



TOWN COUNCIL REGULAR MEETING

November 01, 2021 at 7:00 PM

Council Chambers – Town Municipal Center

AGENDA

CALL TO ORDER – *Mayor Leonard*

INVOCATION – *Councilman Taylor*

PLEDGE OF ALLEGIANCE – *Mayor Leonard*

CONSIDER REMOTE PARTICIPATION – *Mayor Leonard*

PUBLIC COMMENT – *Mayor Leonard*

AGENDA ADOPTION – *Mayor Leonard*

DISTRICT 1 SUPERVISOR REPORT - *Supervisor Tarr*

1. [New District 1 Map](#)

PROCLAMATION FOR CEMETERY CLEAN UP WEEK - *Mr. Tolbert*

2. [Cemetery Clean up Proclamation](#)

STAFF REPORTS - *Mr. Tolbert*

3. [General Government Report, October 21](#)
4. [CPD Report, October 21](#)
5. [Public Works Report, October 21](#)
6. [EMS Report, October 21](#)

COMMITTEE REPORTS – *Council*

7. [Public Safety Committee Meeting Minutes 10/05/21](#)
8. [ARPA Committee Meeting Minutes 10/06/201](#)
9. [Cemetery Committee Meeting Minutes 10/07/21](#)
10. [Recreation and Community Enhancement Committee Meeting Minutes 10/26/21](#)

ADOPTION OF MINUTES - *Mayor Leonard*

11. [Regular Council Meeting Minutes 10/04/21](#)

MAYOR AND COUNCIL COMMENTS – *Mayor Leonard*

CLOSED MEETING - Mayor Leonard

12. [Closed Session Motion](#)

