public Comment.

- Mrs. Kimberly Landen, 6382 Maddox Boulevard, White Raven's Nest, came before Council requesting that Council approve a Pump and Haul Permit for their business. She advised it is only for gray water for a mop sink and hand washing station. She explained her situation and the events leading to her request. She listed the other Pump and Haul Permits the Town has approved. She commented further. She stated that the Health Department feels the Town is misinformed. She was asked by the Town Manager to wait until the March 17<sup>th</sup> meeting so this matter could go before the Ordinance Committee first and Council could then make the decision to change the Ordinance.

- Mr. Burke Landen, White Raven's Nest, commented on the smell of septic. He suggested taking the Pump and Haul requests on a case-by-case basis. He commented on other businesses with gray water. He stated that Pump and Haul Permits are Health Department approved and safe. They will have a 500-gallon self-contained tank with alarms and will probably only be pumped twice a year. He added that the Town installed water on the lot for a previous business and they didn't have septic. He asked where the water went.

- Mrs. Susan Lenhardt, 6283 Teal Lane approached Council regarding Teaguers Restaurant and the trouble this business has caused. They had no problems with prior businesses there, and they listed them. She stated that until All Dressed Up moved in, they didn't have any problems. Now Teaguers is there with loud music, drunks, garbage, liquor and beer bottles, and parking in people's yards and driveways which has been a huge problem. They've called the police on several occasions and complained to the owners. Then they had buzzards which was taken care of after they contacted the Building and Zoning Administrator. Some of the problems are little better. She doesn't want to run them out of business, but it must be run properly because this is unacceptable.

- Patricia Vumas, 6285 Teal Lane, complained about the loud music at Teaguers. She stated that they have been cleaning up garbage weekly around the business and neighboring properties. They spoke with Building and Zoning Administrator Bowden and some things are under control. She explained of an incident of a drunk coming to her door. Then she had someone shining headlights right into her door and was called vulgar names. She advised she has to keep her doors locked and it's one thing after the other.

They asked for help.

- Town Manager Tolbert read an email from Mr. and Mrs. Larry Beasley who expressed their support of the Pump and Haul Permit for Mr. & Mrs. Landen with White Raven's Nest. They asked why the Town Council would rubber-stamp huge developments on the Island and ignore a legitimate Pump and Haul Permit request from the White Raven's Nest. They asked Council to approve the permit. He also read an email from Mr. and Mrs. Mark Majaras who are also in favor of the Pump and Haul request from the White Raven's Nest. They wrote that the White Raven's Nest is a great asset to Chincoteague. When businesses closed during COVID19 they remained open with fresh berries and fruits at an open-air market. They offered to the public when the public was in need. They urged Council to approve the application.

- Ms. Shuli Tor, lived on Chincoteague for 10 years and currently lives in Atlantic, spoke in favor of the White Raven's Nest and feels the Town should approve the Pump and Haul Permit. She visits the market on a regular basis. She doesn't understand why the Town is working against them instead of working with them.

### **Agenda Adoption**

**Councilwoman Bowden motioned, seconded by Councilwoman Richardson to adopt the agenda adding the minutes of the Public Works Committee meeting from February 1, 2022. All present were in favor and the motion was carried.**

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

**Nays: None**

**Absent: McComb**

### **Presentation to Virginia State Police**

Mayor Leonard advised in May of 2021 a tragic vehicle accident occurred on the Causeway approaching Chincoteague which resulted in the death of a local woman. During the subsequent on-site investigation, the VSP were unable to complete their work due to the malfunctioning

piece of forensic equipment. The delay in the investigation forced a closure of the causeway to all traffic, including emergency vehicles for over 6 hours. Chincoteague EMS was forced to transfer 2 patients to mainland units for transportation to the hospital during the closure. Several local businesses including 2 banks remained closed that day as well. The delay in the investigation was due to malfunctioning VSP equipment and the time it took to get a replacement. Sgt. Myers with the VSP also stated that there was more efficient technology available now being used in the Tidewater area but due to the funding source, those units were prohibited from being used anywhere except the I64 corridor. The simple solution here is that the Town of Chincoteague, Accomack County and County of Northampton all collaborated to purchase the newer technology for the Eastern Shore Barracks of the VSP with the stipulation that the equipment stay and be used only on the Eastern Shore. Sgt. Lawson is here this evening to formally accept the new Trimble Forensic Unit for use with the Eastern Shore VSP.

Virginia State Police Sgt. Lawson thanked Council and Supervisor Chairman Billy Joe Tarr for the donation of the Trimble Forensic Unit for the Shore. The Board of Supervisors of Accomack County and Northampton County along with the Town of Chincoteague donated to purchase the unit at a cost of \$16,500 to keep on the Shore. He further explained what it is used for and that it has been used for 5 accidents so far this year.

### **District 1 Supervisor Report**

Supervisor Billy Joe Tarr reported that he attended the General Assembly. The Board of Supervisors has set the near \$80 million budget public hearing for April 4<sup>th</sup>. He reported that the big news is the Rocket Lab is coming. This will produce 250 jobs. He also reported on the tax rates. The Countywide assessments have increased about 9.51%. The Chincoteague assessments went up 19.2.% and 29% in Greenbackville and Captain's Cove. He added that there are no tax rate increases. There is a new cigarette tax \$0.40 per pack. The County budget contains the next installment for the local match for the Chincoteague Inlet Study. This is the 4<sup>th</sup> payment making the balance \$200,000. He mentioned the Chamber's request for another \$25,000 donation which was not approved at this time as they are working on paying 31 new EMS providers that was approved.

Supervisor Tarr stated that the personal property tax assessments could go up about 20%. However, they are prepared to lower the personal property tax rate here as well for 2023. He also discussed the approval of additional EMS staffing. He added that several positions haven't been filled yet. He advised of the overall cost to the County, the starting salary and salary after training comparing it to the Town's EMS salaries. He commented that if they can get the base salary up it would draw more candidates. He also advised of the County's Child Care Startup and Expansion Grant. He discussed teacher's salaries. He advised that neither the Senate or House budget bills included Accomack and Northampton Counties on the list to receive Cost of Competing Adjustments this year. But the Senate bill inserted \$1.6 million described as supplemental payment to Accomack and Northampton Counties for the first year only. They received it last year and he understood that Senator Lin Lewis advised it is going to be covered for a 2<sup>nd</sup> year which is 2023 - 2024.



Councilwoman Bowden thanked Supervisor Tarr for the report and looking out for Chincoteague. She also thanked him for spearheading the VSP Forensic Machine as it is well needed on the Shore.

Supervisor Tarr stated that it is worth every penny. He also stated that if he didn't have Chincoteague in his heart he wouldn't be there. He also stated that the County cares about Chincoteague. They feel Chincoteague is the golden egg paying 27% - 28% in tax revenues.

Vice Mayor Bott commented that the State Code states you can't raise real estate taxes more than a certain percent. He added that it doesn't mention personal property tax increase restrictions.

Supervisor Tarr advised they will do some adjusting.

Councilman Taylor also thanked Supervisor Tarr for all he has done. He commented further that they should receive the revenues from the lottery as promised.

Supervisor Tarr added that the 1% grocery tax pays for school buildings.

Mayor Leonard commented on the Rocket Lab looking for a place to unload a very large barge. He feels it could speed up the Inlet Study.

Supervisor Tarr stated they are willing to move tons of sand. U.S.F.&W. advised all the studies have been done.

There was further discussion and Council thanked Supervisor Tarr.

## **Staff Reports**

### **General Government**

Town Manager Tolbert reviewed the monthly report. He reported that all spaces downstairs at the Old Fire House have been rented. The only vacancy is the dining hall and there is interest once the stair chair is installed. The Matthews Property agriculture lease has been renewed. An ad has been put in the paper for the hunting lease at the Matthews Property as well. He reported that on February 3<sup>rd</sup> he and Harbormaster Merritt presented the VPA Grant application to replace the last wooden finger pier at the Harbor. He explained further that they have one already in the loop at the manufacturer from the last VPA Grant. He added that they have next year's project ready to be presented to the Harbor Committee. It is something for the Robert Reed Park. Town Manager Tolbert reviewed the Financial Report. He spoke with Mr. Leo Petkowski with ANEC about electric vehicle power stations. Town Manager Tolber has selected several suitable sites and advised they are willing to partner with ANEC. He was advised that ANEC is working on grant opportunities. Town Manager Tolbert continued with the monthly review of Meals and Transient Occupancy Tax collections. He advised that the Building and Zoning department has received 39 building permit applications for February valued at \$1.285 million.

### **Mr. A. J. Bowden Retirement Recognition**

Town Manager Tolbert asked to take everyone back to 1979, when the average new house cost \$58,000, the average interest rate on the new house was 15%. The average income was \$17,500

and they all though gas was terribly expensive at \$0.86 per gallon. You could get a king size beanbag chair for \$19. Rocky II was in theatres, in pop music, Donna Sommer's hit Bad Girls was #1. The popular TV shows at that time were: MASH, The Waltons, Charlie's Angels, the Love Boat, Dallas, and Mork and Mindy. The Sony Walkman was introduced in 1979 and cost all the money in the world at \$200 a unit. Jimmy Carter was President, Margaret Thatcher had just been elected as the Prime Minister of Great Britain, and the YMCA was suing the Village People for being liable for using their name in a song. And in May of 1979, Mr. A. J. Bowden came to work for the Town of Chincoteague Public Works Department during all of this. Mr. Bowden is retiring in a few days, March 11<sup>th</sup>, 2022. He came to work for the Town of Chincoteague Public Works Department May 1<sup>st</sup>, 1979, and for the last 25 years has been the supervisor of the Water Works Department. He is also a walking encyclopedia of knowledge for this system. You can't ask him a question that he doesn't know, and you try to stump him, you can ask him where a valve is located, he can tell you where it is, the day it was put in and the crew that installed it. Although Mr. Bowden deserves a nice peaceful time of retirement, we're sure we'll be knocking on his door on occasion to get some of that knowledge he has tucked away over the years. In the 42 years that Mr. Bowden has worked for the Town he has not only been an outstanding employee but also an outstanding citizen. When you look at all the good things this Town represents you see every one of them in Mr. A. J. Bowden. His dedication to his work and attention to detail served the Town of Chincoteague and all its citizens and visitors well for 4 decades. We all owe him a great debt of gratitude. He asked everyone to join him in congratulating Mr. A. J. Bowden on nearly 43 years of dedicated service with the Town of Chincoteague and wishing him a long, healthy, and enjoying retirement.

Public Works Supervisor presented Mr. Bowden with a gift from the Town. He congratulated Mr. Bowden.

Mr. Bowden stated that when he was hired, he came on with Mr. Mike Howard on the same day. He and Mr. Howard were holding brooms when Mr. Cal Peterson walked up to them and said, "40-year men". A. J. replied, "No, I'm don't think so!". He expressed his appreciation for the opportunity to work at the Town. He stated that someone asked him if he was looking forward to retirement. His response was in some ways yes and some ways no. But with this, you're always a part of something. He also stated that you had a job rain, shine, snow, or blow if you could get here. There was always something for you to do as long as you could get here.

Councilwoman Bowden stated that his name is synonymous with the Town. There wasn't hardly a time in her life that when you think of Water Works with the Town you would think of Mr. A. J. Bowden, and vice versa. She stated that they don't get to talk too much during the day. But it's a comforting feeling to see the Town truck parked at his house. She stated that Mr. Bowden is one of the most constants of this Town. His demeanor and attitude have always been the same and you don't find that these days. She thanked him sincerely.

Mrs. Kathy Bowden stated that when Mr. Bowden asked her to marry him, she told him one thing, "when you find a job, stick to it". She wouldn't marry him if he was going to go from job to job because she has seen too many people that didn't have anything. She added that they don't have much but they are blessed. She stated she appreciated the people of the Town of Chincoteague and all the people he worked with and Council.

Mayor Leonard thanked them.

### Public Works Department

Public Works Director Spurlock reported that the masonry work is complete, installation of the holding tank is complete, and the roofing should be done at the Brianna's Kindness Park restrooms this week. They installed a 250' watermain extension on Andrews Lane. He advised that there is a lot of teamwork and knowledge within the Public Works Department. He introduced Mr. Chris Quillen as the new Water Works Supervisor who is assuming the reigns that Mr. Bowden left behind. He is confident he will do a wonderful job. He is also very knowledgeable about the SCADA system. Public Works Director Spurlock stated that they also conduct routine operations and he apologized for glossing over the routine operations which is 90% of what the Public Works Department does.

### Police Department

Captain Greenley reported they have returned to clean shaven faces which was a fund raiser this year for the Chincoteague Island Library. They have completed in-house training. Officer Butler taught a recertification class for the use of the pepper gun. Officer Stevens taught a refresher in use of force. Officer Stevens had to teach the refresher as he is a general instructor and needed hours. He is now certified in this and has his apprenticeship taken care of. Officer Stevens is also going tomorrow to get his apprenticeship in standardize field sobriety test training to train officers in the area. The officers also helped with the ANTARES launch.

### Emergency Services

Emergency Management Coordinator Rush reviewed the monthly report. He advised that the reserve ambulance, 3-0 is now in service and used as a backup in the case the other ambulances are out of service. He reported that COVID-19 is going away, and they are now weather monitoring. He stated that the ANTARES launch went well, and he thanked staff for their assistance. They are currently working on an after-action report for the boating accident. They are also planning for July 4<sup>th</sup> fireworks Pony Penning, and the July 30<sup>th</sup> fireworks. He commented further about "Severe Weather Week Awareness" adding there will be a tornado drill on March 8<sup>th</sup> for the Commonwealth. He reviewed the COVID stats, vaccination information, and mask guidance.

Councilwoman Richardson asked about the CDC Guidelines for wearing a mask on the trollies.

### Committee Reports

Public Works Committee

Budget and Personnel Committee

ARPA Committee

BZA

Mayor Leonard advised that the reports are in the packet and stated that the ARPA Committee discussed projects and sewage.

**Adoption of the Minutes of the February 7<sup>th</sup> and 17<sup>th</sup> Council Meetings**

**Councilwoman Bowden motioned, seconded by Vice Mayor Bott to adopt the minutes of the February 7<sup>th</sup> and 17<sup>th</sup> Council meetings. All present were in favor and the motion was carried.**

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

**Nays: None**

**Absent: McComb**

**Adoption of VRSA Policies**

- VRSA Policy Memo
- Categories of VRSA Policies and Procedures
- Safety Risk Management Committee
- Policy Adoption Resolution

Town Manager Tolbert explained that the Town pays a lot for insurance to the Virginia Risk Sharing Association. He stated they have a very extensive program with procedures and policies. He also stated that when they apply each year for coverage completing a questionnaire and if you score 100% VRSA will give a 5% reduction of premium. He advised that Finance Director Lewis has been working diligently for several months on a large policy and procedure manual for VRSA and reduced the remaining to Council responsibilities to adopt the Policies and Procedures, the Committee, and the Policy Adoption Resolution. He read the Policy Adoption Resolution and added that the Policies and Procedures for VRSA should be approved by Council.



**TOWN OF CHINCOTEAGUE  
POLICY ADOPTION STATEMENT**

**WHEREAS**, the Occupational Safety and Health Act (OSHA) of 1970 requires employers to provide a safe place to work, a place free from hazards that might cause injury, disability or even death.

**WHEREAS**, it is the policy of the Town of Chincoteague that every employee is entitled to work under the safest conditions possible. Every reasonable effort will be made to promote accident prevention for protection and health preservation.

**WHEREAS**, it is our belief that accidents injure people, damage equipment or property, or destroy materials, cause needless personal suffering, inconvenience and expense. We believe that taking common sense precautions can prevent most all accidents.

**THEREFORE, BE IT RESOLVED**, that the Town of Chincoteague, through its appointed managers, will endeavor to maintain a safe and healthful workplace. The Town of Chincoteague will provide safe working equipment, necessary personal protection and in the case of injury, the appropriate first aid and medical services.

The Public Works Director will head the implementation of Self-Inspections Program and will communicate pertinent information to all departments. Public Works Director will undertake such duties as may be required in the day-to-day operation of the program.

On the 7<sup>th</sup> day of March 2022

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John A. Leonard, Mayor

Attest:

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Michael T. Tolbert, P.E., Town Manager

**Vice Mayor Bott motioned, seconded by Councilwoman Bowden to adopt the VRSA Policies and Procedures, the proposed Risk Management Committee, and the Policy Adoption Resolution. All present were in favor and the motion was carried.**

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

**Nays: None**

**Absent: McComb**

Town Manager thanked Finance Director Lewis for her work on this as it was a tough task.

### **Consider Building & Zoning Adjusted Rates**

Vice Mayor Bott advised at the Budget and Personnel Committee meeting they discussed Building and Zoning fees.

Town Manager Tolbert stated that the Building and Zoning Department consists of an Administrator who does everything. He issued 548 building permits in 2021 for a total value of construction of \$15 million. He stated they would like to support the Building and Zoning Administrator by obtaining a cloud-based permit service. This will assist him in organization and getting permits that are complete when they are submitted. This gives applicants an online service to make the application. The services averages about \$5,000 per year, and this is to maintain the service in an updated form. Originally, they suggested to add a technical fee. The Budget and Personnel Committee recommended reviewing all the building permit fees comparing them to 8 cohorts. The Town's fees were only 58% of the average of the cohorts including Accomack and Northampton Counties. The Committee proposed to increase permit fees 20% across the board and to take the 4 most prominent fees (new construction and renovations of commercial and residential) to equal the cohort average. The Committee also approved the fee schedule and recommends approval by Council.

Vice Mayor Bott motioned, seconded by Councilwoman Bowden to approve the increase in Building and Zoning permit fees as presented. All present were in favor and the motion was carried.

Ayes: Bott, Bowden, Richardson, Savage, Taylor

Nays: None

Absent: McComb

GENERAL GOVERNMENT FEES		TOC	New for FY23
Building and Zoning Permit Fees		FY'22	
Res. New Construction: per sq ft		\$0.18	\$0.32
Res. New Constr.: minimum fee		\$80.00	\$96.00
Res. Remodeling & Alterations: per sq ft		\$0.13	\$0.21
Res. Remodeling & Alterations: minimum fee		\$60.00	\$72.00
Comm. New Construction: per sq ft		\$0.23	\$0.41
(plus \$5 per plumbing fixture (Chaucer))			
Comm. New Constr.: minimum fee		\$110.00	\$132.00
Comm. Remodeling & Alterations: per sq ft		\$0.18	\$0.30
Comm. Remodeling & Alterations: minimum fee		\$90.00	\$108.00
Mobile Homes: per sq ft		\$0.18	\$0.22
Demolition of Structure: Residential		\$30.00	\$36.00
Demolition of Structure: Commercial		\$30.00	\$36.00
Removal/Installation fuel tanks:			
1000-3000 gallon capacity		\$115.00	\$138.00
Each additional 1000 gallon capacity		\$25.00	\$30.00
Installation of radio or communication tower:			
Up to 100 feet		\$115.00	\$138.00
Each additional 100 feet		\$45.00	\$54.00
Each Additional Attachment			
Piers or Bulkheads:			
Up to 300 linear feet		\$90.00	\$108.00
Each additional 100 linear feet		\$11.00	\$13.20
New Docks: per sq ft		\$0.18	\$0.22
Boat ramps & groins		\$115.00	\$138.00
Swimming Pools:			
Permanent Above-ground		\$60.00	\$72.00
In-ground		\$80.00	\$96.00
Commercial		\$80.00	\$96.00
Re-roofing (adding 1 layer to existing)		\$45.00	\$54.00
Installing New Sheathing-Residential while re-roofing			
Installing New Sheathing-Commercial while re-roofing			
Re-siding		\$45.00	\$54.00
Moved Buildings		\$80.00	\$96.00
For other work not listed:			
Residential		\$60.00	\$72.00
Commercial		\$90.00	\$108.00
Certificate of Occupancy (except when issued in conjunction w/a building permit):		n/a	
No inspection required		\$30.00	\$36.00
Inspection required:			
Per sq ft		\$0.13	\$0.16
Minimum fee		\$60.00	\$72.00
Appeals to the Board of Appeals		\$450.00	\$540.00
Administrative Fees:			
Lost permit (reissue)		\$30.00	\$36.00
Permit amendment (reissue)		\$30.00	\$36.00
Change of use		\$50.00	\$60.00
Permit 6-month extension (2 ext. maximum)		\$30.00	\$36.00
For beginning constr. prior to obtaining BP:			
First offense		\$50.00	\$60.00
Second offense		\$200.00	\$240.00
Re-inspection fee		\$50.00	\$60.00
State Code Academy Surcharge		2.00%	
Refunds: (% of amount paid)			
Permit issued, no inspections		75%	\$0.60
Foundation inspection completed		75%	\$0.90
Framing & foundation inspection completed		25%	\$0.30
Subdivision Review Fees (per each submitted plat):			
Up to 10 lots:			
Base fee		\$200.00	\$240.00

