MINUTES OF THE JUNE 2, 2025 CHINCOTEAGUE TOWN COUNCIL MEETING Council Chambers 7:00 p.m.

Council Members Present:

Council Members Absent:

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

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. Joanne Moore, Executive Director of Chincoteague Chamber of Commerce, spoke about the upcoming Beacon Awards Ceremony. She noted that the annual event will take place on Thursday, June 5th at the Chincoteague Center. She provided more information about the various recognitions that will occur and closed her comment with an invitation to Council to attend.

Agenda Adoption

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

District 1 Supervisor Report

Supervisor Tarr reported on the items that have transpired since he last was before Council on November 4th. He thanked the Council for having him. The first item on his agenda was to provide an update on the Sloop Gut Dredging project. He explained the intention is to deepen

the channel to seven feet to allow rocket parts to be barged into Wallops. He noted that multiple governmental entities have oversight over the project. He stated that the channel is 5,300 feet in length, which would result in 59,000 cubic yards of dredged material being removed. The dredged material would then be transported to Charles City. He reported that the County approved the wetlands part of the project in May. He noted that the Queen Sound Landing would not be a viable option for them due to the amount of dredging that would be required. He also reported that the causeway wouldn't be able to be closed for the length of time that would be required. He notified Council that Town Manager Tolbert has been helpful with these discussions. The second item on Supervisor Tarr's agenda was childcare. He notified Council that there is an upcoming roundtable discussion on childcare occurring on June 5th. He provided additional information about the upcoming discussion in which local employers will discuss their childcare needs with County officials. He explained that childcare providers and other local stakeholders will be present at the roundtable in hopes of finding solutions to the lack of available childcare in the northern area of Accomack County. He noted that the Accomack County budget included grant funds for childcare expansion. He advised that the Town of Chincoteague was invited to the roundtable and that a representative from the Town would be attending. He identified the Supervisors that will be attending the roundtable. He announced that his final item to discuss involved the Accomack County budget. He noted that the budget was approved in April. The budget included a real estate increase of \$0.05 on the mainland for EMS services. Their budget pays for an SRO at Chincoteague Combined school. He explained that they reimburse Chincoteague for the funds spent for the SRO at the high school. He stated that he has not made any progress on the Inlet Study and inquired if the Town had any updates.

Town Manager Tolbert noted that the current Commander has not yet come to Chincoteague. He recounted the details from a previous Commander's visit. He detailed a conversation that he had on Friday with the Chief of Planning for the Corps.

Supervisor Tarr confirmed that Lewis Creek is on the Corps' agenda to be dredged. He noted that they will also have the inlet dredged twice a year if the Coast Guard remains here. He elaborated further.

Mayor Bowden inquired if anyone had any questions for Supervisor Tarr. She then asked for clarification about the childcare grants that Supervisor Tarr mentioned. She questioned if the grants were advertised anywhere.

Supervisor Tarr confirmed the grants were advertised but they did not receive a lot of feedback.

Staff Reports

General Government

Town Manager Tolbert began the General Government reports with an overview of the recent Community Center events. He advised that there were four site visits and 22 requests for information during the month of May. He recapped information from the following events: Chincoteague High School Prom, Senior Extravaganza, CCA's benefit concert, Village Neighbors BINGO, Stephanie Hale's resin class, and NALL's BINGO fundraiser. He concluded his Chincoteague Center report with an overview of future events.

Town Manager Tolbert provided an update on the Sewer Collection System Project. He then reviewed the Meals and Transit Occupancy Tax figures. He reviewed the Financial Report and explained some changes that occurred. He reported that Trolley service is off to a good start. He provided additional Trolley service updates.

Town Manager Tolbert then reviewed the April Building and Zoning Report. He reported that a total of fifty building permits were issued for a fee amount of \$2,634.90. The total value of construction was \$914,954.24. Building and Zoning Administrator Bowden conducted 54 building inspections, completed 13 case activity inspections for tall grass, 4 case activity inspections for bamboo complaints, conducted 28 zoning site visits, did fifty building permit plan reviews, handled 41 walk-ins for building and zoning questions, and performed 16 business license inspections.

Police Department

Chief Greenley reviewed the Department highlights for the month of May. He noted that Officers provided traffic control and security for the Seafood Festival. He detailed the recent visit that several department members made to the Law Enforcement Memorial and Museum. He reported that Lt. Gladding completed his Mass Casualty Incident Training. He presented two scholarships during the Chincoteague High School Awards Ceremony. He noted that he had a student shadow him due to Student Government Day. He advised that SRO Geminiani hosted his Second Annual Pre-K Department Tour of the Department. The Department provided parade escort and traffic safety operations for the 100th Annual Chincoteague Volunteer Fireman's Parade.