13. Doc. #1

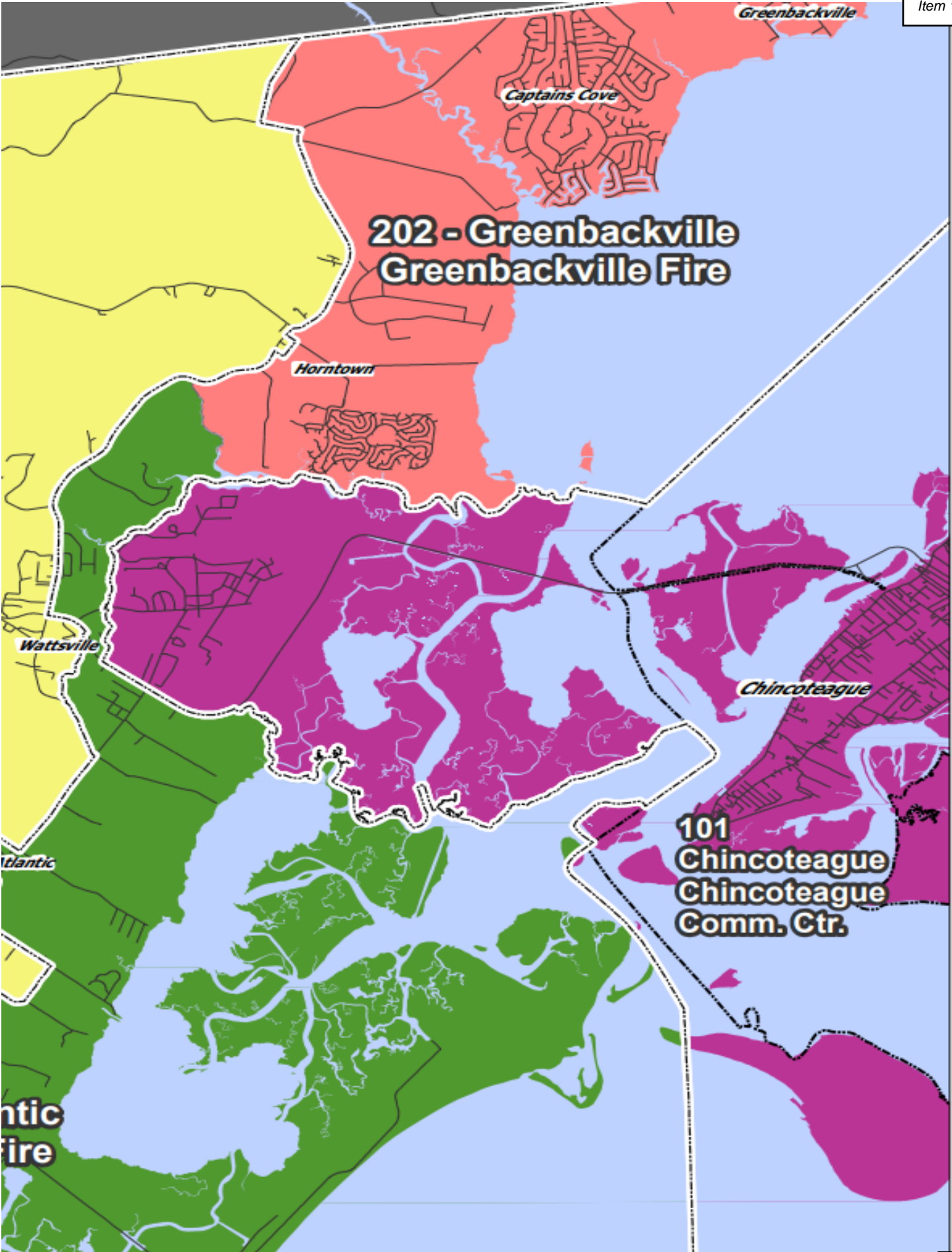
14. Doc. #2

15. Doc. #3

CERTIFICATION OF CLOSED MEETING *in Accordance with § 2.2-3712 (D) of the Code of Virginia*

16. [Closed Session Certification Motion - in accordance with section 2.2-3712\(D\) of the Code of Virginia.](#)

ADJOURN





PROCLAMATION

WHEREAS, throughout our community there are many cemeteries and family burial grounds; and

WHEREAS, over the years many of the loved ones of those buried in our cemeteries have moved away or are no longer able to tend to these cemeteries; and

WHEREAS, many organizations and individuals throughout our community have volunteered to assist in the cleanup of those sites and common areas within these cemeteries; and

WHEREAS, these organizations and individuals need assistance from all citizens to accomplish their cleanup goals to beautify and preserve our family burial grounds.

NOW, THEREFORE, I, Mayor John A. Leonard do hereby proclaim the week of November 8th through 13th, 2021, as Cemetery Cleanup Week within the Town of Chincoteague and call upon our citizens to volunteer to organize and assist in the cleanup of our Island cemeteries.

DATED this 1st day of November, 2021.

John A. Leonard, Mayor

ATTEST:

Michael T. Tolbert, Town Manager

Old Fire House:

There continues to be interest in renting spaces in the old fire house. There are at least 4 individuals who have toured different parts of the building in the month of October with intentions of renting the remaining spaces on both floors.

VDOT:

As you may know, VDOT reprogrammed our traffic lights in July to relieve the long lines we were seeing and allow traffic to flow better on Maddox Blvd. Since the bulk of the 2021 tourist season is behind us, we asked VDOT to reprogram the Maddox traffic lights to the previous settings. This will allow traffic to flow better in a North – South direction and facilitate local travel during the off season. VDOT accomplished the reprogramming on October 18, the same day as it was requested.

Harbor:

Harbor Master’s Fishing Tournament - The third annual Harbor Master’s Fishing Tournament was held on Saturday October 16, from 10AM -2PM at the Harbor. In all, 28 kids ages 3 to 16 participated. Fishing poles and bait were provided and several Captains from the Chincoteague Charter Boat Association were on hand to lend their fishing expertise. Chief Fisher brought a Police car and VMRC officers sailed a patrol boat into the harbor for the kids to tour. Four legal flounder were caught including 2 by Alyson Bowden. Hot dogs, hamburgers, chips and drinks were provided for lunch and each kid left with a T shirt commemorating the event. The weather was perfect and all the kids had a great time. A big thanks to Harbor Master Vernon Merritt for organizing and running the event for the third year.