GENERAL GOVERNMENT FEES		TOC	New for FY23
Building and Zoning Permit Fees:		FY'22	
Each lot (in addition to base fee)		\$10.00	\$12.00
Over 10 lots or required new road construction:			
Base fee		\$500.00	\$600.00
Each lot (in addition to base fee)		\$20.00	\$24.00
Zoning Fees:			
Zoning inspections		\$0.00	
Special use permit		\$450.00	\$540.00
Conditional use permit		\$1,500.00	\$1,800.00
Conditional use permit for Wind Mills		\$450.00	\$540.00
Variance application		\$150.00	\$180.00
Special use permit & variance application processed & presented at same time		\$540.00	\$648.00
Appeal decision of Zoning Administrator		\$450.00	\$540.00
Proposed rezoning change		\$730.00	\$876.00
Amendment to the zoning ordinance		\$330.00	\$396.00
Vacating any subdivision plat or any part thereof		\$250.00	\$300.00
Certification of zoning compliance (includes home occupation)		\$30.00	\$36.00
Site evaluation (subdivision)		\$100.00	\$120.00
Travel Trailer Park Fees:			
Up to 25 trailers		\$500.00	\$600.00
26-49 trailers		\$1,000.00	\$1,200.00
50 or more trailers		\$2,000.00	\$2,400.00
Base fee			
Each lot if over 4 lots (plus base fee)			
Sign Permit Fees:			
Less than or equal to 25 square feet		\$45.00	\$54.00
Each sq ft in excess of 25 sq ft		\$1.00	\$1.20
Mobile Home Park Fees:			
4-25 mobile homes		\$1,000.00	\$1,200.00
26-40 mobile homes		\$2,000.00	\$2,400.00
41 or more mobile homes		\$5,000.00	\$6,000.00
Base fee			
Each lot if over 4 lots (plus base fee)			
Transcript Fees (per page)		\$12.00	\$14.40
Document Fees:			
Comprehensive Plan		\$20.00	\$24.00
Zoning Ordinance		n/a	
Subdivision Ordinance		n/a	
Complete ordinances, incl zoning & subdivision		\$35.00	\$42.00
Excerpts from Ordinances & Other Town Documents:			
per page and/or double sided per page		\$0.10	\$0.12
Maps 36" x 44"		\$55.00	\$66.00
Contractors List (Class A & B)		\$0.00	\$0.00
New Address Fee		\$25.00	\$30.00
New Road Fee (at cost per MSAG)		cost	
Elevators/Escalators/Lifts		\$60.00	\$72.00
Mobile Offices/Pre-manufactured Units		\$60.00	\$72.00
Tent/Air Support Structures (over 900 sq ft)		\$80.00	\$96.00
Carport or Garage: per sq ft		\$0.18	\$0.22
Accessory building/structure (<150 sq ft)		\$45.00	\$54.00
Deck: per sq ft		\$0.18	\$0.22
Fence (> 8 linear ft. Total)		\$45.00	\$54.00
Fireplace		\$0.00	\$0.00
Foundation		\$60.00	\$72.00
High frequency issued permits (HFP)		Propose 20% for all HFP	
Low frequency issued permits (LFP)		Propose 10% for all LFP	
Not eligible for increase		No Increase	
Non- BZ fees and taxes		No Increase	

### Mayor and Council Comments

Councilwoman Bowden thanked Chamber Executive Director Shotwell, and others in attendance at the Council meeting for staying and listening to the meetings, she added that this is how people learn things. She stated that it wasn't until she sat in the Council seat that she learned

how things really work and is still learning. She stated that being on Council has also taught her how to be patient. She was disappointed that some folks said their peace and left. She advised that the last 10 days has been tough. She commented on what she has been through with the Pump and Haul issue receiving texts, messages, and emails, all because people won't listen to the meetings and get to know what the Ordinances state. She advised that, according to the Town's Ordinance, the Accomack County Health Department has to turn down the septic application before you can apply for a Pump and Haul permit. She asked Town Manager Tolbert if this was correct.

Town Manager Tolbert advised that it states that to be eligible there must be no other option for you including a septic or alternative system from the Health Department.

Councilwoman Bowden advised, to her knowledge, the landowner or business owner has not applied for or been turned down for a septic permit. She stated that staff has worked very hard in trying to work with these people. She referred to messages she has received and stated that it's sad that it has come to that. She spoke to those listening, urging them read the Town Codes and either come or watch the meetings. She stated to educate yourselves before you speak on things you may not know. She added that there is an election in November and invited people to run for Council.

Vice Mayor Bott agreed with Councilwoman Bowden.

Councilman Taylor asked for prayers for the people of Ukraine and for peace. He stated we are blessed. He also stated that he sees Public Works staff in ditches, and the money they save the Town is beyond belief. He also stated that we all love each other, and it keeps things going. He thanked everyone for what they do. He commented that Mr. A. J. Bowden who serves his Church the same way as he has served the Town, with passion.

Councilman Savage stated that they are blessed on the Island, and we are tempted to sweat the small stuff. He also stated they have to take a step back. He agreed with Councilwoman Bowden's comments. He also thanked Supervisor Tarr for what he does for Chincoteague. He commented that Mr. A. J. Bowden is the same day and night, at work or away from work. He is an unbelievable worker and will be missed big time. He stated that the Police Department is a group of people helping citizens and they go above and beyond. Town Manager Tolbert, the oversite of this, is doing a fantastic job. If Council has a question or concern Town Manager Tolbert is there and he expressed his appreciation. He also appreciates the Public Works who are in the trenches. He stated that he was glad to see Chamber Executive Director Shotwell at the meeting and with 20 years of service has done a great job. He concluded that Council has to do what they're supposed to do and keep going in the right direction.

Mayor Leonard stated that even though Chincoteague is small, we're going to have growing pains with Rocket Lab coming and 250 jobs. He stated that it is incredible how it will affect the real estate here. He is grateful we live here but finding a piece of it is harder. He commented on how small the world is. He advised that he tries to advertise Chincoteague wherever he goes. He and Councilman Savage were at an event in Pennsylvania, and someone saw what he was wearing and advised he owns property here.

**Adjourn**

**Councilwoman Bowden motioned, seconded by Councilman Savage to adjourn. All present were in favor and the motion was carried.**

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

**Nays: None**

**Absent: McComb**

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J. Arthur Leonard, Mayor

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Michael T. Tolbert, Town Manager

**MINUTES OF THE MARCH 17, 2022  
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, Chief of Police  
Mr. Bryan Rush, Emergency Management Coordinator

**Call to Order**

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

**Invocation**

Councilman Taylor offered the invocation.

**Pledge of Allegiance**

Mayor Leonard led in the Pledge of Allegiance.

**Public Comment**

Mayor Leonard opened the public comment.

- Mr. David Landsberger, 5475 Warren Street, read a letter requesting a donation in the amount of \$25,000 with ARPA funds for the Eastern Shore Coalition for Domestic Violence for a new facility called Hope Harbor. He explained the plan, other donations and the ARPA guidelines. He also listed the services they offer.



- Ms. Katherine Helms, 6471 Conant Lane, advised that they have suffered with medical illnesses she is in support of White Raven's Nest and hopes they get around the gray water issue.
- Town Manager Tolbert read an email from Ms. Deanna Bredbenner, 7158 Bunting Road, who expressed her support for the White Raven's Nest and urged Council to approve their permit.

**Agenda Adoption**

**Councilman McComb motioned, seconded by Councilwoman Bowden to adopt the agenda as presented. Unanimously approved.**

**Committee Report from the 02/01/22 Public Works Committee Meeting**

Councilwoman Richardson advised it was skipped at the last Council meeting. She asked if there were any questions.

**Councilman Taylor motioned, seconded by Councilwoman Bowden to add the Public Works Minutes to the last meeting. Unanimously approved.**

**Proclamation for Cemetery Cleanup Week**

Mayor Leonard 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 A. Leonard do hereby proclaim the week of April 4<sup>th</sup> through April 10<sup>th</sup>, 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 17<sup>th</sup> day of March 2022.

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John A. Leonard, Mayor

ATTEST:

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Michael T. Tolbert, Town Manager

### **Final Budget Review**

Town Manager Tolbert reviewed the highlighted changes. He stated that they will review it once more as there will be some additional changes.

### **Consider Pump and Haul Request for White Raven's Nest**

Town Manager Tolbert advised that the owners of White Raven's Nest have reapplied for the Pump and Haul Permit. He stated that a written request has been provided. There is also a letter from the owner of the property giving the owners of White Raven's Nest permission to act as his agent.

Ms. Anita Johnson, Attorney for the owners of White Raven's Nest, asked Council to consider the request. She feels they should be grandfathered in as their application was made under the prior ordinance. She added that they are an asset to the community and hopes that the request is granted.

Councilwoman Bowden stated that after the last meeting on March 10<sup>th</sup>, Mrs. Kathy Plant with the Accomack County Health Department who advised that people who have Pump and Haul Permits weren't turned down first by the Health Department. She stated that the Town violated the proper procedure according to the ordinance. She feels, based on this, that the White Raven's Nest deserves the Pump and Haul Permit. She wants to go through every word of the new ordinance and hopes it has some teeth to ensure all t's are crossed and i's are dotted.

Councilman Taylor stated that Mrs. Plant advised the Health Department didn't have a problem with this Pump and Haul Permit. He added that Mrs. Plant also advised Council that they can make the ordinance as strict as they want, and hopes the Town approves this.

Councilwoman Bowden stated that her issue was what the Town has done in the past by not following the procedure of it. She added that they need to a serious cleaning up of this. She stated that it blows her mind that people out there think they just don't want to issue the permit. This is not the case. It all came down to rules and regulations.

Vice Mayor Bott stated that Mrs. Plant was very informative. He feels this is a real cluster. He stated that it is unfortunate that the Town has been put on a pedestal of being the bad guy. He added that the Town isn't the bad guy. The ordinance states that if they can't put in a system, they can have a pump and haul system. The Health Department approved the exact ordinance the Town currently has. However, the Health Department is telling their customers to ask the

Town for a Pump and Haul Permit. The owners of White Raven's Nest aren't the first people they've told this to. There's more coming. He added that he feels it's a go for this situation.

Councilman McComb stated that the Town does have a current ordinance on the books. It's an ordinance that was sent to the Health Department at their request. He quoted from the ordinance and stated that he personally doesn't feel another wrong makes it right, regardless of what has been done in the past. He stated that he means no hardship to the owners of the White Raven's Nest or anyone else that comes before Council for a Pump and Haul permit. He supports it if they had a malfunctioning system or one that had to be replaced, that something had to be done in the meantime until it could be restored. According to the current ordinance, it clearly states that this doesn't qualify. He stated that they asked Mrs. Plant about the difference between gray and black water and was advised there was no difference. The Health Department is putting the Town in the position where they have to make the decision and they don't have the expertise or tools the Health Department has to make these decisions. He agreed with Vice Mayor Bott where the Town is put on a pedestal and made to be the bad guy.

**Councilman Taylor motioned, seconded by Vice Mayor Bott to approve the Pump and Haul Permit for the White Raven's Nest. The motion was carried.**

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

**Nays: McComb**

Mayor Leonard congratulated the White Raven's Nest.

### **Consider Pump and Haul Ordinance**

Councilman Savage reported on the proposed Pump and Haul Ordinance that the Ordinance Committee reviewed on March 10<sup>th</sup>. He read the proposed ordinance. He stated that he appreciated Town Manager Tolbert and staff for their work on this.

Councilwoman Bowden referring to the current ordinance, asked if it says in the event if public sewer becomes available for use, they would have to hook up within 90 days.

Town Manager Tolbert stated it does not. He showed the current ordinance that was passed in 2005 and stated that other localities' ordinances do contain that verbiage. This new ordinance says in several places, one of the conditions for approval is the lack of a central sewage system. It does not state how available that sewage system can be. When it was originally collaborated, in 2005 a set of policies were created which governed how the contract was written and how to proceed. He added that the 500' was in that policy. Permitted or approved by Council, the policies govern how the contract would be written, directing how they would proceed from that point. He advised that he incorporated the policy into the ordinance giving more authority.

Councilwoman Bowden stated that in the current ordinance there is nothing giving preference to nonprofits. She asked if they should consider this in the new ordinance. She added that it seems that every permit they've issued have been for a government agency or nonprofit.

Town Manager Tolbert stated that his understanding of the current permit they have is the statement would be within the purview of Council as far as the Health Department is concerned.

He added they can put what stipulations they want as long as they don't violate their general permit. He stated that he can include this.

Councilman Savage advised that it has been referenced already and they have the authority to include that.

Vice Mayor Bott stated that the new ordinance has the policy and the ordinance, they were melded together. His problem is that they can pass ordinances all day, but the Health Department is sending all these people back to the Town. He wants the Town to be covered. He asked if they should table this and get a legal opinion.

Town Manager Tolbert stated that if Council denies someone for any reason they deem as appropriate, the Health Department has no recourse. The general permit gives the Town the general authority to add entities to that general permit. It leaves it up to Council as to the qualifications that they want to set for the inclusion in the permit. It could be challenged legally.

Vice Mayor Bott stated that these were done in the day they were all being denied septic solutions, but Mrs. Plant advised no one gets denied for septic now.

There was discussion of the history of septic, alternative solutions, and when requirements changed.

Councilwoman Bowden feels the current ordinance lacks meat. She stated that the White Raven's Nest falls in a unique category where they are leasing the land. There is a landowner who unwilling to install any kind of sewage for the renters. She doesn't want to fall into this same situation again.

Councilman McComb stated that if they were to submit this for a vote, they could add religious entities and not for profits. He asked what the verbiage would be.

Town Manager Tolbert showed them the verbiage.

Councilwoman Richardson explained how the Town's Pump and Haul Permit started. The Town wanted to help people that could not get sewage to open their business and keep it open. In 2005, there were businesses in the Town that were going to have to close because of the lack of sewage. She stated that Mr. Burbage is the one that extended a band aid to help these people by having the sewage go to his plant. That is why the places in the middle of Town are still operating, because of Sunset Bay. It was initially started to help those who could not get sewage. They didn't have the land, or the property wouldn't perk. She admitted that she has seen the ordinance but never studied it before. She added that it is sad what these people had to go through, and the Town has to get it right. She added that it was because people didn't have enough property for sewage, or it didn't perk. She also advised that the Curtis Merritt Harbor and the Library in Town couldn't get sewage on the properties which is where the pump and haul came in. Councilwoman Richardson stated that sewage is a big issue and moneywise the Town can't afford it. They have spent thousands of the Town's money to hire consultants that said

they would get a permit. That was wrong and a waste of money. She apologized to the owners of White Raven's Nest that they had to go through this.

Councilman Taylor asked to possibly add the term "or feasible" to get septic. He stated that in their case it's available but not feasible.

Councilwoman Bowden stated that you could get in a quandary. She wants to get it right. She added that there's a lot to it. The landowner is capable of putting sewage on the property, but it isn't feasible for the tenant to pay for it.

Vice Mayor Bott stated that the landowner is going to want to put it in now because it's cheaper to do it now rather than waiting until later, especially with the costs of central lines.

Councilwoman Bowden wants to have this wrapped up before another permit comes across the desk.

Councilman Taylor asked if they would be willing to add the word "feasible" in the ordinance.

Mayor Leonard asked who would determine feasibility.

Vice Mayor Bott stated that it would be null and void, because it already states if your nonprofit. He added that it would cancel it out. They have taken private and commercial out of the equation.

Town Manager Tolbert stated that during the Ordinance Committee meeting, the original sample ordinance contained language that was along that line and the Committee removed it for just that reason. He also stated that it was felt that allowing language like this was getting in the way of the relationship between the renter and the owner. The Town should never be in the middle of that relationship.

Councilman McComb advised that Mrs. Plant's comments were that they were opening a can of worms.

**Councilman McComb motioned, seconded by Councilman Savage to adopt the proposed Pump and Haul Ordinance with the addition of, under the 1<sup>st</sup> Whereas paragraph, "to a recognized nonprofit organization or government entity", also in the 2<sup>nd</sup> Whereas paragraph where it states Accomack County Health Department to add "and is a recognized nonprofit organization or government entity". Unanimously approved.**

**AN ORDINANCE  
AUTHORIZING THE PUMPING & HAULING OF SEWAGE  
FROM THE \_\_\_\_\_ PROPERTY**

**WHEREAS**, it is the intent of Town Council to provide relief to existing homes or businesses that have no option for sewage treatment as a result of the unavailability of an

approved central sewage system, the inability to obtain approval for a septic system or repair of an existing system through the Accomack County Health Department.

**WHEREAS**, the \_\_\_\_\_ located at \_\_\_\_\_, hereinafter referred to as the \_\_\_\_\_ property, is not able to obtain sewage disposal by septic system, by a central sewage system or by approval for repair of an existing system by the Accomack County Health Department; and

**WHEREAS**, the Town of Chincoteague, Inc., hereinafter referred to as the Town, is authorized by its Permanent Pump and Haul Agreement and General Permit issued by the State Health Commissioner to add individual facilities to that permit; and

**WHEREAS**, the Town is authorized by Section 15.2-1102 of the Code of Virginia to enact legislation it deems expedient to secure and promote the health, safety and general welfare of the inhabitants of the Town; and

**WHEREAS**, the Town Council finds that the regulated pumping and hauling of sewage from the \_\_\_\_\_ property, where central sewage treatment is unavailable and a sanitary septic system cannot lawfully be installed or existing system repaired, is conducive to the health, safety and general welfare of the Town.

**NOW, THEREFORE**, be it ordained and enacted by the Town Council:  
That in response to the property owner's or his agent's written request, that describes the reason for the request and the proposed use of the building and/or site, the Town Council hereby authorizes the addition of the \_\_\_\_\_ property to its Permanent Pump and Haul Agreement and General Permit and,

That the owner/agent has provided professionally engineered designs of the proposed sewage system to the Accomack County Health Department in a form that is suitable to meet the department's storage facility construction permit requirements. The sewage storage facility shall be designed in accordance with the requirements found in the current edition of *Sewage Handling and Disposal Regulations* of the VDH and,

That the subject use on the \_\_\_\_\_ property has existed and operated legally within the Town limits for a minimum of 1 year prior to the submission of the application for a pump and haul permit and,

That the subject use on the \_\_\_\_\_ property has not in the past year or does not for the duration of this permit intend to add dwelling units, business space, mobile units or an expansion of any kind, including a change of use resulting in a higher occupancy limit of the existing facility, that has in the past year or would in the future, increase the amount of sewage generated and,

That the owner/agent of the property has remitted the appropriate one-time pump and haul application fee from the list of fees currently approved by the Council and,

That the Council directs the Town Manager to execute such contract with the owner/agent of the \_\_\_\_\_ property and that such contract shall describe the terms and conditions upon which such addition shall occur. No facility shall be added to the General permit until such contract is signed by the owner/agent and delivered to the Town Manager in recordable form for his signature on behalf of the Town Council. No such contract shall be deemed concluded or impose any obligation upon the Town unless and until the Accomack County Health Department has inspected and approved the system prior to operation. At a minimum, such contract shall provide:

1. - That the term of the contract and placement on the general permit shall not exceed two (2) years, but additional two (2) year terms may be authorized by the Town Council under such terms and conditions as it may direct.
2. - That the contract shall not be deemed concluded unless and until the Accomack County Health Department has inspected and approved the proposed system prior to operation. The owner/agent also agrees to maintain the pump and haul facility in accordance with the requirements of the current edition of the *Sewage Handling and Disposal Regulations* of the VDH.
3. - That a written agreement exists between the Town, the owner and his/her agent and a properly licensed hauler. This contract must describe the maintenance schedule for the facility and state that all costs incurred in the pump and haul operation shall be paid by the owner/agent. This contract must also require the hauler to notify the Town within thirty (30) days if the owner/agent does not fulfill the financial obligations of this agreement.
- 4.- That the contract shall become invalid upon the change of ownership or agent of the subject property or business, discontinuation of the subject business or change in its use as defined in the Town of Chincoteague's zoning code.
5. - That the owner/agent must notify the Town, in writing, immediately upon discovery of any material change in circumstances affecting the pump and haul operation, including but not limited to any information that he or she may receive that indicates or seems to indicate a violation of the General Permit or any applicable VDH regulations. The owner/agent shall also notify the Town at least sixty (60) days prior to any change of use or ownership or agent of the property.
6. - That the owner, agent and hauler must agree to fully indemnify, defend and hold the Town harmless against all costs and lawsuits, and to provide insurance – and proof thereof – in the minimum amount of \$100,000 for the owner and \$1,000,000 for the hauler or its equivalent as approved by the Town Attorney, naming the Town as an additional insured.
7. - That surety in the form of a bond in the amount of \$5,000 shall be provided by the property owner for the performance of the contract and is

necessary to remove or properly abandon the pump and haul system and or remediate the effects of any violation of Virginia Department of Health (VDH) regulations.

8. - That the owner/agent grants permission for the Town or its agents to enter the property for inspections as it deems necessary or to remove or properly abandon the system upon the failure of the owner/agent to do so.

9. - That, in the event a public sewer system should become available for use with a proper element of its collection system located within 500 feet of the subject facility, the owner/agent shall connect the facility to such line according to the requirements of the Town’s engineer within ninety (90) days, thereby terminating the contract and the inclusion of the facility on the General Permit.

10. - That the contract may be terminated and the facility removed from the General Permit with thirty (30) days notice at the discretion of the Town Council. This thirty (30) day notice shall not be necessary in circumstances where violations of VDH regulations exist, if the conditions of the contract between the Town and the owner/agent are not met, or if the Town’s General Permit is revoked.

11.- That all parties shall execute such contract which shall be notarized by a notary public duly licensed by the Commonwealth of Virginia.