Public Works Department

Public Works Director Parks reviewed his report for the month of May. He stated that the only item remaining for the asphalt paving is small quantity patching and that is due to rain delays. He advised that the Donald J. Amrien gym floor was completed. He gave an update on the sewer project. He reported that the fuel tank at Curtis Merritt Harbor was soda blasted and painted. He noted that cable railings were installed at the Memorial Park fishing pier. He provided an update on the Hometown Hero banners. He stated that regular grass cutting has begun, that cemeteries were all cut prior to Memorial Day, and that the Public Works crew trimmed trees in Bunting Cemetery. He reported that the Water Department installed water lines to the newest floating dock slips at Curtis Merritt Harbor. The Water Department also had three new services to install, two leaks, and 128 miss-utility locates to mark. He reports that Public Works Appreciation Week was greatly appreciated. The Town provided lunch for the Public Works crew on May 20th. He concluded his report by giving an update on projects to be completed in June.

Councilwoman Richardson asked if Seaweed Drive and Main Street is one of the signs that Public Works will be addressing in June. She stated that she doesn't know what happened but there is no sign there. She then detailed how she is aware that she is approaching Seaweed Drive.

Vice Mayor Howard asked what remains for the striping. He elaborated that he realizes the roads have been paved but wants to know as far as crosswalks and all are concerned what all is left.

Public Works Director Parks remarked that he advised the contractor to do everything in the intersections of Chicken City and Deep Hole. He stated that they striped everything on Maddox in between those locations. He noted that the thermoplastic road striping will be complete for those two intersections. He then said that the other intersections, like the crosswalks on Main Street, will likely be painted by Town employees since we are planning on re-paving Main Street.

Vice Mayor Howard remarked that the weeds have gotten bad along the curbs on Main Street due to the work that has been completed in that area.

Emergency Services

Director of Emergency Services Rush reported that they had a total of 80 EMS responses for the month of May. He commented that this was a significant decrease from the 100 EMS calls that they responded to the previous year. He mentioned that he opted to review the number of calls on a yearly basis and found with that comparison that we were 16 calls under the previous year's total. He noted that he participated in Student Government Day.

Director of Emergency Services Rush provided several Emergency Management Division updates. He attended the Closed Pod workshop with Accomack County Health Department. He then explained what the Closed Pod consisted of. He noted that the second meeting for the Hazard Mitigation Plan update happened with ANPDC. He conducted a virtual EOC for the 100th parade. The Final draft of the 2025 EOP update is out for review.

Mayor Bowden asked if Director of Emergency Services Rush has the information for the later discussion of the lifeguard issue.

Committee Reports

Councilwoman Richardson as the Chairperson of the Public Works Committee provided a verbal report on the May 6th meeting. She noted that the Public Works Committee had a lengthy discussion about a water leak adjustment request. Ultimately, the Committee opted to table the issue until more information is received. She reviewed the Committee's discussion on Unimproved Roads to include Ocean Breeze. Another item of discussion was the right-of-way on Circle Drive. She reported that the Committee asked Town Manager Tolbert to begin the process of having Circle Drive surveyed. She stated that the previous grant applications for the docks at Robert Reed Park were discussed by the Committee.

Councilman Savage as the Chairperson of the Ordinance Committee recapped their May 8th meeting. He mentioned that safety concerns were brought up about the Park Regulations. He reports that the Ordinance Committee decided that signage advising bicyclists to use care and be cautious would be best. He continued to state that the signage could advise bicycles to yield to walkers. He mentioned that they also reviewed the Business License Ordinance and provided history on how the matter came before the Ordinance Committee. He reports that Town Planner Baker will take some time and compile information detailing how other municipalities handle signage and zoning for short-term rentals.

Councilman McComb as the Chairperson of the Budget and Personnel Committee provided a review of their May 8th meeting. He advised that the FY25 anticipated surplus was discussed. He stated that the Committee felt it was best to apply about half of the anticipated surplus towards Capital Improvement Projects that would cover items that were previously cut from either the FY25 or FY26 Budget. He reported that the Committee felt the remainder of the surplus was best left for further discussion when we are closer to the end of the current fiscal year.

Councilman Bott as the Chairperson of the Planning Commission provided a review of their May 13th meeting. He noted that their discussion about the sewer allocation prioritization will be discussed later in the agenda of this Council meeting. He stated that other ongoing issues that the Planning Commission discussed include updating the sign ordinance and the downtown, historic designation.