Alyson Bowden



Reagan Tolbert

Harbor Fuel Sales: The Harbor has had a record year in fuel sales for the first part of FY22. The chart below indicates fuel sales as of October 31 for the last 3 fiscal years as well as year to date numbers of FY22. Note the dramatic increase in sales made in FY21 over the previous 2 seasons. The Harbor Master reports that fuel sales continue to be strong and with the next available fuel being 75 miles away, Curtis Merritt Harbor has become a very popular fuel stop for yachts transiting North to South for the winter season.

Curtiss Merritt Harbor of Refuge - Fuel Sales								
Fiscal Year	Reg Gas		Non-Ethanol		Diesel		Total Sales	
	Gallons	Gross Sales	Gallons	Gross Sales	Gallons	Gross Sales	Gallons	Gross Sales
FY19	24,644	\$59,861.23	25,163	\$70,165.83	72,287	\$155,651.46	122,094	\$285,678.52
FY 20	24,080	\$74,126.28	32,638	\$87,156.92	47,569	\$123,506.82	104,288	\$284,790.02
FY 21	53,740	\$131,548.20	46,065	\$118,191.21	63,908	\$152,167.95	163,713	\$401,907.36
FY 22 to Date	30,396	\$89,748.97	19,014	\$64,455.16	21,415	\$51,948.07	70,824	\$206,152.20

FY 21 saw a 57% increase in total gallons sold of all fuels over the prior two years led by a 120% increase in regular unleaded gas. Sales of all fuels increased by double digits in FY21 indicating a rise in activity across the spectrum. The year-to-date numbers for FY22 indicate that this year is proceeding in a similar manner.

Financial Report:

There are few anomalies here to reference as the budget is about where it should be at this point in the year. Mosquito Control expenditures are higher than normal for this time of year and reflect unplanned overtime used later in the summer for increased operation of spraying vehicles.

Again, overall, expenses are lower year-to-date over last year while revenues continue to be higher for the same period.

Period Ending 10/26/2021	BUDGET vs. ACTUAL						
10 GENERAL FUND	FY 22 BUDGET	FY 21 MTD	FY 22 MTD	FY 21 YTD	FY 22 YTD	Variance	Percent
General Fund Revenues	\$ 6,208,806.00	\$ 555,472.32	\$ 631,995.23	\$ 2,776,376.28	\$ 3,108,971.83	\$ (3,099,834.17)	50%
General Fund Expenses	\$ 6,208,806.00	\$ 655,134.27	\$ 327,042.28	\$ 2,217,210.16	\$ 1,797,342.15	\$ 4,411,463.85	29%
General Government Expenses	\$ 1,391,430.00	\$ 297,569.58	\$ 104,664.87	\$ 975,661.39	\$ 550,955.67	\$ 840,474.33	40%
EMS Expenses	\$ 1,088,206.00	\$ 49,042.53	\$ 63,210.44	\$ 228,707.44	\$ 294,563.47	\$ 793,642.53	27%
Public Works Expenses	\$ 1,574,292.00	\$ 68,838.42	\$ 74,690.08	\$ 372,565.30	\$ 390,678.06	\$ 1,183,613.94	25%
Mosquito Control Expenses	\$ 123,762.00	\$ 5,411.43	\$ 10,328.72	\$ 44,400.51	\$ 52,874.05	\$ 70,887.95	43%
Roads Expenses	\$ 710,158.00	\$ 170,417.58	\$ 7,732.68	\$ 265,168.53	\$ 121,785.77	\$ 588,372.23	17%
Police Expenses	\$ 1,032,219.00	\$ 46,965.59	\$ 50,986.08	\$ 239,896.52	\$ 291,936.02	\$ 740,282.98	28%
Dispatchers Expenses	\$ 288,739.00	\$ 16,889.14	\$ 15,429.41	\$ 90,810.47	\$ 94,549.11	\$ 194,189.89	33%
30 CURTIS MERRITT HARBOR							
Curtis Merritt Harbor Revenues	\$ 635,495.00	\$ 37,054.36	\$ 50,490.29	\$ 211,614.57	\$ 354,677.82	\$ (280,817.18)	56%
Curtis Merritt Harbor Expenses	\$ 635,495.00	\$ 24,657.31	\$ 25,667.85	\$ 163,587.59	\$ 294,616.37	\$ 340,878.63	46%
70 TROLLEY							
Trolley Revenues	\$ 86,014.00	\$ -	\$ 30.25	\$ 20,912.00	\$ 27,285.32	\$ (58,728.68)	32%
Trolley Expenses Total	\$ 86,014.00	\$ 6,300.02	\$ 3,015.00	\$ 27,216.42	\$ 29,787.78	\$ 56,226.22	35%
80 WATER							
Water Revenues Total	\$ 1,023,500.00	\$ 96,064.82	\$ 87,439.13	\$ 362,566.34	\$ 377,066.31	\$ (646,433.69)	37%
Water Expenses Total	\$ 1,023,500.00	\$ 40,325.61	\$ 53,239.74	\$ 201,219.60	\$ 200,385.40	\$ 823,114.60	20%
REVENUE TOTALS	\$ 7,953,815.00	\$ 688,591.50	\$ 769,954.90	\$ 3,371,469.19	\$ 3,868,001.28	\$ (4,085,813.72)	49%
EXPENSES TOTALS	\$ 7,953,815.00	\$ 726,417.21	\$ 408,964.87	\$ 2,609,233.77	\$ 2,322,131.70	\$ 5,631,683.30	29%
Difference					\$ 1,545,869.58	\$ (1,545,869.58)	

