



TOWN COUNCIL REGULAR MEETING

July 01, 2024 at 7:00 PM

Council Chambers – Town Municipal Center

AGENDA

CALL TO ORDER – *Mayor Leonard*

INVOCATION – *Councilman Taylor*

PLEDGE OF ALLEGIANCE – *Mayor Leonard*

PUBLIC COMMENT – *Mayor Leonard*

1. [Rules for Public Comment](#)

AGENDA ADOPTION – *Mayor Leonard*

PROCLAMATIONS – *Mayor Leonard*

STAFF REPORTS - *Mr. Tolbert*

2. [General Government June Report](#)
3. [CPD June Report](#)
4. [Public Works June Report](#)
5. [Emergency Services June Report](#)
6. [Center June Calendar](#)
7. [Center June Report](#)

COMMITTEE REPORTS – *Council*

8. [Budget and Personnel Committee Minutes](#)

ADOPTION OF MINUTES - *Mayor Leonard*

9. [June 3 Council Meeting Minutes](#)
10. [June 20 Workshop Meeting Minutes](#)

MR. ERIC COLLINS - CHARTER GOVERNMENT AFFAIRS

DRPT AUTHORIZATION - *Mr. Tolbert*

11. [DRPT Memo](#)

MAYOR AND COUNCIL COMMENTS – *Mayor Leonard*

ADJOURN



Rules for Public Comment:

1. All attendees wishing to speak shall sign up on the provided roster.
2. Speakers must preface all comments by stating their name and 911 address.
3. Comments shall be limited to (4) minutes per speaker.
4. A speaker cannot reserve or transfer time to another speaker.
5. Speakers must not use profanity, threatening language or otherwise be abusive of Council members or staff.
6. Speakers shall not address specific personnel matters which involve individual employees in a public meeting.
7. Members of the Council will not answer questions directly or engage with speakers.
8. Specific questions shall be directed to the Mayor who shall at his discretion, solicit a response from the appropriate staff member.

Grants:

SLPP – The committee for the Septic Local Partners Grant met last week for the purpose of reviewing applications received to this point. We expect to be able to begin awarding grants in the next few weeks.

VMRC – The Abandoned and derelict vessel contract was awarded to Cockrells Marine Railway, Inc. who began work on Thursday the 27th. All vessels will be completely removed by July 31.



Trolley:

Ridership for the month of June stands at 351 through Sunday the 23rd. The trolleys will begin running 7 days a week on July 1 and continue on this schedule through Labor Day weekend after which they will revert back to weekends only through the end of the season at the oyster festival. The purchase of the Town Trolley should be completed during the first week of July. Billy reports that the trolleys as well as loaned school buses and drivers are line up and ready for the 4th of July celebration.



Traffic Lights:



In an effort to move traffic more efficiently through our signaled intersections, we have contacted VDOT and requested the addition of "Right on Red" signs at the Deep Hole and Chicken City Intersections. VDOT engineers report that they will have to undertake a wind load analysis on their signal structure supports prior to approving installation of these signs. I have asked them to proceed with this work.

ESVA 911 Upgrade Project:

The bicounty 911 upgrade project is moving quickly now. Constcution on the new antenna installation and assoicataed support equipment began in ernest in May and should be completed over the summer. Testing of the new system should begin in the Fall.



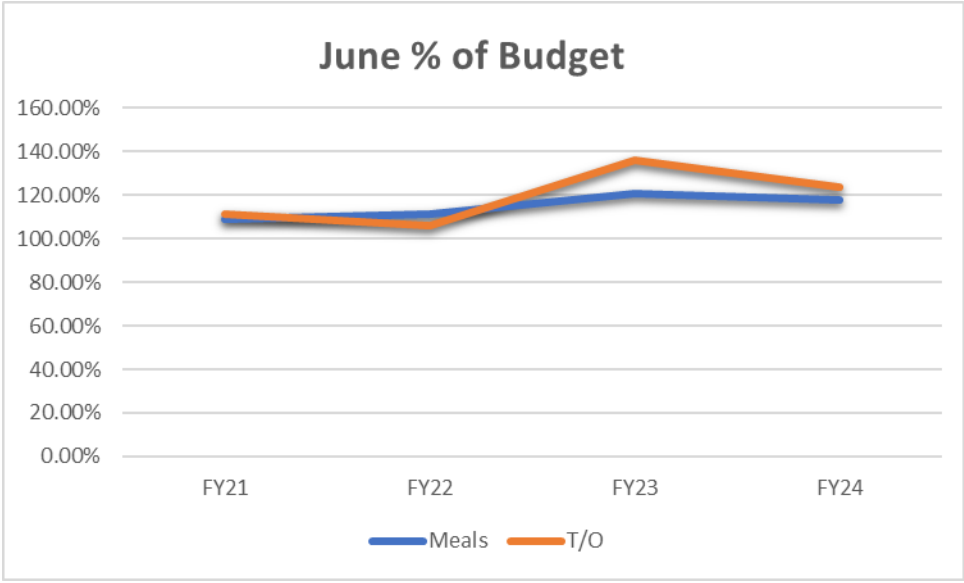
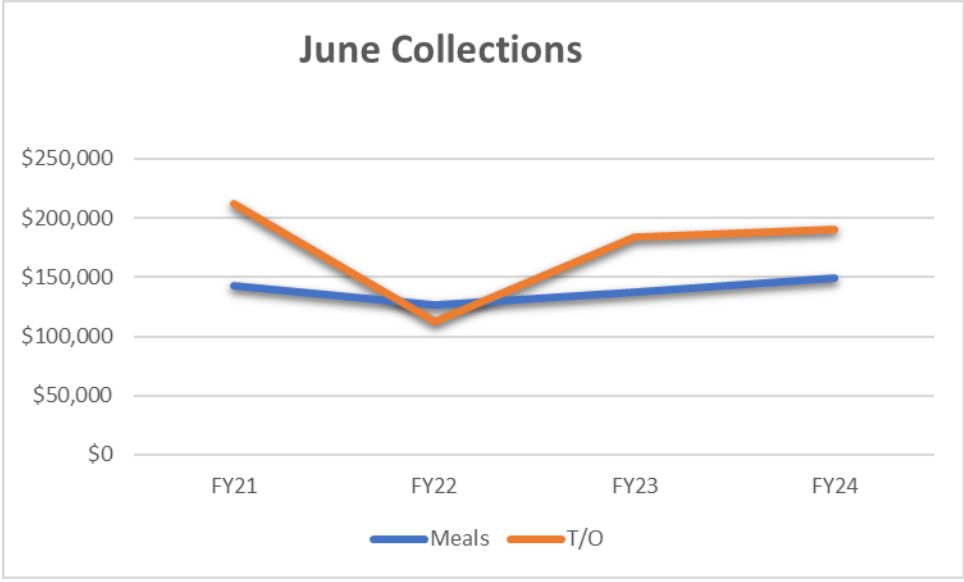
Meals and TOT:

The data in the table below represent collections for the month of June which reflect the level of business by food and lodging establishments in Town for the month of May. Meals taxes for the month of May exceeded June of 2023 by a strong 8.5% and TOT by a more moderate 3.5%. Both revenues indicate healthy growth and exceed inflation year to year.

