

**MINUTES OF THE MARCH 3, 2025
CHINCOTEAGUE TOWN COUNCIL MEETING
Council Chambers
7:00 p.m.**

Council Members Present:

Denise P. Bowden, Mayor
Christopher D. Bott, Vice Mayor
J. Nicholas Howard, Councilman
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. Tyler Greenley, Chief of Police
Mr. Bryan Rush, Director of Emergency Services
Mr. Wes Parks, Public Works Director

Call to Order

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

Invocation

Councilman Savage offered the invocation.

Pledge of Allegiance

Mayor Bowden led in the Pledge of Allegiance.

Public Comment

Mayor Bowden opened the floor for public comment.

- Mrs. Tina Zoller, 3454 Main Street, asked Council if there was something the Town could do about the dock on the lot south of the Castle on South Main Street. She advised it broke up a few years ago and every time there is a storm, debris washes up under her dock and waterfront. She added that the debris has nails.

Agenda Adoption

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

Staff Reports

General Government

Town Manager Tolbert gave an update on the relocation of the wells and explained what the activated charcoal filter plant does. He also reported on the status of the Sewer Collection System Project. He stated that the contractor plans to complete the entire job by Memorial Day

weekend. He then gave the Meals Tax, Transient Occupancy Tax, and Financial Report for February. Town Manager Tolbert advised Transportation Director King is working on routine winter tasks. He added that DRPT has planned an on-site review. He then gave the Center's report adding that they held a Fire Company Bingo, and the Annual Fireman's Banquet. March events include a job fair this weekend, a spring indoor yard sale. Center Director Leonard reminded everyone they have indoor walking daily as well. Town Manager Tolbert continued with the Building and Zoning report for February with 27 permits with a total building cost of \$1.3 million and building permit fees were \$3,700. He then advised Finance Director Kelly Lewis will be retiring at the end of March. He introduced Ms. LiAnne Diehl as her replacement who is currently in training.

Council welcomed Finance Director Diehl aboard.

Police Department

Chief Greenley reported that in February Lt. Gladding, Pfc. Mcgee and Pfc. Todd attended CIP training which helps law enforcement deal with mental health crisis. They also had in-service training for Officer Butler, SRO Carmody, and Officer Stevens. Officers Turlington, Todd, and Newsome certified in radar and lidar.

Public Works Department

Public Works Director Parks reported that the Public Works Department spent hours pushing snow, salt, and sand. There were several leaks this month for the Waterworks Department who also installed 6 new services and 1 watermain extension. He advised that the fishing pier is almost done at Memorial Park except for the gazebo and the transition to the new pier. New gutters have been installed on the gym. He reported that at the end of March and first week of April the gym floor will be done. They will also work on the Fishing Pier and the Taylor Street renovations.

Mayor Bowden asked if they planned to replace the spindles on the gazebo at Memorial Park.

Public Works Director Parks advised they will be replaced.

Councilwoman Richardson reminded everyone of the Public Works Committee meeting tomorrow night.

Emergency Services

Director of Emergency Services Rush advised that referring to patient care reporting, they partner with neighboring agencies. He stated they added Greenbackville. He added that they had 71 calls in February which were 6 more than February 2024. EMS did their yearly training on airway, drugs, and apparatus used for that. He stated that staff started the spring deep cleaning of the station. They continue weather monitoring and cost tracking on the last storm. He mentioned the launch schedule. They're also working on the 4-year Hazard Mitigation Plan. They conducted the 1st quarter fire drill at the Library last week. They are also working on the EOP revisions. He reminded everyone to "Prepare Now".

Village Neighbors Update

Executive Director Catherine Shappell gave an update on the Village Neighbors. She explained what the volunteers do for the Island's elderly population. She reviewed the services offered. She advised of her duties and responsibilities adding that the Village Neighbors have grown since 2022. She expressed their gratitude to Council for their past support and asked to be included in their continued support.

Councilman Taylor thanked all their volunteers. He thanked the Village Neighbor volunteers. He also thanked those who volunteer with the youth. He asked Executive Director Shappell to thank all of the volunteers.

Mayor Bowden stated she has seen this program in action. She feels everyone should get on board. She feels it's such a great asset for this community. She thanked them for everything they're doing. She advised that Council will go through the process and suggested getting the paper work in.

Committee Reports

Budget and Personnel Committee

Councilman McComb advised they met on February 18th and discussed employee salaries, retirement, and healthcare.

Adoption of Minutes of February 3rd, Council Meeting

Councilwoman Richardson motioned, seconded by Councilman McComb to adopt the minutes of the February 3rd, 2025, Council meetings as presented. Unanimously approved.

Review and Consider State of Emergency



PROCLAMATION DECLARATION OF A LOCAL EMERGENCY

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

1. Due to heavy snow and gusty winds the Town of Chincoteague is anticipating from a February winter storm; and
2. The possibility of associated conditions with peril of life and property necessitates the proclamation of the existence of an emergency;

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that at 10:00 am on February 19, 2025, an emergency now exists throughout said Town of Chincoteague; and:

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

Dated: February, 19, 2025 Town Council of the Town of Chincoteague

Attest:

Michael T. Tolbert, Town Manager,
Town of Chincoteague Inc.