Taxes

It is that time of year again. The office staff has begun to assemble and print tax bills with a deadline of November 5th for mailing to taxpayers. You have probably noticed that tax bills from year to year are printed on different color paper. This is to help the office staff quickly distinguish bills among multiple years. This year's bills will be printed on pink paper.

Meals and TOT:

The data in the table below represent collections for the month of October which reflect the level of business in Town from the month of September. Transient Occupancy Tax collections continue to be strong increasing 17% over October last year after correcting for January’s 1% increase. TOT has exceeded 100% of the FY22 budget while Meals tax collections show a steady gain about 7% over FY21. Meals tax percentage of budget indicates a significant gain in part due to the more modest budget goal adopted for FY22 for that source of revenue.

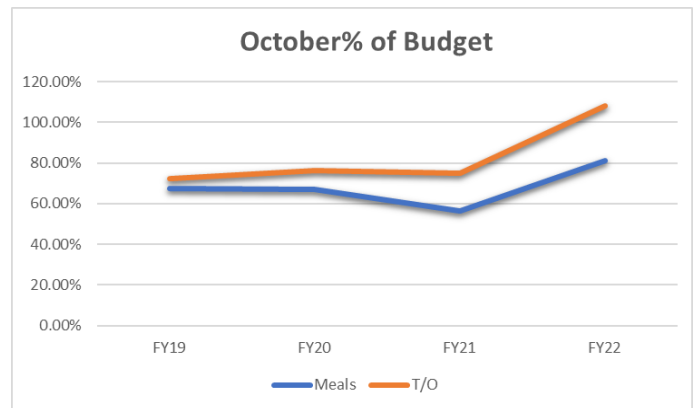
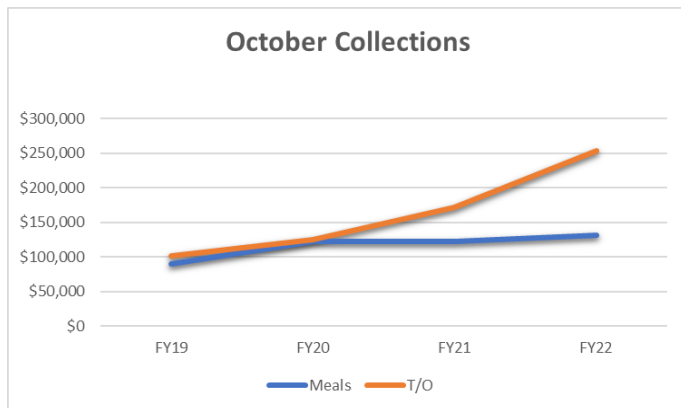
Meals and TOT October (September Activity)					
October Collections			Fiscal Year		
Meals Tax	Tax Collected	3 year average	Budget	YTD	% of Budget
FY19	\$90,342	\$111,857	\$915,000	\$617,995	67.54%
FY20	\$122,547		\$1,000,000	\$669,803	66.98%
FY21	\$122,681		\$1,100,000	\$618,962	56.27%
FY22	\$131,200		\$1,000,000	\$812,040	81.20%
Deviation from 3 yr. Meals Tax Avg.		\$19,343			