Adoption of Minutes of May 5th and May 15th, Council Meetings Councilman McComb motioned, seconded by Councilwoman Richardson to adopt the minutes of the May 5th and May 15th Council meetings as presented. Unanimously approved.

Proclamation

Mayor Bowden read the Proclamation for Gun Violence Awareness.



PROCLAMATION

IN RECOGNITION OF DECLARING FRIDAY JUNE 6, 2025 TO BE LOCAL GUN VIOLENCE AWARENESS DAY

This proclamation recognizes that Friday June 6, 2025 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-inhand 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 6, 2025, 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 6th, 2025 to help raise awareness about gun violence; and

WHEREAS, by wearing orange on June 6th, 2025, 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 6, 2025, 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.

Signe	1:
	Denise P. Bowden, Mayor
Attest	ed:
	Michael T. Tolbert, Town Manager

Councilman McComb motioned, seconded by Councilman Bott to adopt the Gun Safety Awareness Proclamation. Unanimously approved.

Adoption of Revised Emergency Operations Plan

Mayor Bowden read the Ordinance about Adopting and Enacting the Emergency Operations Plan.



AN ORDINANCE ADOPTING AND ENACTING A REVISED EMERGENCY OPERATIONS PLAN FOR THE TOWN OF CHINCOTEAGUE, VIRGINIA

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CHINCOTEAGUE, VIRGINIA:

<u>Section 1.</u> As required by the Code of Virginia, section 44-146.19(e), the Town of Chincoteague has revised and updated their Emergency Operations Plan.

<u>Section 2.</u> The Plan entitled "Town of Chincoteague, Incorporated Emergency Operations Plan" consisting of a basic plan dealing with an all-hazards approach to emergencies and specific procedures for handling such emergencies.

<u>Section 3.</u> The Plan encompasses an emergency chain of command in accordance with the National Incident Management System.

<u>Section 4.</u> In addition, the Plan outlines incident specific tasks for operations of the Town of Chincoteague, before, during, and after such emergencies or disasters.

<u>Section 5.</u> This ordinance also repeals any prior emergency plans which may be in effect prior to adoption of this ordinance.

Section 6. This ordinance shall become effective upon its adoption on June 2, 2025.

AT THE CHINCOTEAGUE TOWN COUNCIL MEETING HELD ON JUNE 2, 2025, ON A MOTION BY AND SECONDED BY, THIS ORDINANCE WAS PASSED AND ADOPTED.

ATLS	NAIS
Hon. Denise P. Bowden	
Hon. Nicholas Howard	
Hon. Ellen W. Richardson	
Hon. William T. McComb, Jr.	
Hon. Gene W. Taylor	
Hon. K. Jay Savage	
Hon. Christopher Bott	

NAVC

Councilman Savage motioned, seconded by Councilman McComb to adopt the revised Emergency Operations Plan. Unanimously approved.

Consider Planning Commission Recommendation

AVES

Councilman Bott as the Chairperson of the Planning Commission explained the sewer capacity allocation prioritization that they identified. He detailed the prioritization list as follows: 1) established restaurants with failing septic systems, 2) established downtown businesses with failing systems, 3) any established business with a failing septic system, 4) any nonprofit, 5) Town facility use, and 6) Businesses planning expansion. He noted that a rubric system will be developed by the Planning Commission once Council approves the prioritization allocation. He explained the rubric will assist with weighing the connection requests.

Mayor Bowden asked if the established restaurant with a failing system is limited to a specific area.

Councilman Bott confirmed the established restaurants with failing systems categorization is island wide.

Councilman Bott motioned, seconded by Councilman Howard to adopt the sewer allocation prioritization as presented. Unanimously approved.

Consider Robert Reed Dock Project

Town Manager Tolbert explained the difficulty that boats, particularly smaller vessels, encounter when attempting to dock at Robert Reed Park. The direction of the traditional slips, being perpendicular to the direction of the tide, has been identified as a cause of the issue. He noted that floating docks would increase business downtown and expanded on the explanation. He reviewed the history of the floating dock project that has been proposed for Robert Reed Park.

He indicated that the Public Works Committee asked Council to fund this project since the associated grant application has been denied multiple times.

Councilman Bott motioned, seconded by Councilman McComb to approve the Robert Reed Dock Project as presented. Unanimously approved.

Line Vacations

Town Manager Tolbert advised there are several lot line vacation requests for the Council to review. He noted that Mr. John Custis is going to speak on each of the requests.