Meals and TOT June (May Activity)					
June Collections			Fiscal Year		
Meals Tax	Tax Collected	2 year average	Budget	YTD	% of Budget
FY21	\$143,021	\$132,061	\$1,040,000	\$1,132,533	108.90%
FY22	\$126,318		\$1,250,000	\$1,393,953	111.52%
FY23	\$137,803		\$1,200,000	\$1,447,768	120.65%
FY24	\$149,039		\$1,300,000	\$1,527,334	117.49%
Deviation from 2 yr. Meals Tax Avg.		\$16,979			
T/O Tax	Tax Collected	2 year average	Annual Budget	YTD	% of Budget
FY21*	\$212,435	\$148,234	\$1,450,000	\$1,612,089	111.18%
FY22	\$112,353		\$2,125,000	\$2,253,813	106.06%
FY23	\$184,114		\$1,700,000	\$2,309,346	135.84%
FY24	\$190,557		\$2,000,000	\$2,472,815	123.64%
Deviation from 2 yr. T/O Tax Avg.		\$42,324			
*Increase in T/O Tax from 4% to 5% effective 1-1-21					

Figures shown are for accounts posted by 06-26-24.

Meals and TOT: Continued



Financial Report

The summary below reflects the Town's overall budget picture as of June 26, 2024. There were still a few end of year transfers to be made as of June 26.

BUDGET vs ACTUAL - June 26, 2024							
10 GENERAL FUND	FY24 BUDGET	FY23 MTD	FY24 MTD	FY23 YTD	FY24 YTD	VARIANCE	%
GENERAL FUND REVENUE TOTAL	\$ 7,563,652.00	\$ 756,098.49	\$ 706,374.63	\$ 7,835,337.12	\$ 8,685,889.99	\$ 1,122,237.99	115%
GENERAL FUND EXPENSE TOTAL	\$ 7,563,652.00	\$ 962,012.87	\$ 314,733.27	\$ 6,083,080.13	\$ 6,407,714.54	\$ 1,155,937.46	85%
GENERAL GOVERNMENT EXPENSE TOTAL	\$ 2,469,519.00	\$ 264,917.54	\$ 76,458.73	\$ 1,634,131.40	\$ 1,784,098.03	\$ 685,420.97	72%
EMS EXPENSE TOTAL	\$ 1,304,989.00	\$ 129,981.34	\$ 89,397.08	\$ 978,294.95	\$ 1,148,920.14	\$ 156,068.86	88%
PUBLIC WORKS EXPENSE TOTAL	\$ 1,302,870.00	\$ 129,131.66	\$ 40,055.57	\$ 1,085,413.83	\$ 1,303,005.40	\$ (135.40)	100%
MOSQUITO CONTROL EXPENSE TOTAL	\$ 138,241.00	\$ 6,507.95	\$ 2,852.83	\$ 178,151.49	\$ 73,263.83	\$ 64,977.17	53%
ROADS EXPENSE TOTAL	\$ 705,160.00	\$ 221,118.10	\$ 8,193.80	\$ 832,480.33	\$ 536,162.96	\$ 168,997.04	76%
POLICE EXPENSE TOTALS	\$ 1,313,220.00	\$ 161,952.92	\$ 74,136.88	\$ 1,061,981.70	\$ 1,246,655.87	\$ 66,564.13	95%
DISPATCHERS EXPENSE TOTAL	\$ 329,653.00	\$ 48,403.36	\$ 23,638.38	\$ 312,626.43	\$ 315,608.31	\$ 14,044.69	96%
30 CURTIS MERRITT HARBOR	FY24 BUDGET	FY23 MTD	FY24 MTD	FY23 YTD	FY24 YTD	VARIANCE	%
HARBOR REVENUE TOTAL	\$ 868,284.00	\$ 232,156.80	\$ 18,828.39	\$ 927,252.80	\$ 693,120.89	\$ (175,163.11)	80%
HARBOR EXPENSE TOTAL	\$ 868,284.00	\$ 115,404.78	\$ 49,044.98	\$ 1,202,521.54	\$ 544,364.51	\$ 323,919.49	63%
70 TROLLEY	FY24 BUDGET	FY23 MTD	FY24 MTD	FY23 YTD	FY24 YTD	VARIANCE	%
TROLLEY REVENUE TOTAL	\$ 259,833.00	\$ 159.90	\$ 194.50	\$ 35,458.86	\$ 233,064.38	\$ (26,768.62)	90%
TROLLEY EXPENSE TOTAL	\$ 259,833.00	\$ 175,215.09	\$ 6,468.12	\$ 219,169.88	\$ 74,998.44	\$ 184,834.56	29%
80 WATER	FY24 BUDGET	FY23 MTD	FY24 MTD	FY23 YTD	FY24 YTD	VARIANCE	%
WATER REVENUE TOTAL	\$ 1,015,000.00	\$ 73,719.30	\$ 60,386.83	\$ 1,026,510.75	\$ 1,171,473.77	\$ 156,473.77	115%
WATER EXPENSE TOTAL	\$ 1,015,000.00	\$ 134,096.56	\$ 184,561.82	\$ 650,973.46	\$ 801,591.85	\$ 213,408.15	79%
85 CENTER	FY24 BUDGET	FY23 MTD	FY24 MTD	FY23 YTD	FY24 YTD	VARIANCE	%
CENTER REVENUE TOTAL	\$ 194,650.00	\$ 36,834.85	\$ 16,311.69	\$ 498,873.56	\$ 226,669.00	\$ 32,019.00	116%
CENTER EXPENSE TOTAL	\$ 194,650.00	\$ 3,614.33	\$ 3,971.74	\$ 95,173.17	\$ 468,818.40	\$ (274,168.40)	241%
REVENUE TOTAL	\$ 9,901,419.00	\$ 1,098,969.34	\$ 802,096.04	\$10,323,433.09	\$11,010,218.03	\$ 1,108,799.03	
EXPENSE TOTAL	\$ 9,901,419.00	\$ 1,390,343.63	\$ 558,779.93	\$ 8,250,918.18	\$ 8,297,487.74	\$ 1,603,931.26	
Difference					\$ (2,712,730.29)	\$ 2,712,730.29	

Building and Zoning:



From May 28,2024 to June26, 2024, the Building and Zoning Department issued 80 building permits and conducted 58 inspections and 8 case activity cases inspections.

13 Business License site visits.

8 code case violation working without a permit \$180.00.

3 code case violations tall grass

14 zoning site visits.

46 permit plans' reviews.

29 walk- ins for building and zoning questions.

The total value for the building cost of construction. \$1,178,701.77

The total building permit fees collected were \$ 4,972.12

CHINCOTEAGUE POLICE DEPARTMENT

**MONTHLY REPORT TO COUNCIL
JUNE 2024**

The Chincoteague Police Department received 447 calls for service, resulting in 22 investigations of criminal offenses including: 2 destructions of property, 1 shoplifting, 1 aggravated assault, 2 simple assaults, 1 break & enter, 3 larcenies, 2 aggressive driving, 1 DUI, 1 trespass, 22 investigations resulted in 11 arrests.

The Department responded to 8 alarms, 11 suspicious activities, 2 civil problem, 10 control burn checks, 11 assisting other agencies and 12 welfare checks, 10 animal complaints, 13 accidents, 7 trespass, 10 thefts and 6 suspicious persons.

In addition, 153 security checks and 24 public service calls were conducted.

The Department issued 46 citations and 70 warning tickets.