T/O Tax	Tax Collected	3 year average	Annual Budget	YTD	% of Budget
FY19	\$101,830	\$133,145	\$1,200,000	\$870,024	72.50%
FY20	\$125,424		\$1,210,000	\$922,850	76.27%
FY21	\$172,182		\$1,290,000	\$966,115	74.89%
FY22*	\$253,577		\$1,400,000	\$1,515,536	108.25%
Deviation from 3 yr. T/O Tax Avg.		\$120,432			

*Increase in T/O Tax from 4% to 5% effective 1-1-21

Figures shown are for accounts posted by 10-27-21.

You can see from the graph below that TOT collections continue to increase at a steady state while October Meals tax collections have flattened somewhat.



TOWN OF CHINCOTEAGUE, INC.

Building and Zoning, October 21

From September 27, 2021, to October 25, 2021, the Building and zoning Department issued 36 building permits and conducted 51 inspections.

7 - Business License site visits.

12 - plans reviews.

41 - office walk- ins for building and zoning questions.

3 - site visit meetings on proposed construction.

4 - Starting construction without permits \$ 200.00

Grass & weeds Violation fees \$ 750.00

The total value for the building cost of construction \$ 383,289.00

The total building permit fees collected \$ 2,339.15

Demolition of the structure at 8267 Sea Bird Dr. was completed a few weeks ago.



CHINCOTEAGUE POLICE DEPARTMENT

MONTHLY REPORT TO COUNCIL

October 2021

The Chincoteague Police Department received 237 calls for service which resulted in 15 investigations of criminal offenses that included: 1 dissemination of nude images or videos, 1 use of profane, threatening or indecent language, 2 drunk in public, 4 petit larceny, 2 grand larceny, 1 grand larceny with the intent to distribute, 1 enter property to damage it, 1 capias, 1 probation violation and 1 hit and run, There were 8 arrests with 12 charges as a result of these investigations.

The Department also responded to 5 animal complaints, 2 alarms, 11 suspicious activities, 6 civil problems, 7 control burn checks, 6 assisting other agencies, 3 welfare checks and 6 noise complaints.

In addition, 96 security checks and 1 public service call were conducted.

The Department issued 4 summonses for traffic offenses and 4 warning tickets.

October 1, 2021, The Chincoteague Police Department and ACSD assisted CHS with their Homecoming Parade.

October 4-8, 2021, Pfc. Stevens attended General Instructor School.

October 8-9, 2021, the Department assisted the Chamber of Commerce with the Oyster Festival.

October 13-15, Pfc. Barnes attended Breath Alcohol Tech. Training.

October 20, 2021, Chief Fisher trained all officers on operation of decibel meter.

October 23, 2021, Chief Fisher and Cpl. Gladding assisted the CVFC with traffic control for their Oyster Fritter fund raiser.

October 25-29, 2021, Chief Fisher, Cpl. Adams, Cpl. Butler and Pfc. Arnold attended bi-annual in-service at CBBT.

October 26 – 27, 2021, Captain Greenley received training in “Access to Criminal and other law enforcement Records Pursuant to FOIA

October 30, 2021, the Chincoteague Police Department assisted with closing the downtown area from Church St. & Main St to Cropper St. & Main St. and Sunnywood Manor for Trick or Treating.

November 2021 Public Works Update

- Continued Brianna’s Kindness Park construction.