The Town Manager is authorized to act on the Town’s behalf in concluding and executing such a contract and verifying the approval of the Accomack County or Virginia Department of Health.

Adopted \_\_\_\_\_  
Date

\_\_\_\_\_  
Mayor

Attest \_\_\_\_\_  
Town Manager

**Vice Mayor Bott motioned, seconded by Councilman McComb to refer the suggested Pump and Haul Permit fee structure to the Budget and Personnel Committee. Unanimously approved.**

**Consider Resolution of Dissolution of CRCCA**

Town Manager Tolbert read the memo regarding the dissolution of the Chincoteague Recreation and Convention Center Authority. “The CRCCA was formed by an act of the Town Council at its December 1991 meeting, for the purpose of overseeing the operations of the yet to be constructed Chincoteague Center. The CRCCA has been performing this duty since. To complete the dissolution of the CRCCA, the Code of Virginia requires the Authority to resolve to



dissolve and the controlling government entity to likewise resolve the dissolution. At its February 15, 2022, meeting, the CRCCA voted unanimously to dissolve the Authority. The accompanying Council resolution has been reviewed by the Town's attorney and found to be in compliance with State Code. As you can see, upon passage of this resolution, the CRCCA will officially dissolve on July 1, 2022. Daily operations, finance, and long-term planning for the Center will then be accomplished through the Town office." He then read the resolution.

Mayor Leonard advised that Councilman McComb is the Council's representative on the Authority.

Councilman McComb explained that they learned a lot during COVID where the only revenue sources were from the Town's taxes. He stated that it would behoove the Center to look into other ways to run the Center without having a separate entity and payroll, etc. He added that doing something like this with the Town would give a synergy to share personnel, technology and to properly man and run the Center.

**Councilman McComb motioned, seconded by Councilwoman Bowden to adopt the resolution of Dissolution of the CRCCA. Unanimously approved.**

### **Resolution of Dissolution of the Chincoteague Recreation and Convention Center Authority**

**WHEREAS**, The Chincoteague Recreation and Convention Center Authority (CRCCA) was formed by ordinance of the Chincoteague Town Council on the 2<sup>nd</sup> day of December 1991, pursuant to the provisions of the "Public Recreational Facilities Authorities Act" (Chapter 29 of Title 15.1 of the Code of Virginia of 1950) and has operated under this authority since its formation, and

**WHEREAS**, the CRCCA has substantially fulfilled the purpose for which it was formed by overseeing the design, construction and operation of the Chincoteague Center for these many years and that all obligations theretofore incurred by the authority have been fully paid or adequate provisions have been made for their payment, and

**WHEREAS**, The Town of Chincoteague was at the time of its formation and still is today, the only participating political subdivision in the formation of the CRCCA, and

**WHEREAS**, the Chincoteague Recreation and Convention Center Authority by a unanimous vote of its Board on February 15<sup>th</sup>, 2022 has resolved to dissolve the Authority pursuant to Title 15.2-5616 of the Code of Virginia and return operation of the Chincoteague Civic Center along with all other related responsibilities to the Town of Chincoteague and that such dissolution shall be effective at 12:01AM on July 1, 2022.

**NOW THEREFORE**, be it resolved that the Chincoteague Town Council recognizing the facts stated in the CRCCA's aforementioned resolution to be true, by majority vote has dissolved the Chincoteague Recreation and Convention Center Authority as of 12:01AM on July 1, 2022 and that the title to all funds and properties owned by the authority at the time of such dissolution

shall vest in the Town and that all operations and responsibilities related to the Chincoteague Civic Center shall become those of the Town of Chincoteague at that date and time.

ADOPTED this 7<sup>th</sup> day of March 2022

\_\_\_\_\_  
J. Arthur Leonard, Mayor

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

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Councilwoman Bowden stated that the Town takes this over July 1<sup>st</sup> and asked what the plans are to have someone in the position that will be able to talk to people that want to use it. She stated that the current Town office staff can't handle much more.

Mayor Leonard reported that they discussed hiring an additional staff member to add Town office duties along with the Center duties.

Town Manager Tolbert advised he has written a job description, and the Center will have its own fund, which is why he mentioned more budget work. It will be ready at the next meeting. He plans to hire someone with experience. He stated that they don't see this as a 40-hour per week job, and they will have duties in the Town office. He added that their office will be in the Town offices. They can assist with multiple tasks in the Town office.

Vice Mayor Bott asked for a Strategic Plan.

Councilman McComb stated that there will always be someone to answer the phones for the Center.

Councilman Taylor asked if they plan to change the duct system in the Center so they can play basketball and volleyball.

**Consider Award of FY22 Spring Paving Contract**

Mayor Leonard advised that the FY22 Spring Paving Contract of which will be funded by the VDOT Urban Maintenance Program. He listed the paving projects.

**Councilwoman Richardson motioned, seconded by Councilwoman Bowden to approve the FY22 Spring Paving Contract. Unanimously approved.**

**Adoption of Trolley Title VI Policy**

Mayor Leonard advised that this is the annual adoption of the Title VI of the Civil Rights Act of 1964 Plan and Procedures for 2022.

**Councilwoman Bowden motioned, seconded by Councilwoman Richardson to adopt the Trolley Title VI Policy. Unanimously approved.**

**Consider Donation to the CHS After Prom Committee**

Mayor Leonard advised that the CHS After Prom Committee has requested a donation for the upcoming after prom party. He explained that because of COVID they have been unable to hold fundraisers.

Vice Mayor Bott asked if they were doing anything for this from the Police fund. He then asked if this was in addition to their donation.

Chief Fisher advised it is separate and they usually donate.

Councilwoman Bowden stated their funds are way down. She listed the prizes they purchase adding that this is a party after prom to keep the kids off the street prom night and food. She stated you can't put a price tag on this. She stated that the Fire Company gave a donation as well.

**Councilman McComb motioned, seconded by Councilman Savage to approve a donation in the amount of \$2,000. Unanimously approved.**

**Mayor and Council Comments**

Councilman Taylor stated this was a good night and everything was worked out peacefully.

Vice Mayor Bott asked if the new Pump and Haul Ordinance could be communicated with the Health Department so they could get on board and not keep sending people that would violate our very ordinance for which they hold the Town to create.

Councilwoman Bowden advised spring training finally started. She added, "Go Yankees!"

Mayor Leonard congratulated the White Raven's Nest.

**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

**MINUTES OF THE APRIL 4, 2022**  
**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

**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 Hearing – Proposed Conditional Use Permit**

Town Manager Tolbert read the rules for the public hearing.

Planning Commission Chairman Rosenberger advised that the Planning Commission took into account some key issues subject to the request for the permit. He listed them: because it is adjacent to the Hallie Whealton Smith Nature Trail and impact it may have, the traffic issues on Main Street in that area, lighting concerns, 24/7 access, traffic access and exit from facility, no stormwater management plan since it would require a significant amount of fill, and the Comprehensive Plan itself. He stated that the Plan addresses the compatibility in mixed use residential area. He also advised that the Planning Commission conducted a public hearing at the March 8<sup>th</sup>, 2022, meeting for the Conditional Use Permit for Mr. Reginald Stubbs to build a storage facility on Lewis Street. The Commission voted unanimously and recommends to Council to deny Mr. Stubbs' application for the Conditional Use Permit.

Mayor Leonard opened the public hearing for the Conditional Use Permit.

- Mr. Ken Webb, 4495 Main Street, listed the concerns with the property development. He

objected the proposed construction of a massive storage facility. The project raises numerous concerns: The increase in traffic. Possible accidents. The location is near the school which would increase dangers as parents and children are leaving and going to school. The proposed entrance would be Daisey Street which is not sufficient for the amount of traffic and large vehicles. Stormwater runoff is a concern and adding 3' of fill, and a retention pond that causes mosquitoes. Fulltime lighting 24/7. Vermin attracted to storage units. Possible dumpsters to cause additional draw for vermin. Decrease in property value. Detraction of beauty of the nature trail. Visibility of stored campers, boats, and other vehicles.

- Mrs. Rosie Moot, 4492 Main Street, feels it will unfairly disrupt their lives. She feels Council has heard their pleas to uphold the Zoning Code to keep commercial out of residential areas. She mentioned the petition with 336 signatures of residents, owners, business owners, and citizens who are not in favor of this project. She wants to keep zoning as it is, residential. She implored Council to listen to the Planning Commission, residents, and voters who put their trust in them.

- Ms. Harriett Nettles, 7245 Oak Ridge Place, begged Council to do the right thing. She is against the project as it could affect the nature trails on Hallie Whealton Smith where she walks her dog and goes to the Dog Park. She asked Council to listen to the Planning Commission and not let the area be ruined. She advised that storage units are known hot beds drug exchanges and illegitimate uses, for example someone living in them or locking children in them. She added that they're not things that you put in a residential area. She asked Council to do the right thing.

- Mr. George Meekins, 4480 Main Street, mentioned the economic impact, the flooding issues and problems, and the effect on the nature trails. It is turning a residential area into an industrial area. He opposes the variance.

- Ms. Suzanne Carmody, 4485 Main Street, advised she has owned the residence for 28 years. She urged to protect the mixed residential character of the neighborhood. She asked Council to be cognitive of the safety concerns. She requested they accept the Planning Commission's decision.

- Town Manager Tolbert read a letter from Paula Nees, 6417 Canal Lane, advised she signed the petition of several hundred signatures in opposition to the Conditional Use Permit. She agreed with findings of the Planning Commission in their decision to deny such request. There were many reasons to deny the request such safety issues, traffic issues, and the concerns of the property values. She urged Council to follow the decision of the Planning Commission and deny this permit. She mentioned the owners offered sketchy drawings and plans at the meeting but were not there to explain anything. She advised that she and her husband choose to retire here, and they work with the DER and conservationists to ensure they did not endanger wildlife when they built their home. She is glad the Planning Commission took into consideration when they denied the request and hopes Council steps up. She added that it is a commercial building that should be located in a commercial area. She mentioned the effect on the wildlife on the nature trail. She added that children wouldn't be safe with overwhelming traffic. She asked if they would want this in their neighborhood. She urged Council to deny the permit.

Mayor Leonard closed the public hearing.

Councilwoman Bowden stated that it goes without saying the Mr. Stubbs is a well-respected businessman of the Island. She added that she didn't need to hear anything from anyone to know this was not a good idea, mainly because of where it is proposed. She feels it is not the place for it on the Island. It is not conducive to the neighborhood.

**Councilwoman Bowden motioned, seconded by Councilman McComb to deny the Conditional Use Permit from Mr. Reginald Stubbs. Unanimously approved.**

### **Public Comment**

Mayor Leonard opened the floor for Public Comment.

- Mr. Ray Rosenberger complimented the Chincoteague Volunteer Fire Company, Emergency Management Services and the Chincoteague Police Department, the Mayor, and all those who took part in the exercise last week. It goes to show you what you can do and what the Town has done in the past for all of us. This was a classic example of man helping man. This was a Godsend to the families. He thanked everyone.

### **Agenda Adoption**

**Councilwoman motioned, seconded by Councilman McComb to adopt the agenda as presented. Unanimously approved.**

### **Staff Reports**

#### **General Government**

Town Manager Tolbert discussed the Civic Center, which is now a part of the Town Government for the first time in its existence. He reviewed the list of capital improvements. They identified that the Center and Municipal buildings rusting issues. He also reported on the monthly finances, Meals and Transient Occupancy Tax collections. He commented on Building and Zoning for the month of March. He stated that he experienced something new last Wednesday and witnessed the EMS, the Police Officers along with the local citizens do their thing. He commented on how smooth and calm it was. The EMS and Town Police did an excellent job taking control of a very unusual emergency. He complimented everyone on a fantastic job.

#### **Police Department**

Chief Fisher thanked everyone for their help last Wednesday night. He also thanked Mayor Leonard and his son, the officers, Emergency Management Coordinator Rush and his staff for working that night and establishing the command post. Everything ran smoothly. He thanked the officers that worked that night. He was glad to be a part of it. He reported that Pfc. Gladding had in-service at the Chesapeake Bay Bridge Tunnel. Pfc. Stevens taught the Standardized Field Sobriety Test. He took the instructor course and as an apprentice taught under the State Police. He thanked the Chincoteague Volunteer Fire Company for allowing them to hold the annual Senior Luncheon at the firehouse this year. They had over 130 people and 30-40 takeout deliveries. Chief Fisher advised he taught classes in Accomack on Speed Measurement. Sgt. Adams held a class for the 3 Cs for Fraud Awareness. He also advised that Sgt. Adams is a Crime Prevention Specialist and does very well.

### Public Works Department

Public Works Director Spurlock reported that they have started mosquito control operations including larvaciding. They are mowing and conducting vegetation control. They installed 10 new water services in March and begin paving North Main Street (from Misty Meadows to the turn-around) operations tomorrow, depending on the weather. They will then do Ridge Road (south of Church Street to the Bunting Road intersection) and Division Street. He gave a detailed report along with pictures of the progress of the Brianna's Kindness Park. He commended the Town employees for their hard work. The soccer goals and bleachers are in place, the adult exercise yard is complete, and paving is also complete. He advised they are in the final phases of the restroom construction which has been done inhouse. The doors will be in this week and should be finished including electrical work in the next 4-6 weeks. He recapped the total expenditures. The remaining work is completing the restrooms and the trail around the perimeter along with the pavilion. He thanked the Chincoteague community for being very supportive.

Council commented on a great job.

### Emergency Services

Emergency Management Coordinator Rush stated that he can't give enough thanks to the boaters involved last Wednesday who were key in helping accomplished what was needed. He stated that the coordination from everyone, the EMS, the Fire Department, the Police Department, the Navy, and USCG were key in the event and hopefully reducing the loss of life. He feels the situation would have been much worse without those involved. He reviewed the monthly report and advised that his staff assisted the Police annual Senior Luncheon. They delivered meals to the homebound. They have been working on planning and procedures which is in the packet to operate emergency management and EMS. They update them yearly. He reported that they advertised for part-time EMS positions and received 3 applications. He added that they need more men and women to fill the hours.

Emergency Management Coordinator Rush also advised he attended his first state EMS Advisory Board meeting. He recapped the meeting, house bills, policy updates, committee assignments, etc. He stated that they are now planning for the July 4<sup>th</sup> fireworks and Pony Penning. He reviewed the Covid, vaccinations, and booster information and statistics. He reminded everyone to be weather aware.

### Committee Reports

#### **Budget and Personnel Committee**

Vice Mayor Bott advised he had no report as it would be addressed later in the meeting.

#### **Ordinance Committee**

Councilman Savage advised that on March 19<sup>th</sup> they met and voted on the Pump and Haul Permit at the Council workshop meeting on March 17<sup>th</sup>.

#### **Public Safety**

Councilwoman Bowden reported that they discussed Police Department promotions and funding.

### **Adoption of the Minutes of the Marcy 7<sup>th</sup> and 17<sup>th</sup> Council Meetings**

**Councilman McComb motioned, seconded by Councilwoman Bowden to adopt the minutes of the March 7<sup>th</sup> and 17<sup>th</sup> Council meetings. Unanimously approved.**

### **Final Review of Proposed FY23 Budget**

Town Manager Tolbert reviewed the recent changes to the FY23 budget since the last review. He reviewed the addition of the Center Fund to the budget. He then advised that in the near future he anticipates contributing to the Center fund as they have been. He briefly reviewed the changes from the last budget review. He stated that with anticipation of the approval of the budget, without too many additions or alterations, he presented an advertisement that will set the public hearing for May 2<sup>nd</sup>. He advised that after the advertisement they have to wait 7 days, conduct the public hearing and wait another 7 days before they vote on the budget.

**Councilman McComb motioned, seconded by Vice Mayor Bott to approve the budget calendar. Unanimously approved.**

Town Manager Tolbert asked if this also approved the budget advertisement.

Mayor Leonard advised it does.

### **Mayor and Council Comments**

Mayor Leonard thanked everyone who worked and helped last Wednesday night. He stated that being in the middle of it, you could see how smooth everything went. The Chincoteague Volunteer Fire Company was fast acting, they all used their heads and adapted to the situation. He advised the water temperature was 47 degrees, and it was only a matter of minutes before the 2 were located. He reported that the pilot that was injured severely is doing well. His parents flew in from California and said he was improving. The Island came together supporting everyone. The folks from across the bay and the diver from Ocean City were a major part in recovery. He thanked the CVFC, EMS, and CPD adding that it was a wonder to see everything come together.

Councilman Savage agreed with Mayor Leonard and expressed what a great job the EMS, CPD, CVFC, and volunteers did during the event. He added that it shows the resiliency in people and workers on the Island.

Councilman Taylor commented on the Brianna's Park, that the community worked together, and this wasn't a small project. He thanked Council for voting for funding. He stated that it's amazing when you get together, you can do the big stuff. He also thanked the Public Works Department along with the community for fundraising and working together.

Councilman McComb echoed the sentiments and congratulated everyone and the departments on their part in the event.

Vice Mayor Bott agreed.



Councilwoman Bowden advised she was away at a memorial service during the event. She received a notification of a plane crash and didn't think she read it correctly. She stated that she received updates and text messages of what was going on. She also stated that we don't think things like this will happen here. She expressed that her heart was here the whole time. She stated that if you were listening to the scanner or the buzz, you heard and witnessed the best of the best. She proudly advised she would put our Company, volunteers, Police Department, and EMS providers up against anybody any day. She commended the local people who responded on their own and in their boats who know the area that helped out in a tragic accident. She couldn't be here but was proud to see these people do what they do.

Councilwoman Richardson stated that she listened to the scanner as it was going on. She knows the water and she knew where and what they were talking about. She knew by the correspondence back and forth that they were rescued. The news media wanted information right at that time, but it wasn't the time. This was a tragic scene. She advised that the CVFC Chief responded, "No, we're working" which caused the media to blow it out of proportion. She stated that they were there and acted professionally. The people in Ocean City needed a little help also. She added that thinking about the hunting accident along with this, it wasn't the best ending, but you learn from it, and you get better. She thanked all who helped.

### **Adjourn**

**Councilman McComb motioned, seconded by Vice Mayor Bott and Councilwoman Bowden to adjourn. Unanimously approved.**

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J. Arthur Leonard, Mayor

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Michael T. Tolbert, Town Manager

**MINUTES OF THE APRIL 21, 2022**  
**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, Chief of Police

**Call to Order**

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

### **Invocation**

Councilman McComb offered the invocation.

### **Pledge of Allegiance**

Mayor Leonard led in the Pledge of Allegiance.

### **Public Comment**

There was no public comment.

### **Agenda Adoption**

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

### **Review of FY23 Tax Rates**

Town Manager Tolbert reviewed and explained the reassessment which showed an average increase of 19.2%. He advised that the Code of Virginia does not allow a locality to benefit from an increase in its total levy as a result of a reassessment requiring the locality instead to either lower the existing tax rate to maintain its levy to less than 1% increase or to proceed with the process of a formal increase in tax rates. He also advised that a lower tax rate of \$0.059 would produce a total levy with less than 1% increase over the previous year and would keep the Town within the boundaries set by the Code of Virginia. Accomack County recently reduced its tax rate from \$0.61 to \$0.595 which is an effective tax increase of \$0.03/\$100 and they have to go through a public hearing for the increase.

Town Manager Tolbert reported that the used vehicle values have increased by approximately 35%. This is not addressed by the State Code and Council is under no obligation to reduce personal property tax rates. He explained that the financial system is able to separate the classes to reduce specific personal property classes. He stated that the County has reduced their personal property tax rate from \$3.72 to \$2.99 (20%) to reduce the impact of the taxes on the increased values of these types of vehicles. He reminded that although the current higher values are unprecedented, this is expected to be a temporary situation with the used vehicle market eventually returning to an annual depreciation of unit values which would require an increase of personal property tax rates in the future.

There was discussion about being fair to all especially coming out of a pandemic, recession, and inflation.

**Councilman McComb motioned, seconded by Councilwoman Bowden to lower the real estate tax rate to \$0.059/\$100 and reduce the personal property tax rate across the board to compensate the increase in value, to have less than a 1% increase in personal property taxes. Unanimously approved.**

### **Consider Approval of Tennis, Basketball, and Pickleball Court Rehab Project**

Town Manager Tolbert advised that Public Works Director Spurlock received pricing for the rehab of the Memorial Park tennis and basketball courts as well as the pickleball courts and

parking lot at the Amrien Recreational Center. The total cost is \$96,444. He stated that the RCEC recommended the project go to the ARPA Committee who tabled the request. He added that due to the nature of the materials used, this project must be done in moderately warm weather and the contractor is booking up. The RCEC would also like to get the project accomplished prior to the summer season when the facilities get their heaviest use. He suggested the immediate funding would come from the Beach/Recreation/Tourism reserve account which could be replaced with the excess of FY22 funds.

There was brief discussion and Council concurred and stated they want the excess funds of FY22 to be put back into the Beach/Recreation/Tourism reserve.

**Councilwoman Bowden motioned, seconded by Councilman McComb to approve the funding of the Court Rehab Project from the Beach/Recreation/Tourism Reserve account, and replacing it with the excess of FY22 funds. Unanimously approved.**

#### **Discussion of 2 New CPD Positions**

Town Manager Tolbert stated that at the Budget and Personnel Committee meeting on March 8<sup>th</sup> the Committee approved the positions and to fund the 1 position from the General Fund and the Public Safety Committee approved to fund the 2<sup>nd</sup> position from the Public Safety Reserve. He reviewed the initial cost and annual cost.