In support of the Fish and Wildlife Service in Virginia (Assateague) the department dispatched 1 animal complaint, 1 assist other agency, 2 domestics, 2 fight in progress, 1 harassment/threats, 11 traffic stops.

On June 4th, 2024, Chief Greenley and Lt. Gladding attended the Training Coordinators Meeting at the Hampton Roads Criminal Justice Training Academy.

On June 20th, 2024, Accred. Manager Butler attended Power DMS training seminar.

On June 25th, 2024, Accred. Manager Butler and PFC. Adams attended intox EC/IR II recertification training at the Virginia Beach Training Academy.

On June 25th, 2024, Chief Greenley and Lead Dispatcher Adams successfully completed the departmental VCIN Audit

Public Works: June

Directional bored HDPE pipe was tied into existing watermain on East side end first. New pipe was chlorinated, and bacteria tested. Then the “Piney Island” end was connected.



Mosquito truck sprayer motor was replaced by public works.





Concrete was poured for Ocean Breeze mailboxes. Security light and mailboxes were installed. Keys turned over to post office and project is complete.

Piney Island Storm drain crossings were replaced over night on the 17th and 18th of June.

Item 4.





Rip Rap was installed to protect against erosion at both ends of each pipe.



Items Planned to be completed in July.

- **Asphalt Paving, Concrete Sidewalks, and Driveways.**
- **Spraying weeds, mowing, curb painting.**
- **Prepare to support efforts during the 4th of July and Pony Penning**
- **Continue routine maintenance of equipment and vehicles.**

TOWN OF CHINCOTEAGUE EMERGENCY SERVICES MONTHLY REPORT

EMERGENCY MEDICAL SERVICES DIVISION

Reporting Period: 06/01/2024 – 06/25/2024

TOTAL EMS RESPONSES: 87

(3 LESS THAN IN SAME PERIOD 2023): 90
 3 ADVANCED LIFE SUPPORT: **22**
 BASIC LIFE SUPPORT: **34**
 OTHER: **30** (Fire Stand-by, Public Assist Calls, etc.)
 HAZMAT: **0**

COMMUNITY SERVICE

BP SCREENINGS

Eight BP screenings were conducted at the station this month.

WALLOPS SAFETY DAY

Paramedics Patty Drewer and Shelby Northam set up an event table at the Wallops Safety Day. The crew handed out emergency management information as well as used the time as a recruitment tool for both career and volunteer services.

PLANNING

DRUG KIT TRANSITION

We continue to work through the regulations that are in place for developing our drug program which must meet the new compliance by November 27, 2024. The Chincoteague Volunteer Fire Company has allocated \$25,000 to obtain the necessary security controls, training, new kits and eventually the drug inventory. Paramedic Jamie Wheatley has shown great interest and has taken the lead in developing the program.

LOGISTICS

HORTON AMBULANCE

Continued working with the CVFC Ambulance Committee and the Horton Ambulance representative and had a full work through meeting of the work order. This ambulance will replace 3-2 and will be in production sometime in mid to late 2025.

TRAINING

CONTINUING EDUCATION

Staff participated in the following four hours of continuing education in June:

- Medical Case Studies
- Dementia Care
- Toxicological Emergencies

- Endocrine Emergencies

All employees completed their annual Tidewater EMS Protocol revision update and test.

Attended Naloxone Program for First Responders as part of a leave behind program for those drug overdoses that refuse to be transported. We will be participating in the program as we encounter this scenario frequently. If we respond and administer Narcan and the patient refuses transport, we will leave a Narcan behind and instruct the patient and bystanders how to use it. Many times, the effect of the narcotics will come back after the original Narcan wears off. CEMS has an account set up for this particular Narcan through the Virginia Department of Health and it does not come from our med kit stock for leave behind.

EMERGENCY MANAGEMENT DIVISION

- Weather and situational awareness monitoring.
- Attended “Coffee with Kelly” at WESR to give public information on the upcoming hurricane season
- Attended the Regional Catastrophic Planning Grant, Evac Plan Workgroup meeting remotely.
- Held the initial Fireworks and Pony Penning operations meeting
- Attended Wallops Monthly Range Schedule Briefing
- Attended Wallops Monthly Range Schedule Workgroup tag-up
- Completed the yearly Crisis Track Damage Assessment software training
- Attended the USCG Pony Penning Operations meeting
- Attended the NWS Warning Team Exercise with Manager Tolbert at the Chesapeake EOC
- Attended the Hampton Roads Emergency Management Committee Meeting
- Continuing to move forward with adding FEMA’s IPAWS (Integrated Public Alert Warning System) into our Code Red software.

Center June Report:

June 2024		Chincoteague Center				
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
26	27	28	29	30	31	1
					Prep day	Nicholas Wedding
2	3	4	5	6	7	8
		VA Space mtg	VA Space 8-5	graduation prep day	CHS graduation	prep day Cruz
9	10	11	12	13	14	15
Cruz Quinceanera			Red Cross blood drive 1-6 Meet with Amber 1pm		Skylar Beach sign	open for Rocketfest
16	17	18	45462	20	21	22
RocketFest	Rocketfest	RocketFest Elections in classrooms	RocketFest	RocketFest	Rocketfest till 12 Amy Lewis retirement party	Class of 1969 reunion & Wedding practice 7-11pm
23	24	25	26	27	28	29
Velasquez wedding 3am entry	BINGO ICH 1-3PM		setup for BINGO	Little League BINGO	Prep day	Tracy Mumford quinceanera.7am entry
30	1	Notes				
Jane Peak celebration of life 3-6						



You're invited



FlightFest 2024 Conference Event Schedule

MONDAY Opening Program and Award Ceremony 4:30 - 6:00 PM

TUESDAY Student and Aerospace Industry Expo (NASA, RocketLab, Virginia Spaceport Authority, Cubes in Space)
 Student Expo 12:30 - 4 PM

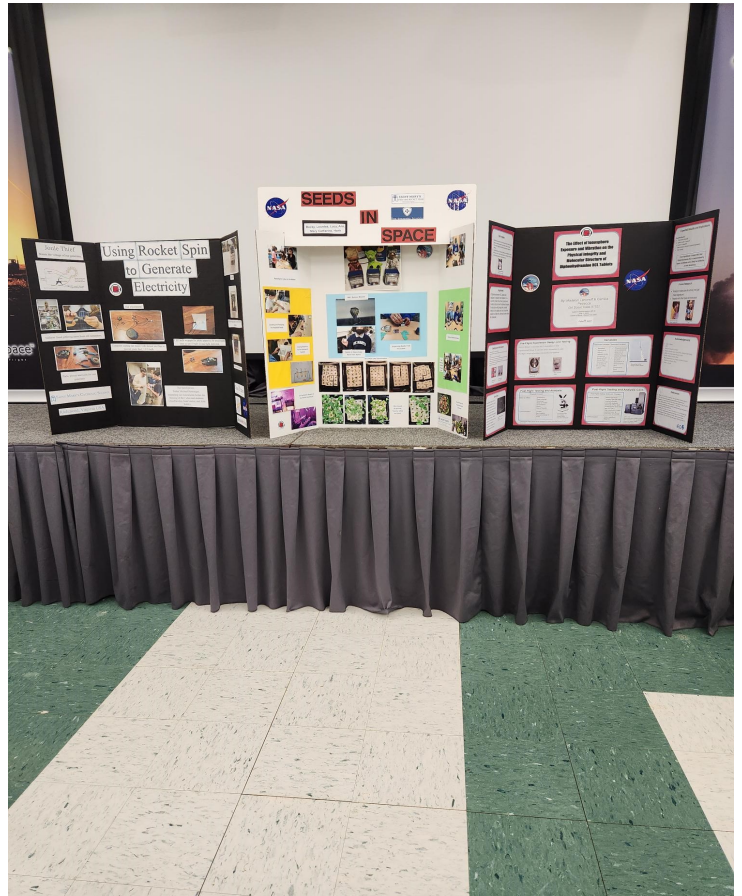


Model Rocket Build-a-Thon 6:00 - 8:30 PM

WEDNESDAY Future of Aerospace for Students - Industry Discussion Panel 8:30 - 9:45 AM
 Morning Rocket Workshops 10 AM - noon
 Afternoon - Student Presentations 1:30 - 4:00 PM