Backfilled and tamped restroom foundation



Placed concrete



Finishing



Completed slab



Began erection of block walls



Assembled and temporarily placed soccer goals Placed parking bumpers

- Performed Curtis Merritt Harbor dock repairs. This is an ongoing project and will include replacement of finger pier stairways;



- The Curtis Merritt Harbor fuel sales system installation is pending the final approval of a merchant's account for credit card processing. Estimated time is two weeks. The new Fuelmaster system is cloud based providing the ability to view fuel transactions, fuel inventory, and system diagnostic information in real time on any web-enabled device. The system will continue to use the current internet connection until it is upgraded early in 2022. The upgrade, provided at no additional cost, will make the system EMV compliant and utilize cellular transaction processing. Estimated downtime for installation is eight hours.
- Assembled and poured concrete slabs for two memorial benches;
- Completed several minor modifications/repairs at the old firehouse to accommodate tenants requirements;
- Provided Chincoteague Center maintenance to include chiller fan motor replacement, kitchen ceiling tile replacement, plumbing fixture repairs and event setups;
- Replaced air handler blower motor in Town office;

- Graded/filled Ocean Breeze roads;
- Performed routine equipment, park and office complex maintenance;
- Performed routine pavement repair, weed control and traffic control device maintenance;
- Performed routine mosquito control operations;
- Performed routine cemetery maintenance;
- Performed routine water supply, distribution and repair to include the installation of three new services.
- Performed vehicle service and repair.

Upcoming Projects

- Continued Brianna Kindness Park construction;
- South Main Street drainage upgrade associated with Inlet View Campground fill;

TOWN OF CHINCOTEAGUE EMERGENCY SERVICES MONTHLY REPORT

EMERGENCY MEDICAL SERVICES DIVISION

Reporting Period: 10/01/2021 – 10/25/2021

TOTAL EMS RESPONSES: 67

(13 MORE THAN IN SAME PERIOD 2020): 54

ADVANCED LIFE SUPPORT: **25**

BASIC LIFE SUPPORT: **30**

OTHER: **12** (Fire Stand-by, Public Assist Calls, etc.)

HAZMAT: **0**

COMMUNITY SERVICE

BP SCREENINGS

Three BP screenings and one blood sugar screening were conducted at the station this month.

FOOTBALL STANDBY

The second ambulance and crew conducted a standby at the CHS home football games on October 1 and 8. The same was done for the “Pee-Wee” football games on October 13.

FIRE PREVENTION

Assisted the Chincoteague Volunteer Fire Company with a fire prevention activity at the Chincoteague Elementary School.

PLANNING

BACKGROUND REVIEWS

Background reviews have been required for both volunteer and career EMS providers for many years. Up until approximately six years ago, those finger prints for backgrounds could be done locally but were moved to a special format by the Office of EMS that required all applicants to go to Salisbury, Md. for the fingerprints. In the last couple of years, backgrounds are required on all volunteers, even those not actively engaged with the ambulance, making this a very burdensome process. EMS Supervisor Barrs and Police Chief Fisher are working towards having this service moved back locally to alleviate most of the burden when it comes to these required background checks.

LOGISTICS

OPERATIONAL MEDICAL DIRECTOR

A meeting was held with OMD Wolffe to complete paperwork for the upcoming Virginia Department of Health, Office of EMS inspection and to discuss some operational changes as well as the new EMS Supervisor position.

RESERVE AMBULANCE

The director, supervisor and CVFC members were able to look at a used ambulance for possible purchase as a reserve unit. A reserve unit will not operate as a third ambulance but will only see service when a primary ambulance goes out of service for maintenance or failure. This will prevent us from having to borrow an ambulance to keep response at the planned level.

VDH OFFICE OF EMERGENCY MEDICAL SERVICES INSPECTION

The regional program representative conducted the required inspection for licensure of the EMS agency and equipment on October 26. The inspection reviews both career and volunteer training records, vehicle maintenance records, FCC licensure, mutual aid agreements, quality assurance/improvement records, response plans, response times, and EMS vehicle required equipment. The inspection granted licensure for the next two-year period.

PPE

PPE remains well stocked and VDEM is once again drop shipping supplies upon request due to the latest Covid-19 wave.