**Councilwoman Bowden motioned, seconded by Councilman McComb to approve the 2 new police officer positions. Unanimously approved.**

#### **Discussion of Downtown Improvements**

Mayor Leonard stated that there are buildings in the downtown area that need attention. He suggested giving property owners incentives to fix up the properties and buildings. There was brief discussion.

Mayor Leonard stated that he wants to make the downtown a destination worth visiting. He asked Council to think on this matter and they will discuss it again at a later time or at a Budget and Personnel Committee meeting.

There was further discussion regarding forming a committee. They also discussed obstacles.

#### **Mayor and Council Comments**

Councilwoman Richardson advised she spoke with a lady who expressed her gratitude to the EMS, Police Department, and the Fire Department, for what they did when her daughter lost her life in the Causeway accident nearly a year ago. She stated that she wanted to come to a meeting but couldn't drive across the Causeway. She wanted everyone to know that it meant a lot to her.

Councilman Savage stated that the Town lost a valuable citizen of the Island community, Miss Diane. He would like to pay homage to her memory.

Councilwoman Bowden stated she would love for this Council to have something or name something after her. She added that she touched more lives in this Town, more so than anyone

she's ever known. She also advised that she received a text to have, Mr. Donnie Thornton, plant a beautiful garden somewhere in the Town in her name as she made our children grow like flowers.

Mayor Leonard commented that it was amazing to see all those at her service who stood up that she taught throughout the years.

Councilman Taylor also thanked Council for approving the funding for the courts project. He stated that they should consider adding in the next year funding for the Amrien Center as well.

**Closed Meeting in Accordance with §2.2-3711 (A) (1 & 5) of the Code of Virginia to discuss specific personnel issues and prospective business opportunities.**

**Councilwoman Bowden motioned, seconded by Councilman McComb to go into a closed meeting in accordance with §2.2-3711 (A) (1 & 5) of the Code of Virginia to discuss perspective business opportunities and personnel matters. Unanimously approved.**

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

**Nays: None**

**Absent: None**

**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 only such public business matters were identified in the motion by which the closed meeting was convened, were heard, discussed, or considered. Unanimously approved.**

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

**Nays: None**

**Absent: None**

**Adjourn**

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

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J. Arthur Leonard, Mayor

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Michael T. Tolbert, Town Manager

**MINUTES OF THE MAY 02, 2022  
CHINCOTEAGUE TOWN COUNCIL MEETING  
Council Chambers**

**Council Members Present:**

J. Arthur Leonard, Mayor  
Christopher D. Bott, Vice Mayor

**Council Members Absent:**

Denise P. Bowden, Councilwoman  
William T. McComb, Jr., Councilman  
Ellen W. Richardson, Councilwoman  
K. Jay Savage, Councilman  
Gene W. Taylor, Councilman

**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.

**Agenda Adoption**

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

**Presentation by Team Brianna**

Ms. Donna Leonard advised Ms. Cindy Faith presented the Recreation and Community Enhancement Committee with a check in the amount of \$48,602.76 for the Brianna's Kindness Park. She advised there have been many donors and their fundraising efforts have come to an end. As the Brianna's Kindness Park is still in the process for completion, she asked that this donation be earmarked for projects that have already been discussed by the RCEC. She listed: the addition of shades, planning of the hangout section, and making a handicapped accessible area on the playground. She also stated that if the need comes up in the future, they will be happy to step up to the plate. Ms. Leonard stated that the Town has done a tremendous job on this project as it is a tremendous asset to this community,

**Public Comment**

Town Manager Tolbert read the rules for public comment.

- Mrs. Pat Farley, 3243 Lisa's Lane, approached Council regarding murals. She explained that she has been involved in art for many years. She asked Council to think of ways to bureaucratize the process to review murals, where they go, what the content is, and what materials are used. She advised she sent a current list of the process of approving all public art from Pittsburg. She feels it is a blueprint for the process. She commented that the Island is full of artist but there isn't a lot of art in the public realm. She also stated that the mural in Watson Park wasn't preapproved and done by the CCA. She offered copies of the documents she discussed. She also offered her assistance.

## **Staff Reports**

### **General Government**

Town Manager Tolbert reported on the GAC Plant testing. He advised that NASA wants the Town to move the wells off of their property and have written legislation to give the Town a sum of money for this. The Town purchased property just south of Wallops for this purpose. The legislation is before Congress and is at a point they can make changes to the language. They plan to ask for more time as they were advised by a geologist that 5 years is not enough time to do what they need to do. They would also like to look into a R. O. Plan (reverse osmosis plan).

Councilwoman Bowden stated that they are in talks about the language of the bill for \$14 million for the relocation of the wells. She asked if that would be enough and stated that in 5 years it could be \$20 million.

Town Manager Tolbert briefly quoted the amounts for each component of the relocation of the wells. He also reviewed the marijuana legislation passed that had a recommit clause in it and at this time it does not allow a municipality to mirror or create ordinances for this. He continued with the financial report, meals and transient occupancy taxes, building permits, and business licenses. Town Manager Tolbert advised that Public Works Director, Mr. Harvey Spurlock has retired from the Town. He wished Mr. Spurlock well and advised he will continue his career at the Wallops Flight Facility. The Public Works Director and Civic Center positions have been advertised on the Town's website, VML, and newspaper, with a closing date of June 1<sup>st</sup>.

Vice Mayor Bott asked about the transient occupancy tax from VRBO and reporting issues.

Town Manager Tolbert advised there is a problem. They send the tax but are not obligated to send a report with information of who the tax is for. Everyone in the state is having the same problem. He understands that there is a proposed law in this term that corrects this to give the information on the owners. They have asked owners to print the report from VRBO and submit it to the Town. He hopes the new law will come into play by the fall and they will send a report with the payment.

### **Police Department**

Chief Fisher gave a couple of corrections to the monthly report. He advised the full-time dispatchers completed training in crisis intervention. Major Greenly is attending the FBI National Academy which is for 10 weeks. They have a new patrolman, Mr. Todd Matthews. They assisted the NALL with their opening day parade. The full-time dispatchers completed Crisis Intervention training.

Councilwoman Bowden asked for the law regarding e-bikes.

Chief Fisher advised that the Virginia state law states that on a state highway, 14 years and under must have someone 18 years old accompany them as they are riding. He added that this is for e-bikes and electric scooters.

Councilwoman Bowden asked if helmets were required.

Chief Fisher advised they are not required to have helmets.

Councilwoman Bowden stated that she is hearing a lot of chatter about the kids that are riding them are zigzagging in and out of traffic.

Chief Fisher feels that's why it's in the Virginia state law.

### Public Works Department

Town Manager Tolbert reported on the Brianna's Kindness Park, the sidewalks are completed, the restrooms are nearing completion, and the pad for the pavilion is completed. Paving operations are completed except for some striping. The stormwater grates have been adjusted to accommodate the additional asphalt, and prep work of the parking lot and pickleball courts at the Amrien Center has been done. Once this is completed the pickleball courts will be laid out and striped. He reported that the old firehouse now has a new stair chair, they will soon have all spaces rented in the firehouse, and installation of the new fuel system has been completed at the Harbor. He reported on the huge list of brush collection. He added that they should remind folks that the limit of brush collection is 1 pickup truck load per property. He continued that they have graded some of the Ocean Breeze roads, and routine equipment, park and office complex maintenance has been done, along with water supply and 14 new services. Larvaciding continues, resurfacing of the tennis and basketball courts will begin in a few weeks. Town Manager Tolbert stated that the Pickleball Association was informed that the Town did not plan to have the pickleball courts sealed and they are willing to donate the funds to have it sealed.

There was brief discussion about the utility charges included in the firehouse rent.

### Emergency Services

Emergency Management Coordinator Rush updated the stats for April. He reviewed pictures of an accident on RT 13 that Chincoteague EMS responded to and were 1<sup>st</sup> on the scene coming back from another call. He reported that EMS Supervisor Barrs went through ICS400 in Chesapeake last week. EMS is busy and continuing weather and COVID monitoring, after action of the airplane crash, fireworks and pony penning planning, and the upcoming rocket launch August 15<sup>th</sup>. He stated that Chapter 13 of the Hazard Mitigation Plan is on the agenda for adoption later in the meeting. Also, this evening the recognition of Hurricane Preparedness Week, May 1<sup>st</sup> – 7<sup>th</sup>. He stated that you need to know your risk, evacuation plan, plan for your pets, assembling disaster supplies; food and water for 3-5 days, medication, cash, battery operated radios, insurance review, strengthen your homes, secure outdoor items, help your neighbors, and have a written plan. He stated that a written plan should include a contact list with one contact outside the impact area. He stated that you should have all your family members contact that person. He reported on COVID numbers which is on the rise. He also encouraged everyone to get vaccinated.

### Committee Reports

#### **Harbor Committee**

Mayor Leonard reported that they discussed the boat ramp at Memorial Park adding that they have preliminary drawings.

Town Manager Tolbert advised the engineer is working on the changes from the comments.

Mayor Leonard advised as soon as they get the drawings they will begin without delay. The Committee also discussed moving the wood pier for the floating dock. They're waiting for Raven's Marine to get them in. He stated that they should postpone the installation until fall as boating is getting busy. He advised that Memorial Park boat ramp is usable for smaller boats. The fuel systems have been replaced.

There was discussion about a temporary caution sign at the Memorial Park boat ramp.

**Adoption of the Minutes of the April 4<sup>th</sup> and 21<sup>st</sup> Council Meetings**

**Councilwoman Bowden motioned, seconded by Councilwoman Richardson to adopt the minutes of the April 4<sup>th</sup> and April 21<sup>st</sup> Council meetings as. Unanimously approved.**

**FY23 Proposed Budget Presentation**

Town Manager Tolbert conducted a full FY23 Budget presentation. He explained the individual departments, and services. He also reviewed and explained the funds of each department. He explained that each of the 5 funds have to balance independently. He advised of the budget process that begins in November. He advised of the advertising requirements and public hearing. He highlighted the FY23 Budget revenues, expenses, capital improvements, and he also summarized the budget by fund. He continued highlighting the revenues by fund. He compared the budgets and explained the budget amendment process. Town Manager Tolbert reviewed the long-term savings and reserve accounts. He listed the FY23 capital improvement projects, equipment, vehicles, bond payments, water filters, finger piers, the Center upgrades and maintenance.

There was brief discussion regarding changing local banks regularly, the Center's kitchen and possible upgrades.

Councilwoman Bowden thanked Town Manager Tolbert for the review which helped in understanding the whole picture of the Town's budget.

<b>REVENUES</b>		<b>EXPENDITURES</b>	
<b>GENERAL FUND</b>		<b>GENERAL FUND</b>	
GENERAL PROPERTY TAXES	\$ 897,307	GENERAL GOVERNMENT	
OTHER LOCAL TAXES	\$ 3,485,500	SALARIES & BENEFITS	\$ 600,198
PERMITS, FEES & LICENSES	\$ 316,392	EXPENSES	\$ 1,289,023
FINES	\$ 22,850	CAPITAL IMPROVEMENTS	\$ 14,183
INTEREST	\$ 12,000	EMERGENCY SERVICES	
LAND USE/RENT	\$ 33,973	SALARIES & BENEFITS	\$ 1,132,926
SERVICES	\$ 12,500	EXPENSES	\$ 65,300
MISCELLANEOUS	\$ 212,946	PUBLIC WORKS (INCL MOSQUITO CTRL)	
GRANTS	\$ 1,354,179	SALARIES & BENEFITS	\$ 566,369



SOLID WASTE	\$ 416,500	EXPENSES	\$ 678,750
FUND TRANSFERS	\$ 115,000	CAPITAL IMPROVEMENTS	\$ 255,000
		ROADS DIVISION	
		SALARIES & BENEFITS	\$ 173,722
		EXPENSES	\$ 569,000
		POLICE DEPARTMENT (INCL DISPATCH)	
		SALARIES & BENEFITS	\$ 1,289,876
		EXPENSES	\$ 185,300
		CAPITAL IMPROVEMENTS	\$ 59,500
<b>TOTAL GENERAL FUND REVENUE</b>	<b>\$ 6,879,147</b>	<b>TOTAL GENERAL FUND EXPENSES</b>	<b>\$ 6,879,147</b>
<b>HARBOR FUND</b>		<b>HARBOR FUND</b>	
HARBOR		HARBOR SALARIES & BENEFITS	\$ 63,349
RENT/SUBLEASE/STORAGE	\$ 162,500	EXPENSES	\$ 400,500
HARBOR INTEREST/MISC	\$ 800	CAPITAL IMPROVEMENTS	\$ 671,424
FUEL REVENUE	\$ 375,000		
VA PORT AUTHORITY GRANT	\$ 201,166		
TRANSFER FR GENERAL FUND	\$ 395,807		
<b>TOTAL HARBOR REVENUE</b>	<b>\$ 1,135,273</b>	<b>TOTAL HARBOR EXPENSES</b>	<b>\$ 1,135,273</b>
<b>TROLLEY FUND</b>		<b>TROLLEY FUND</b>	
TROLLEY GRANTS	\$ 233,233	TROLLEY SALARIES & BENEFITS	\$ 48,152
PROGRAM INCOME	\$ 4,000	EXPENSES	\$ 49,000
TRANSFER FROM GENERAL FUND	\$ 25,419	CAPITAL IMPROVEMENTS	\$ 165,500
<b>TOTAL TROLLEY REVENUE</b>	<b>\$ 262,652</b>	<b>TOTAL TROLLEY EXPENSES</b>	<b>\$ 262,652</b>
<b>WATER FUND</b>		<b>WATER FUND</b>	
WATER RENT/SERVICE	\$ 966,000	WATER SALARIES & BENEFITS	\$ 396,775
INTEREST ON WATER RESERVE	\$ 400	EXPENSES	\$ 439,328
AVAILABILITY FEES	\$ 50,000	CAPITAL IMPROVEMENTS	\$ 308,297
TRANSFER FROM ARPA	\$ 128,000		
<b>TOTAL WATER FUND REVENUE</b>	<b>\$ 1,144,400</b>	<b>TOTAL WATER FUND EXPENSES</b>	<b>\$ 1,144,400</b>
<b>CENTER FUND</b>		<b>CENTER FUND</b>	
RENTAL / SERVICES / MISC	\$ 45,200	CENTER SALARIES & BENEFITS	\$ 51,921
SPONSORED EVENTS	\$ 10,400	EXPENSES	\$ 83,450
TRANSFER FROM MEALS/TOT/RESV	\$ 382,594	CAPITAL IMPROVEMENTS	\$ 302,823
<b>TOTAL CENTER FUND REVENUE</b>	<b>\$ 438,194</b>	<b>TOTAL CENTER FUND EXPENSES</b>	<b>\$ 438,194</b>

<b>TOTAL ALL REVENUES</b>	<b>\$ 9,859,666</b>	<b>TOTAL ALL EXPENDITURES</b>	<b>\$ 9,859,666</b>
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THE FOLLOWING RATES HAVE BEEN PROPOSED FOR THE CURRENT TAX YEAR WITHIN THIS BUDGET:

REAL ESTATE TAX LEVY			
PERSONAL PROPERTY			
EXCISE TAX (MEALS)	5%	EXCISE TAX (TRANSIENT OCCUPANCY)	5%
MOTOR VEHICLE LICENSE	\$ 27		
PERSONAL PROPERTY TAX RELIEF	\$ 0.65	SOLID WASTE COLLECTION	\$2.10 PER WEEK

**FY23 Budget Public Hearing**

Mayor Leonard opened the FY23 budget public hearing. There were no comments and Mayor Leonard closed the public hearing. He advised they will be voting on the budget at the next Council workshop meeting.

**Proclamation for National Public Works Week**

Town Manager Tolbert read the Proclamation.



**National Public Works Week Proclamation**

**May 15 – 21, 2022**

WHEREAS, public works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of **Chincoteague Island**; and,

WHEREAS, these infrastructure, facilities and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers, and employees at all levels of government and the private sector, who are responsible for rebuilding, improving, and protecting our nation’s transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and,

WHEREAS, it is in the public interest for the citizens, civic leaders and children on **Chincoteague Island** to gain knowledge of and to maintain an ongoing interest and understanding of the importance of public works and public works programs in their respective communities; and,

WHEREAS, the year 2022 marks the 62<sup>nd</sup> annual National Public Works Week sponsored by the American Public Works Association/Canadian Public Works Association be it now

RESOLVED THAT , I, John A. Leonard, do hereby designate the week May 15 – 21, 2022 as National Public Works Week; I urge all citizens to join with representatives of the American Public Works Association and government agencies in activities, events, and ceremonies designed to pay tribute to our public works professionals, engineers, managers, and employees and to recognize the substantial contributions they make to protecting our national health, safety, and quality of life.

IN WITNESS WHEREOF, I have hereunto set my hand,

DONE at **Chincoteague Island, Virginia** this 2nd day of May, 2022.

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

John A. Leonard,  
Mayor

Attest: \_\_\_\_\_

Michael T. Tolbert,  
Town Manager

**Resolution for National EMS Appreciation Week**



**RESOLUTION**

**Emergency Medical Services Appreciation Week 2022**

Whereas, Emergency Medical Services is a vital public service: and

Whereas, both career and volunteer emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

Whereas, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

Whereas, emergency medical services has grown to fill a gap by providing important, out of hospital care, including preventative medicine, follow up care, and access to telemedicine; and

Whereas, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

Whereas, it is appropriate to recognize the value and accomplishments of emergency medical services providers of the Town of Chincoteague Department of Emergency Services, Division of Emergency Medical Services and the Chincoteague Volunteer Fire Company by designating Emergency Medical Services Week.

Now, Therefore, Be It Resolved, that the Town Council' of the Town of Chincoteague, Virginia does hereby proclaim the week of May 15<sup>th</sup> – May 21<sup>st</sup>, 2022, as "Emergency Medical Services Appreciation Week: in the Town of Chincoteague, with this year's theme being "EMS: Rising to the Challenge".

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

John A. Leonard,  
Mayor

Attest: \_\_\_\_\_

Michael T. Tolbert,  
Town Manager

### **Resolution for National Hurricane Preparedness Week**



### **RESOLUTION**

### **Hurricane Preparedness Week 2022**

Whereas, The Town of Chincoteague hurricane season officially begins June 1st and ends November 30th of each year; and

Whereas, with the Town of Chincoteague being an Island, it 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 it 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 the 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 of 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 1<sup>st</sup> – May 7<sup>th</sup>, 2022 as "Hurricane Preparedness Week: in the Town of Chincoteague.

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

John A. Leonard,  
Mayor

Attest: \_\_\_\_\_

Michael T. Tolbert,  
Town Manager

**Consider Adoption of Updated Hazard Mitigation Plan Chapter 13**

Emergency Management Coordinator Rush advised this was nearly a 2-year project with the ANPDC taking the lead. They met with the ANPDC in April of last year who was made aware of the flooding at the base of the bridge. He hopes that some day this can be referenced, and changes can be made.

Councilwoman Bowden commented that it states several ambulances stored in the firehouse are owned by the Town of Chincoteague. She asked for a correction to be made that the ambulances are owned by the Fire Company.

Emergency Management Coordinator Rush advised this will be corrected. He asked if Council wanted the correction to be made before the adoption or the adoption could be made this evening noting the correction.

Councilwoman Bowden asked how often this has to be updated.

Emergency Management Coordinator Rush stated that an update is required every 4 years, it has to go to FEMA for their final approval as well.

Councilwoman Bowden advised she has read through most of it and compared Chincoteague to other towns. She commented on how amazing the number of hours that have been put into this. She thanked Emergency Management Coordinator Rush on a great job.

Emergency Management Coordinator Rush advised it was a team effort.

**Councilwoman Bowden motioned, seconded by Councilman McComb to adopt the Updated Chapter 13 Hazard Mitigation Plan with the correction of the ownership of the ambulances as the Fire Company. Unanimously approved.**

### **Mayor and Council Comments**

Councilman Savage commended Town Manager Tolbert on a great job with the budget. He stated it is a true relevance and definition of what is going on and how the funds are spent. He thanked staff for their assistance in the budget as well.

Councilman Taylor thanked Emergency Management Coordinator Rush for pointing out that Chincoteague EMS isn't just for challenges and calls on the Island. They are there and anywhere for people in need. He stated that it is great both ways, when Chincoteague needs help, they send ambulances here. He commented on people being able to stay in their homes because they know help is only a phone call away.

Councilwoman Bowden stated that she is always impressed with the Town employees, and there's times when she's extra impressed. She stated that she really liked the presentation Town Manager Tolbert gave. She expressed her appreciation. She also commended Chief Fisher, Emergency Management Coordinator Rush, and the Public Works staff. She stated that it takes everyone to make this Town work. She advised that there are a great number of people that approach her about a great job the employees do. She expressed her love for this Town adding that the people that make it run are top notch. She asked everyone to keep Mr. Edwin Taylor and his family in their prayers as he just lost his father. She also asked everyone to keep Mrs. Kelly Lewis in their prayers as her family is going through a tremendous amount right now with sickness and they're going to need all the prayers and support everyone can give them. She concluded with, "Go Yankees!".

Mayor Leonard reminded that summer is coming, get ready.