Mr. John Custis, Attorney at Law, thanked Council for allowing him to speak on behalf of his clients. The first client that he represents is Ms. Alma Maye Waltz Fitzwater. He explained that Ms. Fitzwater owns two lots. He advised that there is no space on her lot to build a garage adjacent to her home. She would like the line to be vacated so she can build a garage. He noted that all certified mailings were done as well as all required newspaper advertisements.

Councilman Taylor motioned, seconded by Councilwoman Richardson to approve the vacation of property line between parcels 30A5-A-583 and 30A5-A-584 as presented. Unanimously approved.

Mr. John Custis, Attorney, advised that he represents RWFI Properties. He explained that RWFI Properties is owned by three individuals who own the Ropewalk on Chincoteague. The piece of property in question is adjacent to Town-owned property and nearby to Ropewalk. RWFI Properties would like to rehabilitate the property to open an Alley Oops restaurant facility. He explained that it is a family friendly restaurant and expanded that he takes his children to it frequently. The intention with the lot line vacation is to create an expanded parking lot for both Ropewalk and the proposed Alley Oops.

Councilman Taylor motioned, seconded by Councilwoman Richardson to approve the vacation of property line designated as "Revised P.566" as presented. Unanimously approved.

Attorney John Custis advised that he represents Mrs. Shannon Lindsey. He stated that Mrs. Lindsey, who is in attendance, would also like to construct a garage on her property. He stated that setback issues required the lot line vacation request be submitted in order to construct the garage.

Councilman McComb motioned, seconded by Councilwoman Richardson to approve the vacation of property line between parcels 30A5-A-653, 30A5-A-654, and 30A5-A-655 as presented. Unanimously approved.

Lifeguard Service on Assateague

Mayor Bowden reported the lack of lifeguard service on Assateague. She noted that it does not appear that we will be getting lifeguard service anytime soon on Assateague. She advised that she previously reached out to Director of Emergency Services Rush to request information about the amount of emergency response calls on Assateague.

Director of Emergency Services Rush advised that he reached out to Hugh Hawthorne, Superintendent of Assateague Island National Seashore, to receive some of their numbers as well. He explained that it's important to consider not only the times that Chincoteague responded, but also the number of times that Chincoteague didn't have to respond because there were lifeguards on duty.

Director of Emergency Services Rush relayed that Chincoteague EMS responded to Assateague Island a total of thirty-four times during 2024. He further explained that the EMS response could be for any location on Assateague: the road entering the park, the woodland trail, the surf... He noted that seven of the thirty-four calls were responses to calls that were initiated by lifeguards. Eleven of the responses were to calls that occurred when lifeguards were not on duty. Those eleven responses required an EMS response to the surf, and they ranged from injury, to neardrowning, to drowning. Continuing his report, he advised that eighteen of the thirty-four EMS responses to Assateague required crews to respond to the surf. He reported a total of twenty-one EMS calls, initiated by lifeguards, did not require an EMS response. He elaborated further on those types of calls and then explained those twenty-one instances would have required an EMS response had the lifeguards not been there to provide the initial medical response. He reported that lifeguards were able to make twenty-four rescues last year. He advised that some of those documented rescues involved multiple people and they would have been counted as one rescue even though they involved two or three people. He stated that some of the EMS calls were initiated through the rescues. He reported fifty-two lifeguard-initiated calls, and the lifeguards added another twenty-seven calls to that figure; therefore, there are about eighty calls a year to Assateague. He commented that the lifeguard services don't typically start full-time until mid-June, as they'd traditionally only be on weekends at this point. He provided more of an explanation on the timing of their seasonal staffing variation.

Director of Emergency Services Rush advised that we could expect more calls to EMS with the lifeguards not being staffed on Assateague. He advised that the Coast Guard and Virginia Marine Resources Commission (VRMC) are always called for near drowning and drowning incidents. They investigated the Coast Guard's response time, but depending on where their vessels are currently located, it could take them between twenty-five and forty-five minutes to respond. He reports that none of his crew are trained to be rescue swimmers. He reports that his crew has a rope gun that can be deployed, they have an inflatable, and they train with these frequently. He noted that there is only one inflatable, so it wouldn't help in a situation where there are multiple distressed swimmers.

Mayor Bowden asked what the response time is in the middle of July from the station to the beach.

Director of Emergency Services Rush responded if the ambulance is in the station, then it can be on the surf in about eight to nine minutes.

Mayor Bowden expressed that she feels this is an important topic. She stated that Assateague Island Maryland is going through the same thing. She noted that Ocean City, Maryland has their own lifeguards and beach protection. She expressed her concern about the response time if

multiple ambulance units are out and someone must respond from the mainland. She stated that she feels we need to put as much pressure as we can to see if the Park Service can do something about this or if not, if we can do something ourselves about this. She expanded on her concerns.