 Thursday - NASA Rocket Launch, Secondary Model Rocket Launch, Cube pick up

Evening FlightFest Retro Astro Party and Model Rocket Launch (6:30 - 9 PM)





Approximately 40 student participated in the model rocket building on Tuesday night. Their rockets were launched on Wednesday and Thursday from the little league fields.





**MINUTES OF THE JUNE 11, 2024
BUDGET AND PERSONNEL COMMITTEE MEETING
Council Chambers**

Members Present:

Mr. Christopher Bott, Chairman
Ms. Denise Bowden, Councilwoman
Mr. William T. McComb, Jr., Councilman

Members Absent:

None

Other Members Present:

Mr. J. Arthur Leonard, Mayor
Mrs. Ellen Richardson, Councilwoman

Staff Present:

Michael T. Tolbert, Town Manager
E. Bryan Rush, Director of Emergency Services

Call to Order

Vice Mayor Bott called the meeting to order at 6:00 p.m.

Public Comment

Vice Mayor Bott opened the floor for public comment. There was none.

Agenda Adoption

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

Vice Mayor Bott advised that at the last meeting they discussed other revenue sources. He stated that Town Manager Tolbert is going to research this and get back to the Committee.

Councilwoman Bowden advised she was reviewing the Employee Handbook, she stated that when someone uses up their sick leave, they have to wait 30 days.

Town Manager Tolbert explained the Sick Leave Bank. He stated that an employee has to deplete their sick leave and go 30 days without pay before they can utilize the Sick Leave Bank.

Councilwoman Bowden stated that she doesn't know of any Town employee that can go without pay for a month. She asked if this could be explored.

Town Manager Tolbert stated that there has been one with extenuating circumstances that he waived the 30 days. He will look into this further.

Presentation of 2024 Employee Reviews

Town Manager Tolbert explained the tools the supervisors use for the employee reviews. He reviewed the totals and showed the budget allocation. He recommended that the Committee vote to recommend the raises to Council.

Councilwoman Bowden asked if this would be effective July 1st.

Town Manager Tolbert advised it would.

Councilman McComb motioned, seconded by Councilwoman Bowden to recommend to Council the proposed raises as presented. Unanimously approved.

Review of FY2024 Budget Surplus Estimate

Town Manager Tolbert reported there will be a surplus for FY24. He reviewed each fund. He reviewed in depth the surplus recommended transfers to cover overages in the FY24 budget, and transfers to long-term savings. He added that most of the things he removed from the capital improvements will be taken care of with the surplus.

There were questions, comments, and further discussion.

Councilwoman Bowden motioned, seconded by Councilman McComb to recommend to Council the proposed FY24 surplus allocation as presented. Unanimously approved.

Closed Meeting

Closed Meeting pursuant to §2.2-3711 A (1) of the Code of Virginia for review and discussion of specific personnel performance.

Councilwoman Bowden, seconded by Councilman McComb to go into a closed meeting pursuant to §2.2-3711 A (1) of the Code of Virginia for review and discussion of specific personnel performance.

Ayes: Bott, Bowden, McComb

Nays: None

Absent: None

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

Councilwoman Bowden, seconded by Councilman McComb to certify that to the best of each Committee Member's knowledge:

- 1. Only public business lawfully exempted from open meeting requirements was discussed and**
- 2. Only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered.**

Unanimously approved.

Ayes: Bott, Bowden, McComb

Nays: None

Absent: None

Adjournment

Councilwoman Bowden, seconded by Councilman McComb to adjourn the meeting.

Unanimously approved.

MINUTES OF THE JUNE 3, 2024
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. Tyler Greenley, Chief of Police
 Mr. Wes Parks, 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.

- Ms. Donna Leonard, 6415 Leonard Lane, stated she enjoys serving on the RCEC. She expressed her displeasure with the new parking lot at Donald Leonard Park and plan for a split rail fence. She advised she asked for grass seed last fall. She commented further about kayakers being unable to pull their vehicle to the launch as opposed to parking and carrying their equipment. She asked who made this decision and advised she opposed it. She also brought up the discussion at the RCEC regarding a teenagers' hangout at Brianna's Park adding 4 saucers for them. She commented on the basketball court that was put in about a year ago. Ms. Leonard also advised she would like improvements to the waterfront across from the carnival grounds. She wants the Town to negotiate with the Fire Company to see if the shoreline could be enhanced. She suggested fill over the riprap. She also suggested that everyone listen to Mr. Chris Hines new talk regarding sea level rise at the north end of the Island. She also wants Council to worry about what's going to happen to the Causeway. She then addressed a public hazard near the turntable on north Main Street. She explained that there is a dock in need of repair before someone gets hurt or a child drowns.

- Mrs. Jane Knight, 8139 Seashell Drive, addressed Council regarding the passing of Mrs.

Jane Peake. She requested a resolution in her honor and memory. She listed all of the organizations that Mrs. Peake was a member of and the offices she held. She feels Council should recognize Mrs. Peake for her contributions to the community by way of a resolution.

Special Presentation

Mrs. Cynthia Wilder presented Vice Mayor Bott with a plaque in recognition for being an outstanding board member and President of the Chincoteague Chamber of Commerce.

Vice Mayor Bott thanked the Chamber.

Chamber Executive Director Shotwell also thanked Vice Mayor Bott for being there for her over the years.

District 1 Supervisor Report

Supervisor Tarr reported they have been focusing on the 2 housing projects, one in northern Accomack and one in mid-Accomack which will bring 600 new residents. In May the Board approved to renew the special use permit. He advised there was also discussion about funding in the state budget for the purchase of farmland by Virginia Space outside the NASA gate. He also reported that the County, HRSD, and NASA are discussing HRSD taking over NASA's sewage treatment plant. They're about 2 years out and getting the MOU written. There have also been discussions regarding a childcare facility in the northern end of Accomack County. He feels it will happen soon. He stated that the Town was notified and Town Manager Tolbert advised he would sit on the board.

Supervisor Tarr also reported that the County approved another 3% raise for EMS which was the 2nd part of the compensation study.

Councilwoman Bowden asked about the Inlet Study funding. She mentioned Tangier asking and getting millions of dollars. She commented about the areas around the Island that are now gone. She asked for the County's help with this. She suggested hiring a lobbyist.

Town Manager Tolbert stated that thanks to Del. Bloxom the 50% match of funds were secured but the Corps has not funded this project. The Town wasn't able to use it and the money disappeared.

Supervisor Tarr stated that the County has been putting \$50,000 in the budget each year to help with this study.

Councilwoman Bowden stated that the Town needs to put pressure on the Corps.