### **Adjourn**

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

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J. Arthur Leonard, Mayor

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Michael T. Tolbert, Town Manager

**MINUTES OF THE MAY 19, 2022**  
**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, Chief of Police

**Call to Order**

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

**Invocation**

Councilman Taylor offered the invocation.

**Pledge of Allegiance**

Mayor Leonard led in the Pledge of Allegiance.

**Public Comment**

There was none.

**Student Government Report**

Mrs. Katie Farrell, Chincoteague Combined Schools Principal, thanked Council for providing the students with the great opportunity. She stated that the school is fortunate to have the Town's support. She advised she can't express the gratitude and appreciation they have for the Chincoteague Police Department, the Chincoteague Volunteer Fire Department, and all of the Council members. She continued that everyone is so generous to the school and whenever they need something, someone always steps up. She and the students appreciate everything. She added that the students had a great time yesterday. She appreciated Council for tweaking schedules because of athletics. They enjoyed learning the Town government ins and outs.

Student Government Mayor Kerchner reported on the Student Government Day. She gave an account of the day which included a meeting with the U.S. Fish and Wildlife at the Wildlife Refuge where they discussed the current plans for beach due to damages from the storm. Some of the students went out into the community to identify things that needed improvements. They worked on plans for safety on the Causeway and for more teen-related activities on the Island. She thanked Council for the opportunity to understand the undertaking of the local government.

**Agenda Adoption**

**Councilman McComb motioned, seconded by Councilwoman Bowden to adopt the agenda as presented. Unanimously approved.**

**FY22 Budget Compliance**

Vice Mayor Bott informed Council of the FY22 surplus and highlighted the increases in revenues, which included the ARPA tranche and meals and transient occupancy taxes. He advised that Town Manager Tolbert identified transfers for the surplus to specified accounts. He briefly reviewed the proposed recommended allocations. He feels this is a way to replenish the accounts that have been drawn down over the last several years.

Account	Transfer Amount	New Account Balance
Transfer to Beach/Rec/Tourism	\$146,444	\$954,481
Transfer to Boat Ramp Reserve	\$100,000	\$329,235
Transfer to Property Acquisition Reserve	\$100,000	\$193,600
Transfer to Park Equipment Reserve	\$200,000	\$200,000
Unallocated Surplus		\$251,899

**Vice Mayor Bott motioned, seconded by Councilwoman Bowden to adopt the end of year allocations for the FY22 surplus. Unanimously approved.**

**FY22 Budget Amendment Public Hearing**

Mayor Leonard opened the public hearing. There were no comments, and the public hearing was closed.

**Consider Approval of FY22 Budget Amendment**

Town Manager Tolbert explained the FY22 Budget Amendment. He advised that it was posted in the newspaper 1 week ago and is set for public hearing and is eligible to be voted on this evening. He added that amendment includes the 2<sup>nd</sup> tranche from ARPA.

**Councilwoman Bowden motioned, seconded by Councilman McComb to approve the proposed FY22 Budget Amendment as presented. Unanimously approved.**

FY 2022	BUDGET AMENDMENT	Approved	Proposed	Variance
<b>General Government</b>				
<b>Revenues</b>	<b>Source</b>	<b>Budget</b>	<b>Amendment</b>	<b>Variance</b>
	<b>TOTAL G/G Revenue</b>	<b>\$ 4,790,370.00</b>	<b>\$ 7,146,832.82</b>	<b>\$ 2,356,462.82</b>
<b>Expenses</b>				
	<b>TOTAL G/G Expenses</b>	<b>\$ 1,504,101.00</b>	<b>\$ 3,860,563.82</b>	<b>\$ (2,356,462.82)</b>



<b>Revenue</b>	<b>Harbor</b>			
	<b>TOTAL Harbor Revenue</b>	<b>\$ 403,624.00</b>	<b>\$ 534,517.00</b>	<b>\$ 130,893.00</b>
<b>Expenses</b>	<b>Harbor</b>			
	<b>TOTAL Harbor Expenses</b>	<b>\$ 353,862.00</b>	<b>\$ 484,755.00</b>	<b>\$ (130,893.00)</b>
<b>Revenue</b>	<b>Trolley</b>			
	<b>TOTAL Trolley Revenue</b>	<b>\$ 27,784.00</b>	<b>\$ 24,734.00</b>	<b>\$ (3,050.00)</b>
<b>Expenses</b>	<b>Trolley</b>			
	<b>TOTAL Trolley Expenses</b>	<b>\$ 6,550.00</b>	<b>\$ 3,500.00</b>	<b>\$ 3,050.00</b>
<b>Revenue</b>	<b>Water</b>			
	<b>TOTAL Water Revenue</b>	<b>\$ 64,000.00</b>	<b>\$ 79,332.00</b>	<b>\$ 15,332.00</b>
<b>Expenses</b>	<b>Water</b>			
	<b>TOTAL Water Expenses</b>	<b>\$ 306,686.00</b>	<b>\$ 322,018.00</b>	<b>\$ (15,332.00)</b>
	<b>TOTAL REVENUES</b>	<b>\$ 5,257,994.00</b>	<b>\$ 7,760,681.82</b>	<b>\$ 2,502,687.82</b>
	<b>TOTAL EXPENSES</b>	<b>\$ 2,164,649.00</b>	<b>\$ 4,667,336.82</b>	<b>\$ (2,502,687.82)</b>

**Consider Approval of FY23 Budget**

**Councilwoman Richardson motioned, seconded by Councilwoman Bowden to adopt the proposed FY23 budget as presented and that the funds be appropriated for disbursement as such. Unanimously approved.**

ACCOUNT	DESCRIPTION	FY23 PROPOSED BUDGET
	<b>REVENUES</b>	
	<b>GENERAL FUND</b>	
104001.0100	REAL ESTATE TAX LEVY	\$656,500
104001.0125	TANGIBLE PROP. TAX LEVY	\$225,000
104001.0130	DEL.TAX,INTEREST,PENALTY	\$15,807
104001.0500	MEALS TAX	\$1,200,000
104001.0600	BANK FRANCHISE TAX	\$92,000
104010.0100	SALES TAX	\$170,000
104010.0200	BUSINESS LICENSE	\$130,000
104010.0300	MOTOR VEHICLE LICENSE	\$82,000
104010.0500	UTILITIES TAX	\$217,000
104010.0600	TRANSIENT OCCUPANCY TAX	\$1,700,000
104015.0100	FINES	\$22,850
104020.0100	INTEREST ON SAVINGS	\$12,000

104041.0150	CEMETERY CLEANUP DONATIONS	\$200
104041.0170	PLAYGROUND EQUIP DONATIONS	\$0
104041-0180	ROBERT REED PARK	\$1,000
-190.0000	BRAINNA'S KINDNESS PARK DONATIONS.	\$0
104041.0200	USER FEES BOAT RAMPS	\$26,000
104041.0300	USER FEES DOG PARK	\$7,000
104041.0500	BUILDING PERMITS	\$70,000
104041.0600	ZONING ADVERTISEMENTS	\$1,000
104045.0100	GRANTS/LITTER	\$0
104049.0100	SALE OF ASSETS/ABANDONED PROP	\$5,000
104051.0200	HEALTH INSURANCE/RET.SPOUSE	\$15,000
104051.0300	VA FIRE PROGRAMS	\$15,000
104061.0100	PAYMENT IN LIEU OF TAX- USFWS	\$6,500
104061.0106	RENTAL INCOME TROLLEY	\$15,000
104061.0107	TOWER RENT	\$6,348
10-4061-0110	MATTHEWS PROPERTY	\$4,625
10-4061-0625	OLD FH/GARAGE	\$23,000
104071.0100	COMMUNICATIONS TAX	\$90,000
104071.0200	PERSONAL PROPERTY REL ACT	\$129,246
104071.0300	MOBILE HOME SALES TAX	\$6,500
104071-0400	CAR RENTAL DISTRIBUTION TAX	\$10,000
104091.0100	OVERAGE/SHORTAGE	\$0
104101.0200	RECOVERED COST FROM WATER	\$100,000
104201.0100	PUBLIC WORKS MISC. REV	\$3,000
104303.0100	MISCELLANEOUS INCOME	\$12,000
	SOLID WASTE COLLECTION FEE	\$416,500
104401.0100	LAW ENFORCEMENT FUNDS	\$116,940
104401.0125	POLICE MISCELLANEOUS	\$5,000
104401.0150	POLICE DONATIONS	\$35,000
104401.0160	POLICE GRANTS	\$46,077
104401.0200	DISPATCH REVENUE	\$12,500
104401.0201	USFWS - SARBANES GRANT	\$0
104401.0350	911 TAX TO ES 911 COMMISSION	\$0
104501.0100	VDOT MAINTENANCE FUNDS	\$727,662
104501.0101	ROAD PERMIT FEES	\$300
104501.0110	LAND USE SURETY	\$1,092
10.4545.0100	ACCOMACK COUNTY CARES ACT	\$0
104545.0140	VA COMM FOR ARTS GRANT	\$4,500
104545.0150	VDEM GRANT	\$0
	EDA GRANT - CHAMBER RR	\$100,000
10.4601.0150	ARPA LOCAL FUNDING	\$344,000
104601.0300	VA PORT AUTHORITY GRANT	\$0
104701.0400	TRF. FROM RAMP REPAIR FND	\$0
104701.0600	TRF. FROM DRAINAGE SAVINGS	\$0
104701.1000	TRF.FROM GEN.FUND SAVINGS	
104701.1100	TRF. FROM M.C. SAVINGS	\$0
104940.8900	TRF. FROM M.C. SAVINGS DRAINAGE	\$0
	TRF FROM PLAYROUND EQUIP. FUND	\$0

	TRF FROM BEACH/REC/TOUR FUND	\$0
	TOTAL	<b>\$6,879,147</b>
	<b>CURTIS MERRITT HARBOR</b>	
304031.0100	INTEREST ON HARBOR SAVINGS	\$300
304031.1000	HARBOR RENT	\$110,000
304031.1002	SUBLEASES	\$45,000
304031.1003	DRY/WINTER STORAGE	\$7,500
304031.1050	VA PORT AUTHORITY GRANT	\$161,869
304031.1055	DEPT. OF HEALTH B.I.G.	\$39,297
304031.1058	FUEL REVENUE	\$375,000
304031.1060	HARBOR MISC	\$500
304910.8700	TRF.FROM BOAT RAMP FUND	\$229,000
304910.8800	TRF. FROM GENERAL FUND	\$77,710
304910.8900	TRF.FROM LT REPLACEMENT - UNION BANK	\$89,097
	TOTAL	<b>\$1,135,273</b>
	<b>TROLLEY</b>	
704501.0100	TROLLEY GRANTS	\$67,733
704501.0110	PROGRAM INCOME	\$4,000
704501.0200	RTAP REIMBURSEMENTS	\$0
704501.0300	MISC. NONPROGRAM INCOME	\$0
704501.8900	TRANSFER FROM GEN. FUND	\$25,419
	FED GRANT TROLLEY - NEW TROLLEY	\$132,400
	STATE GRANT TROLLEY - NEW TROLLEY	\$26,480
	TR FR TROLLEY CAP ACCT/NEW TROLLEY	\$6,620
	TOTAL	<b>\$262,652</b>
	<b>WATER</b>	
804101.0100	WATER RENT	\$950,000
80-4101-2200	WATER ADJUSTMENTS	\$0
804131.0100	WATERLINE EXTENSIONS	\$1,000
804131.0200	SERVICE CONNECTIONS	\$15,000
804131.0300	INTEREST ON WATER SAVINGS	\$400
804131.0400	MISCELLANEOUS	\$0
804131.0500	AVAILABILITY FEES	\$50,000
804701.0100	TRANSFER FR WATER RESERVE	\$0
804701-0700	TRANSFER FR GENERAL FUND	\$0
	TRANSFER FROM ARPA	\$128,000
	TOTAL	<b>\$1,144,400</b>
	<b>CENTER</b>	
	FACILITY RENTAL	<b>\$38,200</b>
	BAR SERVICES	<b>\$2,650</b>
	EQUIPMENT RENTAL	<b>\$450</b>
	KITCHEN USAGE	<b>\$3,050</b>

	SPONSORED EVENTS	\$10,400
	MISCELLANEOUS	\$850
	TR FROM GEN FUND MEALS	\$55,000
	TR FROM GEN FUND TOT	\$92,594
	TR FROM LONG TERM RESERVE	\$235,000
	TOTAL	\$438,194
	<b>REVENUE TOTALS:</b>	<b>\$9,421,588</b>

ACCOUNT	DESCRIPTION	FY23 PROPOSED BUDGET
	<b>EXPENDITURES</b>	
	<b>GENERAL GOVERNMENT</b>	
	<b>SALARIES</b>	
105010.0101	MAYOR	\$4,800
105010.0102	COUNCIL	\$23,040
105010.1001	TOWN OFFICE STAFF	\$426,914
105010.1003	OVERTIME	\$2,700
	TOTAL	\$457,454
	<b>BENEFITS</b>	
105010.2001	SOCIAL SECURITY	\$32,866
105010.2101	HOSPITALIZATION	\$43,953
105010.2201	RETIREMENT	\$60,536
105010.2202	VSRS/LIFE INSURANCE	\$3,089
105020.2103	UNEMPLOYMENT/TOWN	\$2,300
	TOTAL	\$142,744
	<b>OPERATIONS EXPENSES</b>	
105030.3100	BANK CHARGES	\$22,000
105030.3101	BUILDING ADMIN EXPENSE	\$100
105030.3102	CLEANING	\$19,000
105030.3103	PLANNING COMMISSION	\$100
105030.3104	BOARD OF ZONING APPEALS	\$100
105030.3105	BUILDING PERMIT SURCHARGE	\$1,000
105030.3106	BOARD OF BLDG CODE APPEAL	\$100
	PERMIT CLOUD SERVICE	\$6,000
105030.3401	INSURANCE	\$165,000
105030.3501	AUDITING	\$30,000
105030.3601	DONATIONS	\$15,000
105030.3701	TRF.TO CIVIC CENTER FUND	\$92,594
105030.3705	MEALS TAX - TOURISM 10%	\$110,000
105030.4030	ANPDC MEMBERSHIP	\$7,000
105030.4301	SCHOLARSHIP	\$2,000
105030.4401	OFFICE SUP./PUBLICATIONS	\$11,000
105030.4402	OFF.EQUIP/SOFTWARE MAINT.	\$64,500
105030.4403	POSTAGE	\$11,000

105030.4404	TAX CONVERSION	\$2,400
105030.4701	GASOLINE	\$1,800
105030.4702	VEHICLE MAINTENANCE	\$500
105030.4801	TRAVEL & TRAINING	\$1,200
105030.4901	MAYORS EXPENSE	\$300
105030.4902	COUNCILS EXPENSE	\$1,000
105030.4903	TOWN MANAGERS EXPENSE	\$500
105030.5101	ATTORNEY/LEG.CONCONSULTANTS	\$35,000
105030.5201	DRUG/ALCOHOL TESTING	\$2,000
105030.5501	CHRISTMAS DINNER	\$2,500
105030.6101	DUES	\$3,000
105030.7101	ADVERTISING & WEBSITE	\$12,000
105030.7301	BUILDING MAINTENANCE	\$12,000
105030.7401	ELECTRICITY	\$14,000
105030.7402	HEATING OIL	\$7,500
105030.7701	SPECIAL PROJECTS	\$4,000
105030.7702	PONY PENNING EXPENSE	\$13,500
105030.7703	DEER DE-POP PROGRAM	\$500
105030.8001	LEONARD ASSISTANCE FUND	\$0
105030.8202	TELEPHONE BILLS	\$29,500
	RETIREE LEAVE PAYOUT	\$0
105030.8401	HEALTH INSURANCE - RETIREES	\$40,000
105030.8402	INSUR-RET SPOUSES & OTHER	\$25,000
105030.8403	TRANSFER TO MEDICARE RESERVE	\$0
105030.8404	RETIREE PERSCRIPTION DRUG ASSIST.	\$3,500
105030.8501	MISCELLANEOUS	\$4,000
105030.8505	911 ADDRESSING	\$500
105030.8600	CEMETERY CLEANUP	\$200
105030.8625	OLD FIREHOUSE/GARAGE MAINT	\$10,000
105030.8650	APRP PROJECTS	\$344,000
105030.8700	VA COMM FOR THE ARTS	\$9,000
105030.8710	CARES ACT ASSISSTANCE	\$0
105030.8900	TRANSFER TO TROLLEY FUND	\$25,419
105030.8910	TRANSFER TO GENERAL FUND RESERVE	\$0
105030.8913	TRF TO RECREATION/TOURISM RESERVE	\$50,000
105030.8914	REC./TOURISM EXPENSE 1% OF TOTAX	\$0
105030.9000	TRANSFER TO HARBOR	\$77,710
	<b>TOTAL</b>	<b>\$1,289,023</b>
	<b>CAPITAL IMPROVEMENTS</b>	
105090.9704	PROPERTY ACQUISTION RESERVE	\$0
105090.9705	PROPERTY ACQUISTION	\$0
105090.9709	OFFICE EQUIP	\$5,000
105090.9710	COUNCIL ROOM EQUIPMENT/FURNITURE	\$9,183
105090.9715	NEW BOILER-MUN BLDG	\$0
105090.9725	REHAB TOWN OFFICE RESTROOMS	\$0
	<b>TOTAL</b>	<b>\$14,183</b>

	<b>GEN GOV TOTALS:</b>	<b>\$1,903,404</b>

ACCOUNT	DESCRIPTION	FY23 PROPOSED BUDGET
	<b>EXPENDITURES</b>	
	<b>EMS</b>	
	<b>SALARIES</b>	
105110.1002	EMERGENCY MED. STAFF	\$820,373
105110.1003	OVERTIME	\$71,674
	<b>TOTAL</b>	<b>\$892,047</b>
	<b>BENEFITS</b>	
105110.2001	SOCIAL SECURITY	\$68,243
105110.2101	HOSPITALIZATION	\$76,440
105110.2201	RETIREMENT	\$91,787
105110.2202	VSRS/LIFE INSURANCE	\$4,409
	<b>TOTAL</b>	<b>\$240,879</b>
	<b>OPERATIONS EXPENSES</b>	
105130.3107	EMERGENCY MED. CLOTHING	\$4,500
105130.3108	EMS CELL ALLOWANCE	\$3,000
105130.3602	FIRE DEPARTMENT DONATION	\$31,500
105130.4401	OFFICE SUP./PUBLICATIONS	\$300
105130.4402	OFF.EQUIP/SOFTWARE MAINT.	\$1,000
105130.4801	TRAVEL & TRAINING	\$2,000
105130.6101	DUES	\$500
105130.7601	VA FIRE PROG/CVFC	\$15,000
105130.7602	EOC OPERATIONS/TRAINING	\$3,000
105130.8501	MISCELLANEOUS	\$0
105130.8912	VOLSAP FOR VOLUNTEER FIREFIGHTERS	\$4,500
	<b>TOTAL</b>	<b>\$65,300</b>
	<b>CAPITAL IMPROVEMENTS</b>	
105190-9100	EMPLOYEE LOCKERS	\$0
105190-9150	TRAINING EQUIPMENT	\$0
	<b>TOTAL</b>	<b>\$0</b>
	<b>EMERG SERVICES DEPT TOTALS:</b>	<b>\$1,198,226</b>

ACCOUNT	DESCRIPTION	FY23 PROPOSED BUDGET
	<b>EXPENDITURES</b>	
	<b>PUBLIC WORKS</b>	
	<b>SALARIES</b>	
106010.1001	SALARIES*	\$369,320
106010.1003	OVERTIME	\$5,500
	<b>TOTAL</b>	<b>\$374,820</b>

<b>BENEFITS</b>		
106010.2001	SOCIAL SECURITY	\$28,673
106010.2101	HOSPITALIZATION	\$66,503
106010.2201	RETIREMENT	\$52,369
106010.2202	VSRS/LIFE INSURANCE	\$2,516
	<b>TOTAL</b>	<b>\$150,061</b>
<b>OPERATIONS EXPENSES</b>		
106030.4100	SEASONAL DECO & BANNERS	\$2,000
106030.4401	OFFICE SUPPLIES & EQUIP.	\$400
106030.4501	STREET MAINTENANCE	\$1,000
106030.4502	STREET SIGNS / 911	\$150
106030.4503	STREET LIGHTS	\$23,000
106030.4701	GASOLINE/DIESEL	\$30,000
106030.4703	OIL/GREASE	\$1,100
106030.4704	TOOLS/SHOP	\$2,500
106030.4801	TRAVEL & TRAINING	\$500
106030.5202	CLOTHING/UNIFORMS	\$5,500
106030.7301	BLDG. MAINTENANCE	\$3,000
106030.7302	EQUIPMENT REPAIRS	\$15,000
106030.7303	SAFETY	\$500
106030.7304	VEHICLE P/M'S	\$500
106030.7305	TIRES	\$2,000
106030.7306	GARAGE SUPPLIES	\$4,000
106030.7307	VEHICLE REPAIRS	\$6,000
106030.7401	ELECTRICITY	\$13,000
106030.7402	LP GAS	\$2,250
106030.7501	TIPPING FEES	\$1,000
106030.7502	SANITATION CONTRACT	\$420,000
106030.8501	MISC.	\$1,500
106030-8510	ROBERT REED PARK DONATIONS	\$0
106030.8590	PARKS & REC EXPENSE	\$30,000
106030.8600	VANDALISM REPAIRS	\$500
106030.8700	BOAT RAMP EXPENSE	\$1,000
106030.8701	BOAT RAMP RESERVE	\$20,000
	<b>TOTAL</b>	<b>\$586,400</b>
<b>CAPITAL IMPROVEMENTS</b>		
106090.9101	VEHICLE/EQUIPMENT	\$0
106090.9103	CONSULTANT	\$0
106090.9104	MEM PARK PIER AND RAMP REP	\$0
106090.9105	DJA CENTER EXT REPAIRS	\$25,000
	RESURFACE TENNIS AND BBALL CTS.	\$0
106090.9107	RR LANDSCAPING AND FURNITURE	\$0
106090.9108	SIDEWALK REPAIRS - MUN CENTER	\$0
106090.9110	FLOATING DOCK - RR PARK	\$0
106090.9120	REHAB EAST SIDE BOAT RAMP	\$0
106090.9200	PLAYGROUND EQUIPMENT (Brianna's Park)	\$0
106090-9300	BRIDGE TENDER HOUSE RESTORATION	\$5,000