Town Manager Tolbert advised that when a State of Emergency is declared it has to be confirmed by Council at the next meeting. He read the declaration.

Councilwoman Richardson motioned, seconded by Councilman McComb to approve the Local State of Emergency February 19th, 2025. Unanimously approved.

Councilman Bott advised that he was in favor of going into the State of Emergency when they did but feels they should sharpen up on the protocol. He read from the Code. He believes that Council is supposed to consent, unless they can't due to the disaster. He suggested, in the future, they need to look at that a little more closely. He wasn't notified prior. He also believes that Council is who can take them out of the State of Emergency. He stated they need 2 proclamations in the future, one to go in and one to go out. He doesn't want the Town to get into trouble with funding by not following protocol.

Director of Emergency Services Rush stated they can add it to the EOP moving forward.

Town Manager Tolbert stated that this proclamation confirms that they went into the State of Emergency. It was scheduled to go out that Friday morning.

Director of Emergency Services Rush advised that Accomack and Northampton Counties were hit harder, and they tried to have a standard recorded message in the event it was worse than called for. He added that on Friday it was rescinded, which makes it almost like it didn't happen. He added that it was rescinded as opposed to terminated. According to the EOP when they go into the State of Emergency, it is adopted at the next meeting. He continued that when you go into the SOE, at the next regular meeting the proclamation would be adopted and once its rescinded, it essentially doesn't exist.

Town Manager Tolbert advised he will check the State Code and email Council the exact wording.

Consider Lot Line Vacation

Mr. Robert Turner, Attorney, explained that Mr. and Mrs. Steven Liscum are requesting a lot line vacation (of parcels: 030A3A0000228C0 and 030A3A0000229C0) which would become 3.268 acres. This would abandon the line of a relatively recent subdivision.

There were no public comments

Councilman Bott motioned, seconded by Councilwoman Richardson and Councilman McComb to approve the lot line vacation for Mr. & Mrs. Steven Liscum as presented. Unanimously approved.

Mr. Turner advised he has been coming here for 8 or 10 years. He commented that it is such a well-run Board. He stated the Town has a large budget, very large responsibility, and a very well run Town.

**AN ORDINANCE VACATING A PROPERTY LINE OF A
PLAT PURSUANT TO §15.2-2272.2
OF THE CODE OF VIRGINIA OF 1950 AS AMENDED**

WHEREAS, Steven L. Liscum and Alison O. Liscum, own two adjoining parcels of real estate which parcels are designated as Parcel 1: being the lot containing a Tax Map No. of 030A3A0000228C0, and Parcel 2: being the lot containing a Tax Map No. 030A3A0000229C0, which lots were conveyed to them by Robert D. Umphlett, Sr. by deed dated March 31, 2021 which deed is recorded in the Clerk's Office for the Circuit Court of Accomack County, Virginia as Instrument No. 210002240; and

WHEREAS, said lots are shown and set forth on that certain plat of survey entitled "Plat of Survey "Nature's View" (Parcel 228A, 229A, & 232), surveyed and divided into parcels A, B & C respectively at the request of Robert D. Umphlett, Sr. and Emerson S. Liscum. Located on Chincoteague, the Islands District, Accomack County, Virginia", dated February 25, 2004 which plat is recorded in the aforesaid Clerk's Office in Plat Book 2004, at page 90, a copy of which is attached hereto Exhibit A; and

WHEREAS, the said Steven L. Liscum and Alison O. Liscum have had a boundary survey prepared for a lot line vacation of the above referenced lots and a copy of said plat entitled "BOUNDARY SURVEY & LOT LINE VACATION LANDS OF: STEVEN L. LISCUM or ALISON O. LISCUM PROPOSED LOT "D" ± 3.286 ACRES NATURE'S VIEW SUBDIVISION TOWN OF CHINCOTEAGUE ISLANDS ELECTION COURT DISTRICT ACCOMACK COUNTY - VIRGINIA",

ROBERT G TURNER,
ESQUIRE, PLLC
23326 WISE COURT
P.O. BOX 536
ACCOMACK, VIRGINIA 23301
VSB# 30736
PHONE (757) 787-1560
FAX: (757) 787-7035

which plat is dated January 10, 2025, an original of which is attached hereto as Exhibit B; and

WHEREAS, the notice requirements of §15.2-2272.2 have been complied with; and

WHEREAS, the governing body affirmatively finds that no owner of any adjoining lot will be irreparably damaged by the said vacation of said lot line.

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS:

1. That the division or property line referred as "LOT LINE TO BE VACATED FOR THIS PLAT" as set forth on the plat attached hereto as Exhibit B between parcels 228C and 229C as shown and set forth on said plat be and hereby is vacated.