Supervisor Tarr advised that the Corps was given \$26 million for dredging projects on the Shore.

Councilwoman Bowden stated he mentioned the state buying property for the rockets, but in the meantime the south end of Chincoteague is getting swallowed up. She doesn't want to wait any longer for the Town or County to put pressure where it needs to go. She feels something has to be done.

Supervisor Tarr stated he was going to call the Corps.

Town Manager Tolbert advised that Del. Bloxom secured the funds through the state legislature. He spoke with the Corps, and they didn't fund it. They've had a colonel and his delegation here showing him and explaining everything going on about a year and a half to 2 years ago to try to kickstart this whole process.

Councilwoman Bowden stated she's been on Council 8 years and has been dealing with this. She added that the study will take 3 years.

Councilman McComb mentioned the RocketLab and the land outside the gate at NASA. He stated that one of the things they're seeing just outside of Town limits past Queen Sound is all the parking along the Causeway during the events which is a hazard. He suggested finding a way to develop parking areas and a potential place to watch the launch. He suggested talking to the County about this as well.

Supervisor Tarr stated that the County is already meeting about this with NASA, Virginia Space and the Virginia State Police. He added that there is a committee. He commented that even with the Virginia State Police at the last launch there was no one there to move traffic.

Mayor Leonard stated that at the last launch when the Visitor's Center filled up they were parking on the side of the road, getting hung up in the ditches. They talked to NASA about expanding parking.

Councilwoman Bowden advised the next launch is 06/20/24.

Agenda Adoption

Vice Mayor Bott motioned, seconded by Councilman Savage to move item #11, "Consider Request for MOU" up in the meeting. Unanimously approved.

Consider Request for MOU

Town Manager Tolbert advised this is about approval of an MOU.

Mr. Tarr stated that it takes just over an hour and 10 minutes to spray the Town of Onley. He added that he would go to Onley and use the Town's equipment.

Town Manager Tolbert explained that Mr. Tarr does mosquito control for both towns. The MOU will anticipate all the requirements.

Town Manager Tolbert reported that on May 28th Ms. Susan Rillo, the Town Manager of Onley, requested that Council consider renting some of the Town's mosquito spraying equipment. He explained that the Town of Onley uses similar equipment and chemicals. They are experiencing critical issues with their sprayer and are investing in a new one, but they have no way of applying pesticides until their new gear arrives. She asked if the Town would be willing to rent one of the sprayers in the interim. The Town was recently in a similar situation, and it appears that both towns could benefit from an MOU that permits the use of each other's equipment. An

MOU would dictate the terms of use during an outage so that it would not affect the application schedule of the municipality providing the equipment. Ms. Rillo will ask Onley's attorney to draft an MOU pending affirmative votes by both councils. He feels this could be mutually beneficial.

Councilwoman Bowden about the compensation.

Town Manager Tolbert stated that there wouldn't be. He stated that each Town would be responsible for their own expenses. He added that each Town would pay for their own employees. The MOU would address the direct costs, fuel, materials, etc.

There was discussion about the schedule of spraying and Onley would get sprayed when Chincoteague wasn't spraying. They discussed the cost of the sprayer motor, which was \$2,500 - \$2,800 and a new sprayer is \$15,000. It's been 6 years since the Town bought a sprayer. The MOU wouldn't go on forever. Onley will be down for about another 10 days.

Town Manager Tolbert stated that they will have brand new equipment and the Town's equipment is 6 years old. Everyone's equipment breaks down every now and then. He added that if the Town has a breakdown and can't spray for a week or two, they could use Onley's equipment. He added that every MOU has an out clause. The MOU hasn't been written, this is to explore it, if so, Onley would draw up a draft. He added that Council will still get to see it and edit it. He also stated that if it's not approved, the Town could allow it to be rented.

Councilman Savage stated that the Town has two sprayers and Onley needs one.

Councilwoman Bowden feels that if they will have their equipment up in 10 days, by the time this goes through they won't need it, unless this is an open-ended MOU.

Town Manger Tolbert stated it could be done in a term where it would have to be renewed and if it doesn't work Council can end it.

Vice Mayor Bott motioned, seconded by Councilman Taylor to approve the creation of the MOU with the Town of Onley for mosquito control spraying. Unanimously approved.

Staff Reports

General Government

Town Manager Tolbert reported that they have received 2 additional quotes and several inquiries about the abandoned vessel project. The deadline to submit quotes was Wednesday, May 29th. There was an article in the Eastern Shore Post about a week ago which spurred interest. They have 4 quotes and 3 were qualified. He also reported that the ridership for the Trolley Service is up. Beginning May 4th at the Seafood Festival there were nearly 1,000 riders. He stated that Transportation Director King has been working with DRPT regarding the purchase of the surplus trolley by the Town. The value of the trolley has been established at \$40,000 of which DRPT will allow the Town to keep the first \$5,000 in the Trolley Capital Account. Of the remaining balance, the Town will have to pay 80%, bringing the total investment to \$28,000 for Pied Piper. Town Manager Tolbert stated that they expect to use this trolley for various events throughout

the year which do not qualify for DRPT funding expanding our services for the Center and community at large. The first event for the Town Trolley will hopefully be the Blueberry Festival in mid-July.

Town Manager Tolbert reported that VDOT has changed the programs on all 3 traffic lights to their summer, in-season, routines which should allow traffic to move more easily. He gave the May report for the Center which started off with the CHS prom, Island Roots hosted a paint and plant night, and there were to weddings. The Center was used 15 out of 31 days in May. June will be even busier with Rocketfest next week. The kids will be building 30 model rockets and launching them from our Little League fields.

Town Manager Tolbert gave the Meals and Transient Occupancy Tax report for May along with the Financial Report. He continued with the Building and Zoning Report which included 51 building permits, 42 inspections and 15 case activity inspections. There were also 3 Business License site visits, 2 code case violations, working without a permit, 16 code case violations, tall grass, 16 zoning site visits, 42 building permit plans' reviews, and 35 walk-ins for building and zoning questions. The total value for the building cost of construction for the month was \$556,404.86 and the total building permit fees collected were \$3,867.99.

Councilwoman Bowden asked if the Building and Zoning software was helping.

Town Manager Tolbert advised it was and commented further. He added that the process is quicker if done online.

Councilwoman Bowden asked for the report from the front office.

Town Manager Tolbert advised he would get the information together and send it to Council.

Police Department

Chief Greenley reported in addition to the report in the packet, on May 3rd, the Police Department aided with traffic and foot patrol along with security for the vendors at the Seafood Festival. On May 8th Investigator Barnes attended the FBI National Academy's Associates Technology Summit. On May 13th the Department hosted Coffee with a Cop at Blackfin Restaurant where members of the community were able to come and voice their concerns to the Department. On May 15th, SRO Geminiani provided the CES Pre-K class with a tour of the Police Department complete with an interactive investigation that the class completed while receiving the tour. On May 16th SROs Carmody and Geminiani manned the CPD job fair booth at Chesapeake College in Queenstown, and will go to ESCC Tuesday, June 4th. On May 22nd LT. Gladding and Dispatcher Adams attended Level 1 DART training. He added that both of the SRO Grants were approved again this year.

Councilwoman Bowden suggested having the Coffee with a Cop 2 times a year.

Chief Greenley agreed and advised he would schedule it.