EMS SUPERVISOR POSITION

The EMS Supervisor position recommended by the Budget and Personnel Committee and approved by Council had two employees apply for the position and completed the selection process which involved an oral panel interview and a writing assignment. The process was conducted on September 29 and Paramedic Christopher Barrs was selected and accepted the position October 7. Chris began work on October 18 and has hit the ground running having to immediately come up to speed on the OEMS inspection.

TRICK-OR-TREAT

EMS staff mobilized to deliver access passes to each residence in the Sunnywood Manor neighborhood for the scheduled road closure on October 30.

TRAINING

CONTINUING EDUCATION

Staffed received four hours of required continuing education in the following topics:

- Central Nervous System Injuries
- Hemorrhage Control
- Field Triage
- Fluid Resuscitation

EMERGENCY MANAGEMENT DIVISION

- Daily weather and Covid-19 monitoring are ongoing.
- Continued bi-monthly Covid-19 conference calls with VDEM and VDH.
- HELIOS Laser Target Engagement planning discussion October 5 between USFW, NASA and TOC. A final process was worked out so that there would be no beach closure during the month.

- Halloween planning meeting on October 13 with the planning team. Door hangers distributed to Sunnywood residents 10/28 and PSA's on the WEB and social media. Main Street from Cropper to Church as well as Sunnywood Dr and Sunset Dr. closed to through traffic from 4P-8P, October 30.
- Attended the quarterly meeting of the Eastern Shore Disaster Preparedness Coalition on October 20. A brief was given on the Hampton Roads Incident Management Team as well as a round table discussion on cent Covid activities.
- Attended the Public Safety Committee meeting on October 5.
- Attended the Hazard Mitigation Steering Committee Meeting on October 19. A rough draft of the Hazard Mitigation Plan should be ready by December.
- Conducted a Resiliency Workshop for the Chamber of Commerce with 14 members participating. This was a repeat of the September 2019 session as all others were cancelled due to Covid-19. Subsequent workshops will be held over the next year.
- Attended a VEMA (Virginia Emergency Management Association) virtual lecture with the topic being Change Culture: Change That Builds a Resilient Community.
- Maintained weekly situational awareness with Accomack County, Northampton County, VDH, VDEM, FEMA and Joint Information Center.

PUBLIC SAFETY COMMITTEE
Meeting Minutes
October 5, 2021

Members Present:

Denise Bowden, Councilwoman
Jay Savage, Councilman

Members Absent:

J. Arthur Leonard, Mayor

Staff Present:

Michael T. Tolbert, Town Manager
Robby Fisher, Chief of Police
Bryan Rush, Emergency Management Coordinator
Tyler Greenley, Captain

Call to Order

Councilwoman Bowden called the meeting to order.

Public Participation

There was none.

Discuss CPD Staffing Levels

There was discussion about the Police staffing positions. Chief Fisher advised they have the position to be filled because of the officer who took the SRO position and he has in the budget for an investigator. He explained that he is opening the positions in-house first. He also explained that both of those positions won't do any good on the road. They are also looking at having 2 extra people on the midnight shift.

Councilwoman Bowden asked if this would give him 2 officers on every shift.

Chief Fisher advised it would, except for early mornings on the weekends. During the summer, the SRO will be back on regular shifts.

Councilwoman Bowden stated that they are looking to replace the position from the SRO, which is in the budget. They are also looking for an investigator and then 2 more officers to add to the next year budget.

Chief Fisher explained that that this will put 2 officers on duty for 24-hour coverage. His thoughts with the investigator position is that they may not actively be working on cases and would be expected to be called out to fill in a shift when needed.

Councilman Savage asked if these would be different job descriptions.

Chief Fisher stated that with an investigator the accreditation requires they have a policy for that investigator. The policy also lays out what the investigator job description is.

They discussed certifications and training, hiring from within, and advertising outside.

Town Manager Tolbert stated they are looking at staffing, salaries and 2 more officers which will use most of \$100,000. He added that if they hire someone without certifications, they will have the expense of the academy. They have to start with the budget process.