2. That as a result of said vacation of property line, the former Lots 228C and 229C shall result in one new parcel of land with a proposed designation of Lot D.

3. That the Town Manager after the time for an appeal of the adoption of this Ordinance has expired, or if appealed the action of counsel is upheld, shall cause a copy of this ordinance to be recorded in the Clerk's Office of the Circuit Court of Accomack County, Virginia.

4. That the effective date of the Ordinance shall be upon adoption by the Town Counsel for the Town of Chincoteague.

ROBERT G TURNER,
ESQUIRE, PLLC
23328 WISE COURT
P.O. BOX 636
ACCOMACK, VIRGINIA 23301
VSB# 30736
PHONE: (757) 787-1680
FAX: (757) 787-7036

Ayes: _____

Nays: _____

Approved March 3, 2025.

Denise P. Bowden, Mayor

COMMONWEALTH OF VIRGINIA
COUNTY OF ACCOMACK, to-wit:

The foregoing Ordinance was acknowledged before me this _____
day of March, 2025, by Denise P. Bowden, Mayor, in my jurisdiction
aforesaid.

Notary Public

My commission expires: _____

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Review Harbor, Water, Public Works and Community Center Budgets

Town Manager Tolbert advised he planned to review these departments at the workshop meeting in February. Due to the snow event, he added it to the regular meeting agenda to keep on the budget schedule. He asked if they wanted him to review it tonight or discuss it at the Budget and Personnel Committee meeting next week in detail. He added that it is straight forward with not a lot of differences from last year's budget.

Council agreed to discuss it at the Budget and Personnel Committee meeting next week.

Review Sewer Project Construction Route and Details

Town Manager Tolbert gave the detailed history of the sewer project and collection system plans. The total cost of the project is \$2.248 million. He showed the diagram of the pump station and explained further. He talked about the collection fees and maintenance fees, adding that HRSD will bill the customer at a standard rate. He then gave the collection system route, Main Street from Sunset Bay, north to Maddox Blvd. and east on Maddox Blvd. to the Museum. He also advised of future expansion in conjunction with the design of the new plant, HRSD is applying for additional discharge permits for the Sunset Bay site. The Army Corps of Engineers and Shellfish Sanitation advised HRSD that the maximum discharge from that site would not exceed 350,000 gallons per day. HRSD's plans through phased construction would be 350,000 gallons per day. They have designed the collection system to handle 350,000 gallons per day once the pipe is complete. He added that 37,000 gallons a day, which is the current permit they've been approved for, is not enough to connect everyone on the entire route. Town Manager Tolbert stated that the Planning Commission is looking into ways to ration that capacity and calculating fees. He hopes that when the plant reaches the 350,000-gallon capacity, they will be able to service everyone on Main Street and Maddox Blvd.

There was discussion about HRSD obtaining some of the USCG property. They also discussed connection fees and annual maintenance fees.

Vice Mayor Howard suggested contacting other localities before they decide on fees.

Discussion continued.

Mayor and Council Comments

Mayor Bowden commented that she couldn't say enough about the Public Works Department during the last snowstorm. She stated they were "spot on". She added that it also goes for the Police Department and EMS. She added they are very blessed with all the employees. She commented that she is done with the snow. She again thanked the Public Works staff and asked Public Works Director Parks to pass that on.

Councilwoman Richardson also thanked the Public Works staff.

Councilman McComb echoed Mayor Bowden's sentiments. He also thanked the Village Neighbors adding that it's impressive what the program has turned into, and they deserve any help from the Town.

Councilman Taylor stated we can't pay or even find employees to do the job we get for free in volunteers. He commented further and added that the Town is blessed.

Councilman Savage also reiterated what has been said and added that the Town is doing a great job, the employees are doing a great job. He had many compliments on Public Works and what they did to the roads.

Town Manager Tolbert thanked Council and everyone, Emergency Services, Public Works, Public Safety folks did wonderful job along with the ladies in the office, they're top notch.

Town Manager read a letter sent to Mayor Bowden from Governor Youngkin for being recognized in Southern Living Magazine prestigious best of the south awards for the small-town category.

Closed Meeting – In accordance with 2.2-3711(A) (3) (7) of the Code of Virginia for the discussion of the purchase of real property for a public use and legal briefing by staff. Councilman Savage motioned, seconded by Councilman McComb to go into a closed meeting in accordance with §2.2-3712 (A) (3) (7) of the Code of Virginia for the discussion of the purchase of real property for a public use and legal briefing by staff. Unanimously approved.

Certification of Closed Meeting in Accordance with §2.2-3712 (D) of the Code of Virginia Councilman Savage motioned, seconded by Councilman McComb to certify the Closed Meeting was in accordance with §2.2-3712 (D) of the Code of Virginia. Unanimously approved.

Adjourn

Councilman Savage motioned, seconded by Councilman McComb to adjourn. Unanimously approved.

Denise P. Bowden, Mayor

Michael T. Tolbert, Town Manager