Public Works Department

Public Works Director Parks reported the Public Works Department cut grass in the cemeteries before Memorial Day weekend, installed banners, which were 25 more than last year, they re-established a parking lot for the Leonard Park with millings, they also plan to put in a split-rail fence. He added that topsoil and seeding will be installed outside the parking area, and they also plan to add parking bumpers. They installed 220 feet of storm drain on Willow Street, constructed a walking trail at the Brianna's Kindness Park, and started directional bore of waterline replacement for Piney Island. He commended Mr. Meckley on a good job building the Council tables. He reported that the gentleman who mirrored his position during Student Government Day has applied for a job with the Town. He advised for the month of June they will have asphalt paving, concrete sidewalks, and driveways, spraying weeds, mowing, curb painting, continue improvements at the Brianna's Kindness Park, Leonard Park, and Ocean Breeze. They will also continue with routine maintenance of equipment and vehicles.

Councilwoman Bowden asked about the ditches and the equipment they were supposed to look into.

Public Works Director Parks advised that the sales rep. didn't follow through. He will reach out again because the Town's equipment is down.

Councilwoman Bowden asked if they were spraying for weeds.

Public Works Director Parks advised they spray every 6 weeks.

Mayor Leonard asked if the Town was installing a waterline on Wildcat.

Public Works Director Parks advised they fused the pipe today and will bore tomorrow.

Emergency Services

Director of Emergency Services Rush reported they ended May with 100 calls, which is the same as last year. He advised that each year his staff goes to the lighthouse for training before it's open for the season. He further explained the different aspects of training they conduct there, adding that they actually train there a couple times a year. He stated that he has been working on Mr. Tarr of the Fire Company regarding Medicare payments. There is a 148-page document to review and fill out a multiple page form for the Fire Company to be reimbursed for Medicare. He reported that they were certified last week. He also reported that they continue with weather monitoring and as of June 1st it is Hurricane Season. He advised of the Regional Catastrophic Planning Grant with Maryland, Virginia, and Delaware. They are currently coming up with a plan for a shore-wide evacuation.

Director of Emergency Services Rush reported on IPaws, Integrated Public Alert Warning System, which also works with Code Red. He explained that to be notified with Code Red you have to sign up, but with IPaws it works on cellular service within our area. IPaws is used in extreme circumstances and will be up and running by the end of summer. He advised that NOAA predicts 17–25 named storms for this season. He reminded of the nor' east winds that

cause high tides and flooding and advised that everyone should prepare now. He suggested that every time you go to the store get something for your emergency preparedness kit.

Mayor Leonard asked if they were having a hurricane meeting.

Director of Emergency Services Rush advised that the local elected officials will hold a Microsoft Teams meeting Thursday, June 6th at 10:00 a.m. He added that someone with Homeland Security in the Governor’s office along with VDEM will be on to discuss what the season looks like.

Councilman Savage asked if you had to have internet connectivity to receive notifications from the IPaws system.

Director of Emergency Services Rush advised that you do not, it is through cellular service.

Gun Violence Awareness Proclamation

Mayor Leonard read the proclamation.



PROCLAMATION

IN RECOGNITION OF DECLARING FRIDAY JUNE 7, 2024 TO BE LOCAL GUN VIOLENCE AWARENESS DAY

This proclamation recognizes that Friday June 7, 2024 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 7, 2024, 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 7th, 2024 to help raise awareness about gun violence; and

WHEREAS, by wearing orange on June 7th, 2024, 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 7, 2024, 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

Committee Report
Budget & Personnel Committee

Vice Mayor Bott advised he had nothing to discuss as the minutes were in the packet.

RCEC

Councilman Taylor reported they met on May 28th. They reviewed the Leonard Park parking lot. He feels they needed a designated parking area. He added that the grass has been planted. He suggested possibly not putting up the fencing at this time. He reported that the Dog Park group requested another sunshade at the Dog Park, and he agreed to accommodate them. He mentioned the trail at the Brianna’s Park and thanked Public Works Director Parks for this. He reported that Ms. Leonard wanted 4 saucers to be placed for a teenagers’ hangout at the Brianna’s Park. He feels that the Town could order 2 and see how it goes before committing to 4. He wants a safe place for the kids to be.

There was further discussion regarding the parking lot, and installation of fencing.

Adoption of Minutes of May 6th and 16th Council Meetings

Councilwoman Bowden motioned, seconded by Councilman McComb to adopt the minutes of the May 6th and 16th Council meetings as presented. Unanimously approved.

Consider Award of Abandoned Vessel Remove Contract

Town Manager Tolbert reported that they have 3 quotes for this project. The lowest bidder was Cockrell Marine Railway, Inc. in Eastville, VA with a quote of \$48,000. He advised that if they don't spend all of the money, they will have to return it.

Mayor Leonard asked if he looked into adding the barge.

Town Manager Tolbert advised he has not but will.

There was further discussion.

Town Manager Tolbert stated he will review the specifications of the grant and contact VMRC for further information prior to selection of bidders. They have until the end of the summer to complete the project.

Vice Mayor Bott motioned, seconded by Councilwoman Bowden to table this matter for more information. Unanimously approved.

Council Comments

Councilman Taylor stated he would like to thank VDOT for putting the rocks on the Causeway. He suggested they put more rocks at Queen Sound where there is wash over.

Councilman McComb commented on the parking along Chincoteague Road during the rocket launches and feels the Town needs to get involved to push this along.

Town Manager Tolbert stated that Director of Emergency Services Rush communicates with them regularly.

Councilwoman Bowden stated that this is bothering her. When they had a lobbyist, and when they went to Richmond, it was a circus to get their elected officials to talk to them. She feels the Town needs to be proactive. The south end of the Island is in trouble where the tide rolls in even on low tide. She asked about dredging.

Mayor Leonard advised that the Army Corps of Engineers dredge twice a year at the Harbor but only the entrance coming through the breakwater, not on the sides. He feels that it would help if Harbormaster Merritt could put markers out.

Councilwoman Bowden wants to see Council come together and express, strongly worded, to the Army Corps and to get anyone on the Town's side to help. This is one of the most pressing and serious things on the Island. She also congratulated Chief Greenley on his new baby boy. She concluded with, "Go Yankees!".

Mayor Leonard concluded by reminding everyone that it's summertime and to be ready.

Closed Meeting – In accordance with §2.2-3711(A) (1) of the Code of Virginia that the Council convene a closed session for the purpose of discussion and review of specific personnel performance.

Councilman Savage motioned, seconded by Councilwoman Bowden to go into a closed meeting in accordance with §2.2-3712 (A) (3) of the Code of Virginia that the Council convene a closed session for the purpose of consideration of the acquisition of real property for a public purpose . 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 Councilman Savage motioned, seconded by Councilwoman Bowden to certify that to the best of each member's knowledge:

- 1. Only public business lawfully exempted from open meeting requirements was discussed and**
- 2. Only such public business matters as 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 Savage motioned, seconded by Councilwoman Bowden to adjourn.

Unanimously approved.

J. Arthur Leonard, Mayor

Michael T. Tolbert, Town Manager

MINUTES OF THE JUNE 20, 2024
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

Call to Order

Mayor Leonard called the meeting to order at 6:00 p.m.

Invocation

Councilman Savage offered the invocation.

Pledge of Allegiance

Mayor Leonard led in the Pledge of Allegiance.

Public Comment

Mayor Leonard opened the floor for public comment.