106090.9301	PED TRAIL - SARBANES	\$0
106090.9305	REPLACE PUBLIC WORKS FUEL PUMPS	\$15,000
106090.9307	SPIN BALANCER - GARAGE	\$0
106090-9310	PARK KIOSKS AND INFO BOARDS	\$0
<del>106090-9450</del>	<del>VIDEO UPGRADES MEMORIAL PARK</del>	<del>\$0</del>
106090.9466	SEPTIC SYSTEM - CHAMBER PARCEL	\$45,000
	CHAMBER SITE PUBLIC RESTROOMS	\$55,000
106090-9475	DOG PARK	\$0
106090.9500	SMITH ST PARK PROJECT (Brianna's)	\$0
106090-9700	OCEAN BREEZE ROAD PROJECT	\$0
106090.9601	PAVE MEMORIAL PARK DRIVE AND LOTS	\$0
	BRIANNA'S PARK LIGHTING	\$20,000
	REPARIS TO DJA CENTER - Interior & RR	\$0
	REPLACEMENT BACKHOE	\$90,000
-	-	-
	<b>TOTAL</b>	<b>\$255,000</b>
	<b>PW TOTALS:</b>	<b>\$1,366,281</b>

ACCOUNT	DESCRIPTION	FY23 PROPOSED BUDGET
	<b>EXPENDITURES</b>	
	<b>MOSQUITO CTRL</b>	
	<b>SALARIES</b>	
106110-1001	SALARIES	\$36,543
106110-1003	OVERTIME	\$2,000
	<b>TOTAL</b>	<b>\$38,543</b>
	<b>BENEFITS</b>	
106110.2001	SOCIAL SECURITY	\$2,945
	<b>TOTAL</b>	<b>\$2,945</b>
	<b>OPERATION EXPENSES</b>	
106130.3401	INSURANCE	\$8,000
106130.4401	OFFICE SUPPLIES	\$50
106130.4701	GASOLINE	\$6,000
106130.4704	TOOLS & SMALL EQUIPMENT	\$500
106130.4705	CHEMICALS	\$50,000
106130.4706	CONTRACT SPRAYING	\$26,000
106130.4801	TRAVEL, TRAINING, CONFERENC	\$100
106130.5202	UNIFORMS	\$0
106130.6101	SUNDRY	\$100
106130.7302	EQUIPMENT REPAIRS/MAINT.	\$500
106130.7303	SAFETY EQUIPMENT	\$100
106130.7304	VEHICLE MAINTENANCE	\$1,000



	TOTAL	\$92,350
	<b>CAPITAL IMPROVEMENTS</b>	
106190.9124	EQUIPMENT/VEHICLES	\$0
106190.9125	DRAINAGE	\$0
	TOTAL	\$0
	<b>MOSQUITO CTRL TOTALS:</b>	<b>\$133,838</b>

ACCOUNT	DESCRIPTION	FY23 PROPOSED BUDGET
	<b>EXPENDITURES</b>	
	<b>ROADS</b>	
	<b>SALARIES</b>	
106510.1001	SALARIES	\$124,822
106510.1003	OVERTIME	\$2,500
	TOTAL	\$127,322
	<b>BENEFITS</b>	
106510.2001	SOCIAL SECURITY	\$9,740
106510.2101	HOSPITALIZATION	\$18,110
106510.2201	RETIREMENT	\$17,700
106510.2202	VRSR/LIFE INSURANCE	\$850
	TOTAL	\$46,400
	<b>OPERATIONS EXPENSES</b>	
106530.4102	SNOW REMOVAL	\$22,000
106530.4150	PAVEMENT MAINTENANCE.	\$405,000
106530.4201	SIDEWALKS	\$20,000
106530.4202	TRAFFIC CONTROL OPERATIONS	\$2,000
106530.4250	ROADSIDE STRUCTURES	\$0
106530.6250	DRAINAGE MAINTENANCE	\$5,000
106530.7202	TRAFFIC CONTROL DEVICES	\$3,000
106530.7450	ELECTRICITY	\$62,000
106530.8600	ENGINEERING	\$0
106530.9855	VEHICLES/EQUIPMENT*	\$50,000
	TOTAL	\$569,000
	<b>ROADS TOTALS:</b>	<b>\$742,722</b>

ACCOUNT	DESCRIPTION	FY23 PROPOSED BUDGET
	<b>EXPENDITURES</b>	
	<b>POLICE</b>	
	<b>SALARIES</b>	
107010.1001	SALARIES/OFFICERS	\$742,152

107010.1003	OVERTIME	\$9,800
	<b>TOTAL</b>	<b>\$751,952</b>
	<b>BENEFITS</b>	
107010.2001	SOCIAL SECURITY	\$57,524
107010.2101	HOSPITALIZATION	\$107,016
107010.2201	RETIREMENT	\$106,140
107010.2202	VRSR/LIFE INSURANCE	\$4,776
	<b>TOTAL</b>	<b>\$275,456</b>
	<b>OPERATIONS EXPENSES</b>	
107030.4701	GASOLINE	\$27,000
107030.4801	TRAVEL & TRAINING	\$19,000
107030.5201	UNIFORM ALLOWANCE (OFF.)	\$8,100
107030.5202	UNIFORMS (TOWN)	\$3,000
107030.7300	OFFICE SUPPLIES/EQUIPMENT	\$5,000
107030.7302	EQUIP. MAINT. AGREEMENTS/software	\$7,500
107030.7304	VEHICLE MAINTENANCE	\$6,500
107030.7901	DRUG ENFORCEMENT	\$5,000
107030.7903	ACADEMY DUES	\$8,000
107030.7904	BICYCLE PATROL	\$500
107030.7905	COMMUNITY/YOUTH PROGRAMS	\$30,000
107030.7906	GRANT FUNDED EXPENDITURES	\$25,000
107030.7907	AMMUNITION	\$3,000
107030.8203	CELL PHONE ALLOWANCE	\$3,200
107030.8205	POLICE ACCREDITATION	\$2,000
107030.8501	SUNDRY	\$1,500
	<b>TOTAL</b>	<b>\$154,300</b>
	<b>CAPITAL IMPROVEMENTS</b>	
107090.9650	PATROL VEHICLE	\$40,000
107090.9655	LSV (for use by seasonal and SRO)	\$0
107090.9660	KEVLAR VESTS	\$0
107090.9663	Stancil Recorder	\$0
107090.9565	RADIO REPEATER	\$0
<del>107090.9670</del>	<del>IN-CAR COMPUTERS</del>	<del>\$0</del>
107090-9690	Intoxilyzers, vehicle 3 ea	\$0
107090-9695	FINGERPRINT SCANNER	\$0
107090.9696	COMPUTERS/SOFTWARE	\$3,000
107090.9697	KITCHENETTE	\$0
107090.9698	Camera system-interrogation room	\$0
<del>107090-9700</del>	<del>Radar Units x 5</del>	<del>\$0</del>
<del>107090-9710</del>	<del>internal surveillance PD</del>	<del>\$0</del>
107090.9715	Patrol Vehicle Rifles	\$0
107090.9720	Patrol Vehicle Bailout Bags	\$0
	Equip new Officers	\$10,000
107090-9750	Magistrate Com	\$0

107090-9760	Software Maintenance-cameras	\$6,500
107090.9762	CELLBRIGHT CELL PHONE TOOL	\$0
107090.9675	SURVEILLANCE EQUIPMENT	\$0
107090.9685	SRTS Program Projects	\$0
	<b>TOTAL</b>	<b>\$59,500</b>
	<b><i>POLICE TOTALS</i></b>	<b><i>\$1,241,208</i></b>

ACCOUNT	DESCRIPTION	FY23 PROPOSED BUDGET
	<b>EXPENDITURES</b>	
	<b>DISPATCH</b>	
	<b>SALARIES</b>	
107510.1001	SALARIES/DISPATCHERS	\$192,389
107510.1003	OVERTIME	\$2,700
	<b>TOTAL</b>	<b>\$195,089</b>
	<b>BENEFITS</b>	
107510.2001	SOCIAL SECURITY	\$14,924
107510.2101	HOSPITALIZATION	\$30,576
107510.2201	RETIREMENT	\$20,876
107510.2202	VSRS/LIFE INSURANCE	\$1,003
	<b>TOTAL</b>	<b>\$67,379</b>
	<b>OPERATIONS EXPENSES</b>	
107530.4801	TRAVEL & TRAINING-DISP.	\$2,500
107530.5201	UNIFORM ALLOWANCE (DISP)	\$1,200
107530.5202	UNIFORM (TOWN-FOR DISP)	\$650
107530.7300	EQUIP MAINT AGREEMENTS	\$14,500
	DISPATCH SERVICE AGREEMENT	\$12,000
107530.8501	SUNDRY	\$150
	<b>TOTAL</b>	<b>\$31,000</b>
	<b>CAPITAL IMPROVEMENTS</b>	
-	-	-
	<b>TOTAL</b>	<b>\$0</b>
	<b><i>DISPATCH TOTALS:</i></b>	<b><i>\$293,468</i></b>

ACCOUNT	DESCRIPTION	FY23 PROPOSED BUDGET
	<b>EXPENDITURES</b>	
	<b>WATER</b>	
	<b>SALARIES</b>	
806210.1001	SALARIES	\$275,134
806210.1003	OVERTIME	\$5,000

806210.1004	PUMP DUTY	\$19,000
	<b>TOTAL</b>	\$299,134
	<b>BENEFITS</b>	
806210.2001	SOCIAL SECURITY	\$22,884
806210.2101	HOSPITALIZATION	\$33,869
806210.2201	RETIREMENT	\$39,014
806210.2202	VRS LIFE INSURANCE	\$1,874
	<b>TOTAL</b>	\$97,641
	<b>OPERATION EXPENSES</b>	
806230.4401	OFFICE SUPP/EQUIP MAINT	\$1,200
806230.4403	POSTAGE	\$5,000
806230.4701	GASOLINE & DIESEL	\$9,750
806230.4704	TOOLS	\$1,000
806230.4705	CHEMICALS	\$12,000
806230.4801	TRAVEL & TRAINING	\$1,000
806230.5202	UNIFORMS	\$1,100
806230.6101	DUES/LICENSES	\$800
806230.7301	BUILDING MAINT/REHAB	\$2,100
806230.7303	SAFETY	\$500
806230.7304	VEHICLE MAINTENANCE	\$1,000
806230.7400	RAW WATER PURCHASE (NASA)	\$0
806230.7401	ELECTRICITY	\$40,000
806230.7402	LP GAS	\$528
806230.8101	DISTRIBUTION & REPAIRS	\$45,000
806230.8103	SUPPLY REPAIRS	\$10,000
806230.8202	CELL PHONE ALLOWANCE	\$900
806230.8204	MISS UTILITY	\$800
806230.8209	SUBSCRIPTION-NEPTUNE 360	\$8,000
806230.8501	SUNDRY	\$500
806230.8601	REIMBURSEMENT TO FUND 10	\$100,000
	WATER RATE STUDY	\$0
806230.8750	REGULATION COMPLIANCE	\$6,000
806230.8770	STATE GROUNDWATER PERMITS	\$10,000
	TOWER RENT FOR GATEWAY	\$2,700
806230.8900	TRANSFER TO WATER RESERVES	\$171,450
806230.9100	ENGINEERING	\$8,000
	<b>TOTAL</b>	\$439,328
	<b>CAPITAL IMPROVEMENTS</b>	
806290.9101	WATER MAIN EXTENSIONS	\$5,000
<del>806290.9200</del>	<del>2017 EXPL WELL</del>	<del>\$0</del>
<del>806290.9205</del>	<del>NASA WELL REIMBURSEMENT</del>	<del>\$0</del>
806290.9206	GENERATOR WATER PLANT	\$0
80620.9207	METERED DISTRIBUTION	\$10,000
806290.9506	WATER BONDS	\$0
806290.9507	INTEREST ON WATER BONDS	\$0

806290-9508	AMI BOND	\$86,564
806290-9509	AMI BOND Interest	\$16,464
806290.9600	WATER LINE REPLACE	\$128,000
<del>806290-9630</del>	<del>WIRELESS METERS</del>	<del>\$0</del>
806290-9635	WIRELESS METERS - GATEWAYS	\$0
<del>806290-9700</del>	<del>LAND ACQUISITION</del>	<del>\$0</del>
806290-9701	HIGH RISE TANK PAINT	\$0
806290.9703	GWST Tank Paint	\$0
806290.9704	High Rise lift pumps W/ VFD's	\$22,269
	VFD for well # 6	\$0
806290-9848	8" CHANNEL CROSSING	\$0
806290.9850	VEHICLE	\$0
	REPLACE FILTER MEDIA - WILLOW ST.	\$40,000
806290-9851	DESALINATION FEASIBILITY STUDY	\$0
806290.9855	EQUIPMENT	\$0
806290.9856	SOFTWARE, COMPUTERS	\$0
	<b>TOTAL</b>	<b>\$308,297</b>
	<b>WATER TOTALS:</b>	<b>\$1,144,400</b>

ACCOUNT	DESCRIPTION	FY23 PROPOSED BUDGET
	<b>EXPENDITURES</b>	
	<b>HARBOR</b>	
	<b>SALARIES</b>	
308010.1001	SALARIES	\$51,704
308010.1003	OVERTIME	\$0
	<b>TOTAL</b>	<b>\$51,704</b>
	<b>BENEFITS</b>	
308010.2001	SOCIAL SECURITY	\$3,960
308010.2101	HOSPITALIZATION	\$0
308010.2201	RETIREMENT	\$7,332
308010.2202	VRS LIFE INSURANCE	\$353
	<b>TOTAL</b>	<b>\$11,645</b>
	<b>OPERATIONS EXPENSES</b>	
308030.7300	OPERATIONS, MAINT.,ST. LIGHTS, ETC.	\$40,000
308030.7315	FUEL PURCHASE	\$360,000
308030.8501	SUNDRY	\$500
	<b>TOTAL</b>	<b>\$400,500</b>
	<b>CAPITAL IMPROVEMENTS</b>	
308090.9124	LONG TERM REPLACEMENT RES	\$54,000
308090.9200	INFRASTRUCTURE REPAIRS/UPGRADES	\$28,548
308090.9130	NEW FUEL SYSTEM	\$0
308090-9210	WEST SIDE RESTROOMS	\$0
308090-9300	FLOATING DOCK FINGER PIER	\$215,826

	MEM PARK RAMP IMPROVEMENTS	\$310,000
	FENCE NE SIDE	\$0
	B.I.G. UPGRADES HARBOR, RR PARK	\$63,050
	<b>TOTAL</b>	<b>\$671,424</b>
	<b>HARBOR TOTALS:</b>	<b>\$1,135,273</b>

ACCOUNT	DESCRIPTION	FY23 PROPOSED BUDGET
	<b>EXPENDITURES</b>	
	<b>TROLLEY</b>	
	<b>SALARIES</b>	
703010.0100	SALARIES	\$44,730
	<b>TOTAL</b>	<b>\$44,730</b>
	<b>BENEFITS</b>	
703010.2001	SOCIAL SECURITY	\$3,422
	<b>TOTAL</b>	<b>\$3,422</b>
	<b>OPERATIONS EXPENSES</b>	
703030.3401	INSURANCE & BONDING	\$3,400
703030.4400	COMMUNICATION SERVICES	\$800
703030.4401	PRINTING & REPRODUCTION	\$2,600
703030.4402	ADVERTISING	\$1,000
703030.4403	EDUCATION & TRAINING	\$800
703030.4404	CLEANING SUPPLIES	\$400
703030.4406	SUPPLIES, MATERIALS	\$500
703030.4407	MEMBERSHIPS & DUES	\$250
703030.4408	TRAVEL & MEALS	\$500
703030.4701	FUEL & LUBRICANTS	\$12,500
703030.4702	TIRES & TUBES	\$1,200
703030.4703	UNIFORMS	\$1,400
703030.4704	PARTS	\$750
703030.5201	DRUG TESTING	\$1,400
703030.6100	RTAP EXPENSES	\$0
703030.7302	REPAIRS/MAINT	\$6,500
703030.8505	RENT TO GENERAL FUND	\$15,000
	<b>TOTAL</b>	<b>\$49,000</b>
	<b>CAPITAL IMPROVEMENTS</b>	
703090.9001	TROLLEY & VAN PURCHASE	\$165,500
703090.9100	CAPITAL EXPENDITURES	
	<b>TOTAL</b>	<b>\$165,500</b>
	<b>TROLLEY TOTALS:</b>	<b>\$262,652</b>

ACCOUNT	DESCRIPTION	FY23 PROPOSED BUDGET
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<b>CENTER</b>		
<b>EXPENDITURES</b>		
<b>SALARIES</b>		
SALARIES		\$37,702
TOTAL SALARIES		\$37,702
<b>BENEFITS</b>		
SOCIAL SECURITY		\$2,869
HOSPITALIZATION		\$5,733
RETIREMENT		\$5,346
VSRS/LIFE INSURANCE		\$271
TOTAL BENEFITS		\$14,219
<b>OPERATIONS EXPENSES</b>		
INSURANCE & BONDING		\$7,200
PRINTING & REPRODUCTION		
ADVERTISING & PROMOTION		\$8,000
MARKETING		\$3,000
CONTRACT SERV. MARKETING		\$10,000
EDUCATION & TRAINING		\$300
CLEANING SUPPLIES		\$2,500
SUPPLIES, MATERIALS		\$3,400
OFFICE EQUIPMENT		\$1,700
OFFICE SUPPLIES		\$2,900
CONTRACTUAL SERVICES		\$8,800
ELECTRIC UTILITY		\$18,000
PROPANE		\$6,500
TELEPHONE		\$1,500
INTERNET		\$1,500
ACCOUNTING FEES		\$0
LEGAL FEES		\$0
BANK FEES		\$750
MEMBERSHIPS & DUES		\$500
TRAVEL & MEALS		\$500
EVENTS EXPENSE		\$6,400
RENT TO GENERAL FUND		\$0
TRANSFER TO CENTER LT RESERVE		\$0
TOTAL EXPENSES		\$83,450
<b>CAPITAL IMPROVEMENTS</b>		
HVAC OVERHAUL		\$213,000
INTERIOR PAINTING		\$5,000
AUDIO VISIUAL SYSTEM O/H		\$53,800
KITCHEN RENOVATION		\$31,023
TOTAL CAPITAL IMPROVEMENTS		\$302,823
<b><i>CENTER TOTALS</i></b>		<b><i>\$438,194</i></b>

**Summary**

<b>EXPENDITURE TOTALS</b>		
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		<b>FY23</b>
<i><b>GENERAL GOVERNMENT</b></i>		<b>\$1,903,404</b>
<i><b>EMERGENCY SERVICES</b></i>		<b>\$1,198,226</b>
<i><b>PUBLIC WORKS</b></i>		<b>\$1,366,281</b>
<i><b>MOSQUITO CONTROL</b></i>		<b>\$133,838</b>
<i><b>ROADS</b></i>		<b>\$742,722</b>
<i><b>POLICE</b></i>		<b>\$1,241,208</b>
<i><b>DISPATCH</b></i>		<b>\$293,468</b>
<b>TOTAL GENERAL FUND</b>		<b>\$6,879,147</b>
<b>TOTAL HARBOR FUND</b>		<b>\$1,135,273</b>
<b>TOTAL TROLLEY FUND</b>		<b>\$262,652</b>
<b>TOTAL WATER FUND</b>		<b>\$1,144,400</b>
<b>TOTAL CENTER FUND</b>		<b>\$438,194</b>
<b>TOTAL EXPENDITURES</b>		<b>\$9,859,666</b>

<b><u>REVENUE TOTALS</u></b>		
<b>TOTAL GENERAL FUND</b>		<b>\$6,879,147</b>
<b>TOTAL HARBOR FUND</b>		<b>\$1,135,273</b>
<b>TOTAL TROLLEY FUND</b>		<b>\$262,652</b>
<b>TOTAL WATER FUND</b>		<b>\$1,144,400</b>
<b>TOTAL CENTER FUND</b>		<b>\$438,194</b>
<b>TOTAL REVENUES</b>		<b>\$9,859,666</b>

### **Mayor and Council Comments**

Councilman Taylor commented that it's great to have conservative staff that doesn't waste. He feels they're doing a good job. They are blessed to have the visitors still coming to the Island with the gas prices and asked everyone to be extra kind to them.