Vice Mayor Howard asked if we have reached out to anyone.

Town Manager Tolbert asked for clarification.

Vice Mayor Howard stated that we need to write a letter and arrange a meeting with the Park Service.

Mayor Bowden asked if Town Manager Tolbert can set up the Park Service meeting.

Councilman McComb advised that the House Committee on Natural Resources oversees Fish and Wildlife and the Park Service. He elaborated to note that Virginia has two Representatives on that Committee. It was his recommendation that we reach out to them as well to apply the necessary pressure. Town Manager Tolbert was then tasked with reaching out to the House Committee on Natural Resources as well.

Councilman Bott advised how the lack of lifeguard staffing puts us in a bad position. The 911 call would come into us, and then we've got to use the rope gun to try and get to them. He then commented on the fact that the number of reported rescues does not include the ones where surfers have assisted. He stated you'd have to hope that the surfers continue to assist. He commented that the surfers rescue a lot of people, and it doesn't get written or talked about.

Councilman McComb gave the names of the Virginia Representatives on the House Committee on Natural Resources.

Mayor Bowden asked if anyone else has anything to say about the lifeguard matter. She stated it is a matter of life and death to her and we want to reiterate their importance. She mentioned how visitors don't understand all the dangers.

Vice Mayor Howard asked if they'd made any progress in Maryland by asking the State Parks for assistance with staffing lifeguards.

Town Manager Tolbert replied not to his knowledge.

Councilman Taylor spoke briefly about drones and the Fire Department's capabilities.

It was stated that perhaps down the line we can look at getting drone pilot licenses for some of the EMS employees.

Mayor and Council Comments

Councilman Bott stated that he feels our process for lot line vacations needs to be looked at. He expanded on why he feels this should be revisited. He reported on his findings from researching

the matter and noted that there are multiple ways to go about it. Ultimately, he believes it should be easier on citizens and should not require coming before Council.

Town Manager Tolbert will investigate the matter that Councilman Bott brought up.

Vice Mayor Howard noted that the high school is completing their spring season. He reported that the kids did great, he appreciates all the people in the community who have helped and showed their support. He stated it is a really great group of kids. He noted that people should be supporting them, it is a close community, and they really deserve our support.

Councilman McComb spoke on the safety issue with the lack of lifeguards and how concerning that is. He mentioned how quickly lives can be lost with a heavy surf or a rip current. He mentioned the money in the beach fund as being something that we've never been able to get anyone to accept when it's time to build the beach back up after a storm. He stated that we won't be able to put Town employees on Federal property but perhaps we could reimburse them the cost of the lifeguards if they were to put them in place while the Federal budget is being figured out. He stated the important thing is getting safety on the beach as we don't want any visitors losing their lives on a visit to Chincoteague and Assateague.

Councilman Taylor spoke about some observations he made after a baseball game that he recently attended. A teenager that was nearby to him became stressed when the post-game fireworks started going off. He did not know what was wrong, but he got the teenager out of the stadium and into the parking lot. He found out later that the teenager watched his father shoot his mother, so the noise of the fireworks was startling to him. He mentioned that the teenager's grandmother was at the game as well and she kept apologizing because she didn't think about the fireworks triggering him. He went on to state that you don't know what someone else has gone through, but you need to be kind to one another and be aware.

Councilman Savage spoke about them needing to do all they can about the lifeguard situation because while it'll be a disruption to the EMS crew, it'll more importantly, affect the families that are visiting. They come for a good vacation and don't imagine a tragedy occurring.

Mayor Bowden commented that no one expects something to happen, but things can change in the blink of an eye. She spoke about how she is proof of that. She noted on June 7th that there will be a documentary on the pony swim that will be shown at Robert Reed Park. It was put together by Seaside Vacations and it features interviews where people comment on what various things mean to them. She thanked the Town for their assistance with the 100th Celebration Parade and the Chincoteague Volunteer Fire Department's open house. She noted that people were everywhere, and that they were all having a great time. Her thanks for that event were

expressed to the Police Department, EMS, and Public Works as they all contributed to the success of the event.

Closed Meeting – In accordance with 2.2-3711, A1,19 of the Code of Virginia for the discussion of plans to protect public safety. Councilman Savage motioned, seconded by Councilman McComb to go into a closed meeting in accordance with §2.2-3711 A19 of the Code of Virginia for the discussion of plans to protect public safety. 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