- Ms. Donna Leonard, 6415 Leonard Lane, gave Council a handout. She referred to the minutes from the June 3rd Council meeting. She advised that the minutes stated she would like to see the dock before the turntable “repaired” as it was a public hazard. She asked that the minutes be corrected to state that she would like to see it “addressed”. She continued with further comments regarding the Donald Leonard Park parking lot. She advised she recently spoke with Mr. Terry Thomas who did the landscaping at the entrance of Donald Leonard Park and he was shocked to see the parking lot there. He advised that the Garden Club of the Eastern Shore takes areas like this mixes topsoil and grass seed, covers it with them which returns those areas into a grassy area. She also requested that they not use weed killer as it could run off into the Chincoteague Channel. She suggested that Council take Mr. Thomas’s professional advice and return it to its natural beautiful state. She commented further about events that have been held there. She commented about comments from Councilwoman Bowden not stated in the minutes and asked why. She also asked how much the parking lot cost, if it was a contract job, who approved it and if there is a threshold that the Town Manager can make and spend without any approval from the Council. She hopes that Council will consider correcting the mistake and, in the fall, add some grass seed and topsoil and return it to a natural state.

Ms. Leonard referred to the pictures handed to Council and briefly explained the hang-out zone for the Brianna's Kindness Park. She continued that next was an area in the playground to add needed shade and a couple of benches along with a lending library. They were advised at that time that there wasn't enough room for the little library. She and the Library's representatives went to the Park and feel there is enough room. Ms. Leonard further discussed the hang-out zone and added that it has been a part of the plan since the beginning along with a few charging stations for cell phones.

Ms. Leonard stated that she saw that the walking trail has been put in and looks good. She again addressed the website picture of the old Memorial Park boat launch that shows a sign that states "No Kayaks" adding that you have one chance to make a first impression. She stated that she's been told that the Town website is due to be updated. She asked when. She commented on the age of the website. She commented on how to change the pictures with a click of a button. She stated that the Chamber was awarded a grant last year where they had professional photographers take over 500 pictures of the Island. She added that the Chamber has offered them to any Chamber member which would also include the Town.

Ms. Leonard then asked for a correction in the previous meeting minutes regarding the Sea Level Rise talk from Mr. Chris Hines. She stated that she asked Council to invite him back so that more people could hear the talk. She advised while watching the last meeting, she referred to the Mayor's suggestion of asking VDOT for a raised Causeway, which was a good idea. She stated that it may be necessary, adding that rocks won't help if the water level comes up above it. She then added that the minutes of the June 3rd Council meeting state that everyone should listen to Mr. Chris Hines' talk. She stated that she saw nowhere where that they could click on anything to listen to his talk. She added that when he gave his talk at the Museum it was the first time he presented that talk. She also added that there is nowhere they can go online and listen to it. She wanted the minutes changed to say that she asked that he should be invited to present that to the Council and the public. She asked if this happens that it be recorded for people who are unable to attend can listen to it.

Ms. Leonard again discussed the carnival grounds parking lot. She feels that this would be another use for the carnival grounds and would be great for rocket launches and suggested that it could be a tailgating place as you wait. She also feels there isn't enough parking for downtown events like the Poker Run. She stated that parking there for the Seafood and Oyster Festivals would be more efficient than parking at the high school. She added that just next to the Kawanis barn is a boat launch area which would be a great place to launch non-motorized boats, and lowering the riprap shoreline so that viewing sunsets would make this a very popular site. She hopes the discussion will start and possibly include the ANPDC. She commented on the planning that was done at the Robert N. Reed Downtown Waterfront Park and added that it's a beautiful asset to this Town and used each and every day by many.

- Mr. Kelly Conklin, Island Creamery, wrote a letter to Council as he was unable to attend the meeting. Town Manager Tolbert read the letter. It was regarding the carnival ground parking lot that was discussed at the last Council meeting. Mr. Conklin advised that his family owns the property immediately to the north of where the Kawanis barn is located. He wrote that they have much to be proud of on our Island. They have been blessed with forward thinking

Mayors and Councilmembers. One piece of evidence supporting his assertion is the Town's many attractive parks, boat ramps, and Harbor. He stated that access to the waterfront is limited. He encourages the Town to seize opportunities to preserve access when possible. He wrote that one opportunity is property the Town already owns, the carnival waterfront parking lot. Of all the Town-owned properties this has to be the most underutilized and least attractive. He encouraged Council to view this property as another waterfront park. He asked them to imagine a boardwalk where locals and visitors could enjoy the view of the sunsets. He continued that rocket launches could be viewed from the boardwalk, there could be a kayak launch put in to access that end of the Island, and if water depths permit a pier could be installed for folks to arrive to the carnival by boat. He is sure there are other ideas that would allow the property's potential to be maximized by citizens and visitors. He thanked Council for letting him share his thoughts on this topic.

Councilwoman Bowden suggested that Town Manager Tolbert look at the lease between the Town and the Fire Company.

Mayor Leonard asked if she thought the Fire Company would have any objections to having it improved.

Councilwoman Bowden doesn't think so, but that parking is a major deal the 13 or 14 nights they're open. She added that this is also where they dig the trench for the fireworks. She can't speak for the Fire Company, but it's something to think about.

Agenda Adoption

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

Consider Traffic Code Adoption

Town Manager Tolbert stated that this is an annual adoption that covers any changes to the State Code.

Councilwoman Bowden motioned, seconded by Councilman McComb to readopt the Traffic Code.

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, 2023, 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, 6-05-2023, 6-20-24)

(b) The provisions of this section, as readopted, shall be effective as of 12:01 am July 1, 2023. 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, 6-05-2023, 6-20-24)

Consider FY24 Budget Surplus Allocation

Town Manager Tolbert advised FY24 Budget surplus. He briefly reviewed the surplus and proposed allocation.

FY24 Surplus Funds:	\$1,793,203	
Harbor	\$20,668	Remains in Harbor Acct.
Trolley	\$155,110	Remains in General Fund
Water Acct General Fund	\$318,362	Remains in Water Reserve
- Interest Income Acct.	\$528,800	Remains in LGIP Investment
- Property Acquisition Reserve Removal	\$50,000	CIP FY24 - Replaces Budget
- Additional Paving	\$48,850	Additional VDOT Funds
- Unscheduled Water Line Repl. Critical Repairs	\$57,950	CIP FY24, 25 Required
- Eel Creek Culvert Engineering	\$50,000	CIP FY25, Culvert is Failing
- Mem Park Pier Repairs Critical	\$50,000	CIP FY25, Repairs Becoming
- Chamber Public RR Sewage Planned Restroom	\$45,000	CIP FY26, Sewage for
- MP Sewage Repair/Replace Failing.	\$45,000	Existing Drain Fields are
- Municipal Center Digital Sign	\$42,000	Council Request
- Christmas Decoration Repl. Decorations	\$50,000	CIP FY25, RR Park
- DJA Gym Composite Floor contractor	\$70,000	CIP FY26, With YMCA
- BKP Site Lighting Visibility and Security	\$25,000	CIP FY25, Increases
- CMH Fiber Optic @ Fuel Pumps Reliable	\$25,000	CIP FY24, Fuel Pumps more
- Boat Ramp Reserve	\$50,000	Current Acct. Depleted
- <u>Playground Equipment Reserve</u>	\$50,000	Current Acct. Depleted
- Remaining Unallocated Funds Estimates	\$111,463	Covers Inaccurate Surplus

Vice Mayor Bott motioned, seconded by Councilman McComb to allocate the predicted surplus as defined and direct staff to prepare an amendment to the FY24 Budget reflecting these allocations. Unanimously approved.