Councilman McComb congratulated the Lady Ponies Softball Team for winning the district title. He looks forward to the playoffs.

Vice Mayor Bott congratulated the students that participated in the Student Government Day. He would like them to stay involved. He added that getting involved at an early age is important, not just for themselves, but for the community.

Councilwoman Bowden agreed. She stated that you learn a lot and can take it with you for the rest of your lives. She is also proud of the Lady Ponies Softball Team. She advised how great they are to have all the girls' teams win the district championships this year. She commented that Town Manager Tolbert and staff did a great job with the budget. She doesn't know what to do about the e-scooters. She advised that every day she is getting complaints about them as they aren't following the rules of the road. She suggested having the officers to stop the kids to



remind them of the rules. She fears that someone will be hurt with the influx of the people coming. She concluded with “Go Yankees!”.

Councilwoman Richardson also commented on the e-bikes that are whipping in and out of traffic on and off the sidewalks and not following the rules of the road. She saw one almost cut out a parent pushing her child in a stroller. She feels they don’t mean harm, but someone will be injured. She commented further. She also reviewed the rules to ride the e-bikes. She is also very proud of the schools and students. She stated that when they come back, after college and we see what they’ve done with their lives, it means a lot. She apologized that she was unable to attend the Student Government Day due to work responsibilities. She also thanked Mrs. Farrell for allowing them to participate.

Mayor Leonard feels the e-scooters will be trouble because they’re easy for the parents to turn them loose. He added that they can preach the rules, and nothing will happen until there is an accident. He also stated that it’s because it is a new technology, the ramifications and rules haven’t caught up to it yet. He also commented that he enjoyed the students yesterday. He commented that it’s their island and they should make it what they can. He stated that they want to break out the different parks. Brianna’s Park for smaller children and Memorial Park for teens. He added that they also didn’t want bicycles to be allowed on the Causeway.

Town Manager Tolbert advised he had a request from a student to increase the speed limit on the Island to 40mph.

Mayor Leonard added that the softball state tournament will be here next week, and he encouraged everyone to show their support. He concluded with “Roll Tide”.

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

**Councilwoman Bowden motioned, seconded by Councilwoman Richardson to go into a closed meeting in accordance with §2.2-3711 (A) (1 & 5) of the Code of Virginia to discuss perspective business opportunities and personnel matters. Unanimously approved.**

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

**Nays: None**

**Absent: None**

**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 only such public business matters were identified in the motion by which the closed meeting was convened, were heard, discussed, or considered. Unanimously approved.**

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

**Nays: None**

**Absent: None**

**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

**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.**

**(2) 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

**MINUTES OF THE JUNE 16, 2022**  
**CHINCOTEAGUE TOWN COUNCIL MEETING**  
**Council Chambers**

**Council Members Present:**

Christopher D. Bott, Vice Mayor  
Denise P. Bowden, Councilwoman (remotely)  
William T. McComb, Jr., Councilman  
Ellen W. Richardson, Councilwoman  
Gene W. Taylor, Councilman

**Council Members Absent:**

J. Arthur Leonard, Mayor  
K. Jay Savage, Councilman

**Staff Present:**

Mr. Michael T. Tolbert, Town Manager  
Mr. Robby Fisher, Chief of Police

**Consider Remote Participation**

Vice Mayor Bott advised that Councilwoman Bowden is attending the meeting by phone.

**Councilman McComb motioned, seconded by Councilwoman Richardson to allow remote participation by Councilwoman Bowden. All present were in favor and the motion was carried.**

**Ayes: Bott, McComb, Richardson, Taylor**

**Nays: None**

**Absent: Leonard, Savage**

**Call to Order**

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

**Invocation**

Councilman Taylor offered the invocation.

**Pledge of Allegiance**

Vice Mayor Bott led in the Pledge of Allegiance.

**Public Comment**

There was none.

**Agenda Adoption**

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

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

**Nays: None**

**Absent: Leonard, Savage**

## **Resolutions of Respect and Admiration**

Vice Mayor Bott read and presented Resolutions of Respect and Admiration to: Mr. James Carpenter, Mr. Bob Conklin, and Mr. Bill Speidel.



## **Resolution of Respect and Admiration**

Whereas, Mr. James Carpenter has resided within the Town of Chincoteague for some 86 Years, and

Whereas, Mr. Carpenter has served his Country and the Island in the United States Coast Guard, and

Whereas, Mr. Carpenter has tirelessly served his community through volunteer service to various civic organizations, and

Whereas, Mr. Carpenter has worked diligently to document and record the Island's past demonstrating a lifelong commitment to preserving the history of his community, and

Whereas, Mr. Carpenter has compiled and published a number of historical volumes of various subjects of Island history including identifying and indexing Island cemeteries, documenting a history of all Island businesses and an autobiography of his life on Chincoteague,

Now therefore be it resolved that,

the Town Council bestows this resolution of respect and admiration to Mr. James Carpenter for his lifelong commitment to the preservation of Chincoteague Island and his diligence in the conservation of its history.

Presented this 16<sup>th</sup> day of June 2022

\_\_\_\_\_  
Mayor: John A. Leonard

Attest: Michael T. Tolbert, Town Manager



## Resolution of Respect and Admiration

- Whereas Mr. Henry James “Bob” Conklin has resided within the Town of Chincoteague for some 91 Years, and
- Whereas Mr. Conklin has served his country and the Island in the United States Navy, and
- Whereas Mr. Conklin established multiple businesses on the Island some of which have remained in business for over 50 years and,
- Whereas, Mr. Conklin has worked diligently to document and record the history of the Island including the March 1962 storm, demonstrating a lifelong commitment to preserving the history of his community and,
- Whereas Mr. Conklin has lent his technical expertise and personal archives to several projects that help maintain the Island’s history for the benefit of future generations.

Now therefore be it resolved that

the Town Council for bestows this resolution of respect and admiration to Mr. Henry James “Bob” Conklin for his lifelong commitment to the preservation of Chincoteague Island and his diligence in the preservation of its history.

Presented this 16<sup>th</sup> day of June, 2022

Attest: John A. Leonard

Attest: Michael T. Tolbert, Town Manager



## Resolution of Respect and Admiration

Whereas, Mr. William Speidel has resided within the Town of Chincoteague for some 76 Years, and

Whereas, Mr. Speidel has demonstrated a commitment to the service of his fellow citizens, and

Whereas, Mr. Speidel has tirelessly served his community through volunteer service to various civic organizations, and

Whereas, Mr. Speidel has worked for decades to document and record the history of the Island exhibiting a lifelong commitment to preserving the history of his community through photographs film and video and,

Whereas, Mr. Speidel has lent his technical expertise and personal archives to several projects that help maintain the Island's history for future generations,

Now therefore be it resolved that,

the Town Council bestows this resolution of respect and admiration to Mr. William Speidel for his lifelong commitment to the preservation of Chincoteague Island and his diligence in the conservation of its history.

Presented this 16<sup>th</sup> day of June, 2022

\_\_\_\_\_  
Mayor: John A. Leonard

\_\_\_\_\_  
Attest: Michael T. Tolbert, Town Manager

Councilwoman Richardson commented that Mr. Carpenter was instrumental to the Town of Chincoteague in developing a Cemetery Preservation Plan. She showed the Island cemetery book he wrote advising they're dogeared because she refers to them nearly every day. She stated that she also purchased one for the Town advising people would call the Town office asking about their relatives. Staff would look in the "Dead Book" and researched to find their relative. She advised it's an asset. She commented on Mr. Bob Conklin. Every time she needed a picture, she would ask him, and he would look in his archives. She showed a book with a lot of his photos in it, adding that it isn't out in print any longer. She thanked all of them for all they've done to preserve the history of the Town. She then commented on Mr. Bill Speidel. She stated that she didn't know she had the disc she was holding in her possession. She advised it is the Assateague Bridge Authority Ceremony which was done in April 2004 that she took to him on a video, and he put it on a disc. He has also done a disc of the 1908 celebration. She believes anyone who had a historic picture would take it to Mr. Speidel who would then scan it. He would also take the VHS movies and transfer it to a disc. She reported that the Museum is preparing to celebrate the 100<sup>th</sup> anniversary of the Causeway in October of this year. They are working on an exhibit. She was hoping that someone had pictures of the old wooden bridge in 1922. She showed a picture of the old bridge.

Councilwoman Richardson stated there is another historian in this room, and it's Mrs. Marlene Carpenter. She also stated that Mrs. Carpenter could tell you history and added that she was told it used to cost \$0.05 to go off the Island, but nothing to come back. She thanked and expressed her appreciation to all of them for their work in preserving the history of the Island. She stated that when she came to the Town Council in 2000 there were no historic pictures or books on record. She found that Mrs. Karen Hipple appreciated the history of the Island, and she would scan and archive pictures, books, and discs. She offered that if anyone has any historic pictures to bring them into the Town office to Finance Director Lewis and she would be happy to scan them in for the record.

Councilman Taylor thanked them and stated that these are great citizens. He encouraged them to keep doing and enjoy doing what they do.

Councilwoman Bowden stated that she is a history buff and lover of Chincoteague. She thanked people and especially those who were recognized that preserve and keep the history of the Island. It means a lot to her to keep for future generations to look back and see where they came from. She expressed kudos and thanked everyone that was recognized this evening.

Councilman McComb congratulated them. He expressed his appreciation for everything they've done, what they'll continue to do for everyone here, and making sure to preserve the history for all of us. He thanked them.

Vice Mayor Bott thanked Mr. Carpenter, Mr. Conklin, and Mr. Speidel as history is very important.

Mr. Carpenter thanked them for inviting him and for the award.

### **Adoption of State Vehicle Code**

Town Manager Tolbert advised this is an annual readoption to ensure the Town Code aligns with any changes in the relevant portion of the Code of Virginia Chapter 58.

**Councilman McComb motioned, seconded by Councilwoman Richardson to adopt the 2022 Virginia State Vehicle Code. All present were in favor and the motion was carried.**

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

**Nays: None**

**Absent: Leonard, Savage**

## **TRAFFIC AND VEHICLES ARTICLE I. IN GENERAL**

### **Sec. 58-1. Compliance with chapter; violations and penalties generally.**

(a) It shall be unlawful for any person to violate or fail to comply with any of the sections of this chapter or of any rule or regulation promulgated pursuant to this chapter.

(b) Every person convicted of a violation of any of the sections of this chapter for which no other penalty is provided shall be punished by a fine of not more than \$200.00.

(Code 1977, § 11-21)

**State law references**—Penalties for motor vehicle violations, Code of Virginia, § 46.2-113; town prohibited from imposing a penalty for violation of motor vehicle ordinance in excess of that imposed by state for a similar offense, Code of Virginia, § 46.2-1300.

### **Sec. 58-2. Adoption of state law; former provisions.**

(a) Pursuant to the authority of Code of Virginia, § 46.2-1313, as amended, all of the provisions and requirements of the laws of the Commonwealth of Virginia contained in Title 46.2 of the Code of Virginia of 1950, as amended; Article 9 (§16.1-278 *et seq.*) of Chapter 11 of Title 16.1 of the Code of Virginia of 1950, as amended; and Article 2 (§18.2-266 *et seq.*) of Chapter 7 of Title 18.2 of the Code of Virginia of 1950, as amended, in effect on July 1, 2022, except those provisions and requirements the violation of which constitute a felony and except those provisions and requirements which by their very nature can have no application to or within the Town, are adopted and incorporated herein by reference and made applicable within the Town. References to “highways of the state” contained in such provisions and requirements hereby adopted shall be deemed to refer to the streets, highways, and other public ways within the town. Such provisions and requirements hereby adopted, *mutatis mutandis*, are made a part of this section as fully as though set forth at length herein, and it shall be unlawful for any person within the town to violate or fail, neglect, or refuse to comply with the provisions of Title 46.2 of the Code of Virginia of 1950, as amended; Article 9 (§16.1-278 *et seq.*) of Chapter 11 of Title 16.1 of the Code of Virginia of 1950, as amended; and Article 2 (§18.2-266 *et seq.*) of Chapter 7 of Title 18.2 of the Code of Virginia of 1950, as amended, which are adopted by this section, provided that in no event shall the penalty imposed for violation of any provision or requirement hereby adopted exceed the penalty imposed for a similar offense under Title 46.2 of the Code of Virginia of 1950, as amended; (§16.1-278 *et seq.*) of Chapter 11 of Title 16.1 of the Code of Virginia of 1950, as amended; and Article 2 (§18.2-266 *et*

*seq.*) of Chapter 7 of Title 18.2 of the Code of Virginia of 1950, as amended. Amendments to the above provisions of the laws of the Commonwealth of Virginia hereafter adopted shall be incorporated herein on their respective effective dates unless specifically rejected by the governing body of the town.

(Code 1977, § 11-1; Ord. of 6-21-2001; Readopted 6-3-02, 6-2-03, 7-6-04, 6-16-05, 6-15-06, 6-4-07, 6-2-08, 7-1-09, 6-17-10, 6-6-11, 6-4-12, 6-3-13, 6-19-14, 6-18-15, 6-16-16, 6-15-18, 6-3-19, 7-16-20, 6-17-2022)

(b) The provisions of this section, as readopted, shall be effective as of 12:01 am July 1, 2022. As of such effective date, such readoption shall replace former section 58-2 as it existed prior to the effective date of readoption, provided that such repeal shall not affect any act or offense done or committed or any penalty or forfeiture incurred, or any right established or suit or action pending on that day. Except as otherwise provided, neither the repeal of section 58-2 nor the enactment of this readoption shall apply to offenses committed prior to the effective date of this section, and prosecution for such offense shall be governed by pitot law, which is continued in effect for that purpose.

(Code 1977, § 11-1; Ord. Of 6-21-2001' Readopted 6-3-02, 6-2-03, 7-6-04, 6-16-05, 6-15-06, 6-4-07, 6-2-08, 7-1-09, 6-17-10, 6-19-14, 6-18-15, 6-16-16, 6-15-18, 6-3-19, 7-16-20, 6-16-2022)

### **Review and Consider Employee Raises**

Town Manager Tolbert explained the overall review scores and proposed increases. He advised that the part-time employees were also evaluated and resulted in merit increases. He reviewed the cost to the Town, advising they are under budget by \$21,000. He stated that he and the Budget and Personnel Committee recommend approval of the employee increases as presented.

**Vice Mayor Bott motioned, seconded by Councilman McComb to approve to move forward with the merit increases for FY23 as presented. All present were in favor and the motion was carried.**

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

**Nays: None**

**Absent: Leonard, Savage**

### **Review Annual Excise Tax Appropriations**

Vice Mayor Bott stated that this is to address the issue of the Meals Tax contribution to the Center and the Chamber. He asked Town Manager Tolbert to explain further.

Town Manager Tolbert advised that this budget, FY22, \$110,000 was budgeted for the Meals Tax contribution to be split between the Center and the Chamber. The contribution is 5% per month of the Meals Tax collected for the previous month. The budget was met in March, and the payments stopped. He added that the Center is going to be operated by the Town. There were questions as to why the Chamber stopped receiving the funds. He then reported that in 2018 Council voted to cap the distributions to the Center and Chamber. However, in March 2019 the cap was rescinded. There is currently no cap, but the contributions stopped because the budgeted amount has been reached. He asked Council if they wanted to continue to make the back payments for April and May and make June's when it comes due. He advised that the April and May payments will cost \$7,707 and he reported that June of last year was \$7,151, which totals approximately \$15,000.



Vice Mayor Bott stated that in the Budget and Personnel Committee meeting they agreed to continue payment and to make the back payment. They also recommended that the ordinance go back to the Ordinance Committee for further review. He feels with the Town taking over the Center, it should be revisited.

**Vice Mayor Bott motioned, seconded by Councilman McComb to continue with the Meals Tax distributions to the Center and the Chamber and make payment of the back distributions. All present were in favor and the motion was carried.**

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

**Nays: None**

**Absent: Leonard, Savage**

#### **Approval of Modified Salary Schedule**

Town Manager Tolbert advised he made modifications to the maximum salaries in the grade class for all positions. He asked Council for approval of the new salary schedules.

Vice Mayor Bott advised that the Budget and Personnel Committee was also in favor of the change in the salary scale.

**Vice Mayor Bott motioned, seconded by Councilwoman Bowden to approve the modified salary scale as presented. All present were in favor and the motion was carried.**

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

**Nays: None**

**Absent: Leonard, Savage**

#### **Mayor and Council Comments**

Councilman Taylor thanked those for keeping and maintaining the history of the Island. He also thanked the EMS and Police for their daily operations. He stated that you don't know what it is, until you walk in those men and women's shoes. He feels they are blessed to live in a great place and the EMS and Police keep it safe for all. He thanked them for keeping everyone safe and urged them to keep staff trained.

Councilman McComb congratulated Major Greenley for completing the FBI school and representing the Town well. He extended prayers for Councilman Savage and his father.

Councilwoman Richardson thanked Town Manager Tolbert and Finance Director Lewis for the resolutions this evening. She also stated that it means a lot to get a thank you for what you've done.

Vice Mayor Bott stated that the Town spends a lot on the EMS Program in comparison to the neighboring communities. He advised that Memorial Day Sunday he was working at the pharmacy when he received a call from his wife that his youngest son was in a surfing accident at the beach. He added that they called the ambulance. He left the pharmacy enroute to the beach and the ambulance beat him there. He stated that it was impressive on a Memorial Day Sunday. He stated that this was a very reassuring feeling on the recipient end of the Emergency

Medical Services. He feels it's something that needs to be recognized. He added that with everything they're putting into this department with staffing and equipment is definitely paying off for everyone.

**Closed Meeting in Accordance with §2.2-3711 (A) (1,5) of the Code of Virginia to discuss prospective business opportunities and pending legal matters.**

**Councilman McComb motioned, seconded by Councilwoman Richardson and Councilwoman Bowden to go into a closed meeting in accordance with §2.2-3711 (A) (1 & 5) of the Code of Virginia to discuss perspective business opportunities and personnel matters. All present were in favor and the motion was carried.**

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

**Nays: None**

**Absent: Leonard, Savage**

**Certification of Closed Meeting in Accordance with §2.2-3712 (D) of the Code of Virginia:**  
**Councilman McComb motioned, seconded by Councilwoman Richardson and Councilwoman Bowden 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: Bott, Bowden, McComb, Richardson, Taylor**

**Nays: None**

**Absent: Leonard, Savage**

**Adjourn**

**Councilman McComb motioned, seconded by Councilwoman Richardson to adjourn. All present were in favor and the motion was carried.**

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

**Nays: None**

**Absent: Leonard, Savage**

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Christopher D. Bott, Vice Mayor

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Michael T. Tolbert, Town Manager

**MINUTES OF THE JULY 5, 2022  
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

**Council Members Absent:**

Ellen W. Richardson, Councilwoman  
K. Jay Savage, Councilman  
Gene W. Taylor, Councilman

**Staff Present:**

Mr. Michael T. Tolbert, Town Manager  
Mr. Robby Fisher, Police Chief  
Mr. E. Bryan Rush, Director of Emergency Services

**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**

Mayor Leonard opened the floor for public comment.

- Mrs. Pat Farley, 3243 Lisa's Lane, advised Council that she has a neighbor who has a house that was abandoned. He began demolishing his home in January. She added that he is doing the demolition himself and without a dumpster. He has also removed 4 large trees. Although the neighbors are glad the property is being cleaned up it is causing problems. He is burning piles of debris. Nearby rentals had to leave and was reimbursed because of the burning, and hazard. She asked Council to consider new ordinances for burning laws and demolitions.

**Agenda Adoption**

Mayor Leonard asked to add EMS Personnel Citations to the agenda.

**Councilman McComb motioned, seconded by Councilwoman Bowden to adopt the agenda adding EMS Personnel Citations. Unanimously approved.**

**EMS Personnel Citations**

Director of Emergency Services read; on Sunday, May 15<sup>th</sup>, 2022, at 6:46 a.m. Chincoteague EMS providers, Paramedic Jamie Wheatley, EMT Madison Savage, and EMT Seth Jonczak were dispatched for breathing difficulties at Jellystone Campground. While enroute the 911 Dispatcher advised the EMS crew the patient was unconscious. EMS crews arrived on the scene in 5 minutes after dispatch. They found a 66-year-old man in cardiac arrest. The EMS crew immediately began CPR and advanced life support care. After approximately 20 minutes of CPR and several rounds of medications, the patient regained a heartbeat and began breathing on his own. The patient was transported to Tidal Health emergency room for further treatment. Mr. Don Lukens was later discharged home and here with us this evening. He stated that Mr. Lukens is here with his family. He read the citations: and presented them to Mr. James Wheatley and Ms. Madison Savage. Mr. Seth Jonczak was unable to attend this evening.