Consider FY24 Personnel Merit Increases

Town Manager Tolbert advised that in the spring of each year, each department head uses the same tool to evaluate each of their employees. He explained how the reviews are scored and the ratings which determine the increase. He recommended Council approve the raises as presented.

Councilwoman Bowden asked how the review software measures increase.

Town Manager Tolbert stated it is a computer program where each employee has an account, the department head will start with competency #1 answering questions for each skill of that competency. He stated that based on the answer there are several preprogrammed answers. Based on the answer given it assigns a number to that skill. After you've evaluated all 5 skills in that competency it averages the skills and gives the score for that competency and there are 11 competencies.

Councilwoman Bowden asked Town Manager Tolbert if he sits down with the employee.

Town Manager Tolbert stated that once this is approved the department heads will go through each employee's evaluation one-on-one with the employee. They will ask if the employee has any questions, they're given a copy, sign it, and the raise will be sent to payroll.

There was brief discussion.

Councilman McComb motioned, seconded by Councilwoman Bowden to approve the FY25 personnel merit increases as presented. Unanimously approved.

Consider Abandoned Vessel Contract Award

Town Manager Tolbert advised that the Town of Chincoteague was recently awarded \$60,000 from the Virginia Marine Resource Commission for the purpose of removing 4 derelict and abandoned vessels and equipment from local waters and a recent request was granted to include a 5th vessel near the abandoned equipment site. Town Manager Tolbert contacted the low bidder's references, and they were all good. He was sent no less than 20 pictures of jobs of equal or greater value that he has completed. He removed the sailboat from the shoal at the Inlet a year or two ago. He also reviewed the VMRC Grant Manual that stated they have to follow the State's Procurement Policy. He explained the policy.

Town Manager Tolbert advised that staff recommends that the contract be awarded to Cockrell Marine Railway Inc. as the lowest responsive bidder in the amount of \$52,000.

There was brief discussion.

Mayor Leonard stated that as disparaging as it is, he would like to give it to someone locally.

Town Manager Tolbert asked for an updated quote from Mr. Ross, Mr. Fisher, and Mr. Cockrell. He added that he asked for this ASAP. He did not receive one from Mr. Ross.

Mayor Leonard advised that Mr. Ross was out of the country.

Councilman McComb asked if they could wait until the next Council meeting and get the other revised bids.

Councilman Taylor feels that would raise red flags with VMRC where they have the bids.

Councilman McComb asked if their intent to do the 5 vessels was at the same bid.

Mayor Leonard stated that historically when they get a low bid, they get low bid work. He questioned where he would unload. He knows where the other 2 contractors would unload.

Councilwoman Bowden has a hard time, as much as she wants a local to have the contract, the due diligence has been done by Town Manager Tolbert. When you're talking about grant money, and Cockrell doesn't have an issue with the licenses, she doesn't see how Town Manager Tolbert can go back and do more than was done.

Councilwoman Bowden motioned, seconded by Vice Mayor Bott to award the contract to Cockrell Marine Railway in the amount of \$52,000. The motion was carried.

Ayes: Bott, Bowden, Richardson, Savage, Taylor

Nays: McComb

Absent: None

Mayor and Council Comments

Council Comments

Councilman Savage thanked everyone for the cards, letters, food, and everything. He stated there were a lot of acts of kindness shown during the passing of his mother. He added that he appreciated it.

Councilman Taylor stated they really are blessed. He stated they are getting ready to do Bible School and there have been many kids that she (Mrs. Savage) has been there for. Many of them have accepted Jesus as their Savior during that time. He added that every year they think; are the tourist going to come and are they still going to pay their bills. He again stated they are blessed. The Town's wages have gone up \$1.7 million since 2021, he doesn't begrudge the Town staff one dime because they're great workers. He stated that the Town doesn't know how really blessed they are. He prays that the Lord lets the storms go by and that people will still want to come to Chincoteague. It is a great place to come. He asked everyone to welcome them and pray for their safety. He asked the departments to keep it up and safe for all.

Councilman McComb thanked Ms. Leonard for the pictures of the hang-out area. He agrees it will be a great space. He also mentioned the shaded space at the Brianna's Park and asked where they were with the additional shaded space at the Dog Park.

Town Manager Tolbert advised at the request of the RCEC they have ordered another shade, it hasn't been installed yet.

Councilman McComb asked if they could put one at the Biranna's Park. He appreciated the input from Ms. Leonard on everything.

Councilwoman Bowden also thanked Ms. Leonard. She reviewed the June 3rd minutes and her comments weren't there. She added that this was disheartening. She asked why Council wasn't told about the parking lot, how much it was, and who authorized it.

Town Manager Tolbert advised that RCEC met in February where the first subject in that meeting was about the bald spaces at the Donald Leonard Park. It needed topsoil and seeding. He advised his comment was, and he listened to the meeting recording, if they add topsoil and seeding, they would need to define the parking so that cars won't drive over the money spent on topsoil and seeding. He also mentioned that a fence around the lot would be prudent so they wouldn't drive all around the parking lot onto the topsoil and grass they just seeded. There was a small discussion but no objection to that. He proceeded to instruct Public Works to put parking in there. The parking was placed on top of the original parking, the parking bumpers were already there. Surfacing was put in the same size area and in the same space where the bumpers are to identify the parking. The total cost of the parking lot was approximately \$15,000.

Councilwoman Bowden stated that the busy time is here, people are here, and they're going hard at it. It is disheartening that her Yankees were doing so well and today they're down 14-5, she's not going to say, "Go Yankees".

Mayor Leonard stated to Councilman Savage, they are sorry for the loss of his mother. He stated she was a big thing for the Baptist Church. He also stated that the traffic on the Island is crazy. He would like to get signage for "Right Turn on Red". He commented further. He added that the electronic scooters need to be reeled in a little. He feels they need to go back and get enforcement as the kids are getting younger and younger. They don't realize the power the scooters have.

Closed Meeting – In accordance with §2.2-3711(A) (1,7) of the Code of Virginia that the Council convene a closed session for the performance evaluation of staff and legal briefings by staff pursuant to pending litigation.

Councilwoman Bowden motioned, seconded by Councilman McComb to go into a closed meeting in accordance with §2.2-3712 (A) (1,7) of the Code of Virginia that the Council convene a closed session for the performance evaluation of staff and legal briefings by staff pursuant to pending litigation.

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 Councilman McComb to certify that to the best of each member's knowledge:**

1. Only public business lawfully exempted from open meeting requirements was discussed and
2. Only such public business matters as 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.

J. Arthur Leonard, Mayor

Michael T. Tolbert, Town Manager

Town of Chincoteague, Inc.



TO: Mayor Lenoard and Members of Council
FROM: Michael Tolbert, Town Manager
DATE: July 1, 2024
SUBJECT: DRPT Certifications and Assurances

The Department of Rails and Public Transportation awards the Town a grant each year that provides funds to operate our Pony Express Trolley service. As a condition of award, the town is required to provide “Certification and Assurance” that our operation aligns with certain state and federal requirements. This document must be signed by an authority from the Town as well as the Town’s attorney.

Council is asked to vote to authorize the Town Manager to execute this document.