Director of Emergency Services also advised that this patient was unable to be in attendance this evening. He read; on Saturday, June 19<sup>th</sup>, 2021, at 4:20 a.m. Chincoteague EMS providers, Paramedic Patty Drewer, and Paramedic Tom Copenhaver were dispatched for a pregnancy childbirth on Fleming Road in Atlantic. Upon arrival at the scene, the Chincoteague EMS met with the Accomack County Department of Public Safety Paramedic, who advised that the baby has been delivered and was in cardiac arrest. Once in the residence crews immediately began life saving efforts to include CPR and utilizing a bag valve mask to breathe for the patient. It was learned that the baby was delivered prematurely at approximately 6 months gestation and weighing approximately 2 pounds. Shortly after the EMS crew began transporting the infant to Tidal Health emergency room, the infant began to breathe on her own and gained a heartbeat. The EMS providers continued providing oxygen to the baby and chest compressions until the infant's heartrate increased to a viable rate. Mucus secretions were noted in the baby's airway that would require immediate suction. Once the airway was clear of mucus secretions the baby began to breathe better and began to cry spontaneously. The patient was delivered to the emergency room where she received further treatment and now baby Arura is living a healthy life at home with her family. He read the citations and presented them to Paramedic Patty Drewer and Paramedic Tom Copenhaver.

Council thanked them for all they do.

## **Staff Reports**

### **General Government**

Town Manager Tolbert reported on the floating dock will be installed in the fall. He also advised of the new kayak floating platform will be placed at Memorial Park. They received the permit last week. He advised they didn't have a Financial Report and would have it at the Budget and Personnel Committee meeting next week. He reported that he spoke with Mr. Jeremy Acres with Goddard to discuss the well legislation. They have included in the language that the Town will receive \$14 million to move all 10" wells off of NASA property. There were 2 changes necessary: 1) Extension from 5 years to 10 years as it will take some time for permitting and moving. 2) Generalize language to include desalination as source as well as ground water. They're working on these changes and the bill is in Conference Committee. He reported that Meals Tax is down 11.7% from the same month last year and Transient Occupancy Tax is down 18.5% from the same month last year.

Town Manager Tolbert advised that the Building Department is busy and getting closer to deciding on the online permit service that Council approved. He reported that the tennis courts are done and beautiful along with the basketball and pickleball courts. They have finished the roof decking on the pavilion at Brianna's Kindness Park and the metal roof should be done within the next few weeks. The kayak launch platform has been installed. They're working on the gangway and should be completed in the next few weeks as well. They have ordered the materials for the FY23 Project Virginia Port Authority Grant material to replace the final wood pier at the Harbor. They have created no parking zones and participated in the 4<sup>th</sup> fireworks celebration. He congratulated Director of Emergency Services Rush and Chief Fisher for getting this going and doing a great job. He added that the mosquito count has dropped since the flight on the 30<sup>th</sup>.

### Police Department

Chief Fisher gave an update to the report in the packet. He stated that June was busy. They assisted in traffic control for the final CVFC clam fritter fundraiser. They also held safety classes at the Chincoteague Elementary and Middle Schools for e-bikes and e-scooters. He added that Captain Greenley completed the FBI Academy 10-week training. They were approved for the SRO Grant with no Town match. Captain Greenley has applied for another SRO Grant for an officer at each school.

Councilwoman Bowden asked how long it would be to know if they are approved for the grant for the SRO in the elementary school.

Chief Fisher hopes this month.

Mayor Leonard asked if the elementary school was the only school in Accomack County that doesn't have an SRO.

Chief Fisher advised that none of the elementary schools have an SRO.

### Emergency Services

Director of Emergency Services Rush advised that they finished June with 110 calls which is up 15 from last year. He stated that July 4<sup>th</sup> was a successful event because of everyone's engagement. Everyone knew their role and executed it well. This was the quickest year clearing traffic after the fireworks. They will begin the After-Action Report to plan with fireworks scheduled for July 30<sup>th</sup>. They had some community engagement with the 3C's about medications, emergency management and preparing for storms. They had CPR, ACLS, and PALS recertification. He added that those kinds of trainings pay off. He added that the training pays off because of the engagement of Council. COVID statistics are up with the 7-day average of 21.6% compared to last year's average of 5.6%. He advised of the new CDC approval of vaccines for 6 months and up.

Councilwoman Bowden asked about if the Health Department had any changes regarding quarantine.

Director of Emergency Services Rush advised that quarantine is 5 days once symptoms begin. They should be masked and considered cleared when they are 24 hours without fever. Those who are in close contact should be quarantined. He stressed the importance of recognizing the symptoms and protect those who are immunocompromised.

### **Budget and Personnel Committee**

Vice Mayor Bott advised that everything was discussed at the June 16<sup>th</sup> Council meeting.

### **Adoption of the Minutes of the June 6<sup>th</sup>, and 16<sup>th</sup> Council Meetings**

Mayor Leonard read a memo from Finance Director Lewis regarding changes in the minutes. 1) Mayor Leonard was absent and didn't lead in the Pledge of Allegiance. 2) Councilman Savage was also absent and didn't offer the invocation.

**Vice Mayor Bott motioned, seconded by Councilman McComb to adopt the minutes of the June 6<sup>th</sup>, and 16<sup>th</sup> Council meetings as corrected. Unanimously approved.**

**Mayor and Council Comments**

Councilwoman Bowden stated that she can't say enough about Director of Emergency Services Rush and Chief Fisher along with all other agencies for the 4<sup>th</sup> of July traffic control. She feels everyone was in a good mood and happy. She stated that this was very well appreciated by the Fire Company, and all other agencies and who came to help get it done. She asked that the Town consider planning for a ribbon cutting ceremony in November for the 100<sup>th</sup> anniversary of the bridge to Chincoteague. She stated that it brought us to the world and the world to us. She asked Director of Emergency Services Rush to possibly recognize the 2 who saved the hunters in the winter boating accident. She concluded that she hopes everyone had a good July 4<sup>th</sup> and thanked the Fire Department, EMS, and Police.

Councilman Savage reiterated what Councilwoman Bowden stated and added that he appreciates the effort of the EMS, Fire Company, and Town employees. He appreciates their dedication and service.

Councilwoman Bowden added that the Town employees did well.

**Closed Meeting in Accordance with §2.2-3711 (A) (1 & 8) of the Code of Virginia to discuss evaluation of senior staff, discussion of specific personnel and cost estimates for potential sale of real property.**

**Councilman McComb motioned, seconded by Councilwoman Bowden to go into a closed meeting in accordance with §2.2-3711 (A) (1 & 8) of the Code of Virginia to discuss evaluation of senior staff, discussion of specific personnel and cost estimates for potential sale of real property.**

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

**Nays: None**

**Absent: None**

**Certification of Closed Meeting in Accordance with §2.2-3712 (D) of the Code of Virginia: Councilman McComb motioned, seconded by Councilwoman Bowden 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.**

**(3) 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: Bott, Bowden, McComb, Richardson, Savage, Taylor**

**Nays: None**

**Absent: None**

**Adjourn**

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

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J. Arthur Leonard, Mayor

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Michael T. Tolbert, Town Manager

**MINUTES OF THE AUGUST 1<sup>ST</sup>, 2022  
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, Director of Emergency Services

**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**

Mayor Leonard opened the floor for public comment.

- Mrs. Julie Brommer, Chincoteague Island Community Cats, gave an update on the neutering, spaying, and vaccinations of the local community cats. She thanked Council for the use of the Firehouse and the Donald J. Amrien Recreation Center for the clinic.
- Chincoteague Chamber Executive Director Shotwell gave a huge shoutout to the Police Department, the EMS, the Town staff and Council, Saltwater Cowboys, and everyone for all they do. She didn't hear any complaints about the swim. She announced that as of 3:00 p.m. today the video she shared on the Chamber's Facebook page reached 5 million views and 11,758

reaches. She reported that they have received several calls for bookings next year. She again thanked everyone.

### **Agenda Adoption**

**Councilman McComb motioned, seconded by Councilwoman Bowden to adopt the agenda as presented. Unanimously approved.**

### **Staff Reports**

#### **General Government**

Town Manager Tolbert reported on the failure of the bulkhead at Memorial Park adding that a temporary fence was immediately erected. He advised he contacted the Army Corps of Engineers and the local Wetlands Board as to the need of emergency repair. A marine contractor was also contacted, and a price was obtained. Materials will be available within the next 2 weeks. He reported on the Inlet Study advising there will be a site visit on August 19<sup>th</sup>. He invited NASA and USF&W to have a representative at the meeting along with Council to make sure this goes through the budget next year. He reviewed the Cigarette Tax information and stated it should be in place by January 1<sup>st</sup>. He reviewed the Financial Report adding that they received the 2<sup>nd</sup> tranche of the ARPA funds. He advised of the annual audit report stating there was no detection of fraud, malfeasance, or incompetence. He continued with the Meals and Transient Occupancy Tax revenue for June activity reported in July. He also reported on the Building and Zoning Department with 39 building permits for July. He informed Council that he signed a contract Friday with I-worQ Systems, Inc. to provide a cloud-based building and zoning permit service for the Town. He added that I-worQ can use the County GIS system within the software with no additional fees. It will take approximately 60 days to implement.

There were brief questions and comments about the cigarette tax.

#### **Police Department**

Chief Fisher gave an update to the July report in the packet. He reported that in July they assisted the Chincoteague Volunteer Fire Company with the carnival, fireworks, and swim. They supplied an officer at the carnival each night with no major problems. They conducted a department meeting on July 20<sup>th</sup> about the swim. Sgt. Adams and Cpl. Butler recertified in the breathalyzer operations. He commented that Town Manager Tolbert, Emergency Management Coordinator Rush, and the State Police were a big help. He advised they met with the troopers about their duties during the swim. He stated that the Governor's Protection Unit was here so the Governor and his wife could attend the Pony Swim. He stated that regarding the swim everyone in the Town, volunteers, bus drivers, and all did a great job with only a few glitches.

Mayor Leonard commented that he saw Chief Fisher in the YouTube videos of old pony swims and auctions. He also stated that the State Police were thorough.

#### **Emergency Services**

Director of Emergency Services Rush updated the numbers for July. They went from 90 to 133 calls. He advised that Pony Swim Day didn't start out well with calls but settled down later in the afternoon. They had 8 more calls than last July. He reported that out of the 133 calls, the



average response time to get an ambulance at the emergency was 4.83 minutes. This is very good. He stated that this is due to the elected officials who put stock in the system, and the system working the way that it does. He advised that EMT Jonczak was presented with his Citation as he was unable to attend the last Council meeting. He thanked Parksley, Greenbackville, and Oak Hall for helping during the swim, and Oak Hall for helping during the auction and fireworks night. He also thanked the Atlantic Fire Company who did the fire watch during the fireworks on the 30<sup>th</sup>.

Director of Emergency Services Rush also reported they are continuing to monitor COVID and the weather. He announced an After-Action meeting for the fireworks and Pony Swim tomorrow. ANTARES is scheduled for a mid-October launch. He reported the COVID numbers for Virginia. He will have the After-Action Report completed by mid-August. He added that the Department of Homeland Security is looking for a Special Events Assessment by September 2<sup>nd</sup>, 2023. He also stated that 6 months and under can get vaccinated and for everyone to be weather aware.

### **Committee Reports:**

#### **Budget and Personnel Committee**

Vice Mayor Bott advised they met on July 12<sup>th</sup> and discussed the surplus. They will discuss further in September to make recommendations to Council for allocation.

#### **Adoption of the Minutes of the July 5<sup>th</sup> Council Meetings**

**Councilman Savage motioned, seconded by Councilwoman Bowden to adopt the minutes of the July 5<sup>th</sup> Council meetings as presented. Unanimously approved.**

#### **Eastern Shore Broadband Update**

Mr. Bridgham with the Eastern Shore Broadband gave some history of the ESVBA. He advised of the speed, connection fees, programs for low income, and monthly costs.

Councilwoman Bowden asked how many Chincoteague customers have ESVBA and what the cost was.

Mr. Bridgham advised 7 and the service fee is \$150.00.

Councilwoman Bowden asked if they would bring it directly to the house and bury the line.

Mr. Bridgham stated they would and can bury it or bring it in overhead.

Councilwoman Bowden stated that they could go to [ESVBA.com](http://ESVBA.com) and sign up or call.

Mayor Leonard advised his motel has it and it is phenomenal. The schools, Town, and Fire Company also have it.

Councilwoman Richardson asked if the High School was the end of the line on North Main Street.

Mr. Bridgham advised it goes from the Harbor (South Main Street) all the way to the turn circle (North Main Street) and some side streets. They can install on any side street.

Councilwoman Richardson asked how much it would be to run service into Misty Meadows just off of North Main Street.

Mr. Bridgham advised they set the service connection fee for Chincoteague at \$150.

### **Community Center Capital Improvements**

Town Manager Tolbert reported that the Center's HVAC needs replacing. He stated that Trane of Chesapeake looked at the system. He explained the age of the current system, the problems, and advised of the new system that would be more efficient. He added that they can bridge the gap between the cloud ceiling so as not to change the appearance, but to make it more efficient. The cost for the new system would be \$167,000. He showed the schematics and explained that some of the preparation can be done in-house. He also stated that this could be paid for with the Center's Investment Account which has \$282,893.

**Councilman McComb motioned, seconded by Councilwoman Bowden to approve the expenditure for the purchase of a new HVAC system for the Center. Unanimously approved.**

There was further discussion.

### **Mayor and Council Comments**

Councilwoman Bowden stated they weren't sure what to expect after 2 years of no carnival. She feels this was the best carnival season she's ever seen. She thanked every single person involved including the Chincoteague Volunteer Fire Company, the Town of Chincoteague staff, Public Works, the bus drivers, the Chincoteague Police Department, Sheriff's Office, and everyone for everything they did. She stated that it was a tremendous success. She also stated that the proceeds go back into the Town one way or another. She can't thank everyone enough for all their help and support. She concluded with "Go Yankees".

Councilman Taylor asked God to continue to bless them.

Councilman Savage stated that this is resiliency at its finest when we have the group of people that we have. He extended kudos to everyone.

Mayor Leonard stated it is something to see all the preparation work that goes into planning that everyone doesn't see at Pony Penning. He added that they can't have a successful Pony Penning without all of them. He thanked everyone. He advised he didn't get to see much of the carnival because he stayed in the back of the auxiliary stand. He commented that the lines on July 4<sup>th</sup> were nearly 2 hours long. He stated that it was amazing and thanked the citizens for their continued patience through July and throughout this month.

**Closed Meeting in Accordance with §2.2-3711 (A) (1 & 5) of the Code of Virginia to discuss evaluation of senior staff, discussion of specific personnel and potential sale of real property.**

**Councilwoman Bowden motioned, seconded by Councilman McComb to go into a closed meeting in accordance with §2.2-3711 (A) (1 & 5) of the Code of Virginia to discuss evaluation of senior staff, discussion of specific personnel and potential business opportunities.**

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

**Nays: None**

**Absent: None**

**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.**

**(4) 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: Bott, Bowden, McComb, Richardson, Savage, Taylor**

**Nays: None**

**Absent: None**

**Adjourn**

**Councilwoman Bowden motioned, seconded by Councilman McComb to adjourn.**

**Unanimously approved.**

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J. Arthur Leonard, Mayor

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Michael T. Tolbert, Town Manager

**MINUTES OF THE AUGUST 18, 2022  
CHINCOTEAGUE TOWN COUNCIL MEETING  
Council Chambers**

**Council Members Present:**

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

**Council Members Absent:**

William T. McComb, Jr., Councilman

**Staff Present:**

Mr. Michael T. Tolbert, Town Manager

Mr. Robby Fisher, Chief of Police

### **Call to Order**

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

### **Invocation**

Councilman Savage offered the invocation.

### **Pledge of Allegiance**

Mayor Leonard led in the Pledge of Allegiance.

### **Public Comment**

Mrs. Pat Farley, 3243 Lisa's Lane, stated she has had a number of people ask for an update on ARPA. They have not heard anything in several weeks. She knows this is a whole lot of money that the Town is spending. She commented further and asked for an update.

### **Agenda Adoption**

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

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

**Nays: None**

**Absent: McComb**

### **Consider Cigarette Tax Ordinance**

Councilman Savage reported that the Ordinance Committee met on August 11<sup>th</sup>. They voted to recommend the imposition of \$0.40 per pack cigarette tax which is the maximum allowed by the state. There is a membership in the Chesapeake Region Cigarette Tax Board to allow the Board to collect the imposed tax in accordance with the retailers within the Town limits and submit the tax to the Town less a 5% administration fee. He stated that in order to impose a tax the Town must adopt an ordinance modifying Chapter 54 adding Article 7, Cigarette Tax, and to allow the membership in the Chesapeake Region Cigarette Tax Board. This has been reviewed and recommended by the Ordinance Committee and they ask Council to vote to proceed to public hearing on the proposed Cigarette Tax Ordinance, and the Ordinance to join the Chesapeake Bay Region Cigarette Tax Board, and schedule a public hearing for the September 6<sup>th</sup>, 2022, regular Council meeting on the tax and Board membership.

**Councilwoman motioned, seconded by Vice Mayor Bott to proceed to public hearing. All present were in favor and the motion was carried.**

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

**Nays: None**

**Absent: McComb**

### **Consider Meals Tax Ordinance Modification**

Councilman Savage stated that the Ordinance Committee recommended changes to Section 54-306 of the Town Code for a disposition of the Meals Tax. The Committee recommended that Section 54-306 be revised to eliminate the Meals Tax Committee and its annual

review of Meals Tax distribution and the 10% tourism mandate be met by distributing 5% to the Chamber of Commerce and another 5% to the Town's Center fund which contributes to the operation of the Chincoteague Center. The new ordinance would read as follows:

Sec. 54-306.

- a. A minimum of ten percent of the tax levied under the article shall be used to promote tourism. ~~The mayor will create a committee composed of island residents, one each from a restaurant, Chincoteague Chamber of Commerce and town council to recommend disposition of revenues collected to the town council.~~ *Five % of the tax collected shall be distributed to the Chincoteague Chamber of Commerce and 5% retained by the Town for the operation of the Chincoteague Center. Distributions will be made monthly based on the tax collected for that month. The Chamber of Commerce Executive Director will prepare an annual report to the Council in February outlining the specific use of the distributed funds for the previous fiscal year.*
- ~~b. A minimum of 5% shall be used for drainage or park and recreation related projects determined by the council each year.~~

Councilman Savage stated that Council is asked to act on the proposed Ordinance.

**Councilwoman Bowden motioned, seconded by Councilwoman Richardson to adopt the changes to Section 54-306 of the Meals Tax Ordinance as presented. The motion was carried.**

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

**Nays: None**

**Abstain: Bott**

**Absent: McComb**

### **Consider Personal Property Tax Rate**

Town Manager Tolbert advised that back in April they addressed the real estate tax and reduced the tax as per the State Code to stay within 1% of the Town's collections from the previous year. There was a motion to recuse the personal property tax due to the perceived increase in value for this coming year. He advised he spoke with the County Administrator and Finance Director who have assisted him in narrowing down the value of personal property on Chincoteague which is difficult to do because the values change and the inventory of personal property changes. He reported that the best they can do is take an educated guess of what it would be. He stated that the motion made by Councilman McComb was at that time to reduce the property tax to collect less than a 1% increase from the personal property taxes from last year. Because this will be difficult to narrow down, they could do it after the fact and issue a rebate which would be cumbersome and costly on the Town's part. The other option would be to take an educated guess and reduce the tax to what they recommend it to be. He suggested reducing the tax by 15%. Car values, which are the major portion of personal property taxes seem to be rising. He feels 15% puts the Town in the neighborhood of the value of the cars. He recommended a 15% reduction.

Vice Mayor Bott asked how this works.

Town Manager Tolbert stated that values are reassessed for personal property in the spring. Taxes are collected based on the value of the personal property as of January 1<sup>st</sup>. He gave a further explanation. He continued that the next years assessment will catch up to the collections of Spring. What the Town collects in the fall is based on the value of the property of the previous January. When the assessment of the new evaluation comes in March that will not be assessed until the following January.

Vice Mayor Bott stated that they are still expected to see the increase January 1<sup>st</sup> from 2021. The increase of March 2022 will not be assessed until next year.

Town Manager Tolbert stated that the increase of March 2022 won't be assessed until after the 1<sup>st</sup> collection after January 1<sup>st</sup>.

Vice Mayor Bott asked if this would be applied for just this year or permanent.

Town Manager Tolbert stated that they expect at some point in time that personal property will start devaluing again. He added that at that time, they may want to take another look at this. He recommended they look at this again in another year.

**Councilman Taylor motioned, seconded by Councilwoman Bowden to approve the 15% reduction for one year at which time they will review this matter again. All present were in favor and the motion was carried.**

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

**Nays: None**

**Absent: McComb**

#### **Mayor and Council Comments**

There was none.

**Closed Meeting in Accordance with §2.2-3711 (A) (1,5) of the Code of Virginia to discuss prospective business opportunities and pending legal matters.**

**Councilwoman Bowden motioned, seconded by Councilwoman Richardson to go into a closed meeting in accordance with §2.2-3711 (A) (1 & 5) of the Code of Virginia to discuss perspective business opportunities and personnel matters. All present were in favor and the motion was carried.**

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

**Nays: None**

**Absent: None**

**Certification of Closed Meeting in Accordance with §2.2-3712 (D) of the Code of Virginia: Councilwoman Bowden motioned, seconded by Councilwoman Richardson and Councilwoman Bowden 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.**

**(5) 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: Bott, Bowden, Richardson, Savage, Taylor**

**Nays: None**

**Absent: McComb**

**Adjourn**

**Councilwoman Bowden motioned, seconded by Councilwoman Richardson to adjourn. All present were in favor and the motion was carried.**

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

**Nays: None**

**Absent: McComb**

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J. Arthur Leonard, Mayor

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Michael T. Tolbert, Town Manager