There was discussion about calls for service each year, advertising on a broader spectrum, and beginning salaries.

Councilwoman Bowden reiterated that they are actively trying to replace Cpl. Carmody on the road and an investigator. They will review the budget in the spring to add 2 new positions.

Review of Public Safety Funding Resolution

Councilwoman Bowden stated that if the EMS, Police, Public Works and Fire Company would need anything, they can come before the Committee.

Town Manager Tolbert stated that they can contact him and he will contact the chairperson of the Public Safety Committee and then schedule a meeting for the request. If approved, the matter will be sent to the Budget and Personnel Committee once approved it will go to full Council.

Councilwoman Bowden stated that if someone comes to Town Manager Tolbert, they should call a Public Safety Committee meeting as soon as possible. She asked if the funds would be retroactive in the budget as a line item.

Town Manager Tolbert advised that they have already been putting the money in a separate internal account since they began collecting the additional 1%. This is approved so that the monies can be spent with direction. He added that ideally this would be used for one-time expenditures and not salaries as this income is volatile. They don't want to lock it up.

Councilwoman Bowden hopes this will get them over some minor hurdles. She stated that she does not want to see this fix a parking lot.

Councilman Savage stated that this can be used during a State of Emergency for provisions.

Town Manager Tolbert stated it fits anything under public safety and it gives the Committee flexibility to decide. They have complete control.

Councilwoman Bowden doesn't want spending to be too broad.

RESOLUTION

WHEREAS, the Town of Chincoteague is responsible for the safety and general welfare of the public, both citizenry and visitors and provides services to protect the public within its incorporated limits; and

WHEREAS, maintenance and improvement of public safety can regularly require the establishment and funding of Department of Emergency Services, Police and Fire Departments and Public Works; and

WHEREAS, in recent years the increased tourism and visitation to the Island has strained the Town’s resources causing potential reductions in the general welfare and public safety services; and

WHEREAS, the Town Council recognizing the need for increased public safety services voted at its November 4, 2019 regular meeting to increase the Transient Occupancy tax by 1% to be effective January 1, 2021 and that the funds resulting from this increase shall be accounted for in a separate fund and be used exclusively for the improvement of the general public safety of the Town’s citizens and visitors; and

WHEREAS, the Town’s standing Public Safety Committee, whose membership is composed of 3 members of Council, is charged with making improvements to public safety for the betterment of the community and its inhabitants.

NOW THEREFORE, BE IT RESOLVED, that all proposals for expenditures from such public safety fund shall be presented to the Public Safety Committee at a scheduled meeting for review and approval and that the chairperson of the Public Safety Committee shall recommend to the Budget and Personnel Committee at its next regular meeting any expenditure so approved by the Committee; and

BE IT FURTHER RESOLVED that no expenditures from the Public Safety fund shall be made without a recommendation from the Budget and Personnel Committee and the approval of the full Council except they be part of a lawfully approved annual Town budget.

Recorded Vote:

Moved By: _____

Seconded By: _____

Yeas: _____

Nays: _____

TOWN COUNCIL of the
TOWN OF CHINCOTEAGUE, VIRGINIA

By: _____

Committee Member Comments

Councilwoman Bowden wanted an update on the high-pressure compressor that that Town donated but they are still waiting for the electronic component that was shipped from China. She advised that wanted to have this meeting so they could talk about the resolution along with the Police staffing levels. She asked Emergency Management Coordinator Rush how his staffing was working out.

Emergency Management Coordinator Rush advised it is working very well. He sees it being well maintained for the foreseeable future. He feels they will move forward for the community. He sees community projects they could be involved in because they have the staff.

Councilman Savage commended the job that their departments are doing.

Councilwoman Bowden stated she tries to take every opportunity to tell all of them how much she appreciates everything they do. She stated that having them in their positions makes her lay her head down at night. She couldn't ask for anything any better for this Town. She is thankful and pleased that the Town is in the position they are in. She sees such a difference in the departments. She commented the comradery between the Police and EMS.

Emergency Management Coordinator Rush added that it is a good team effort, and it starts with the elected officials right on down the line to the last person to do whatever it is they need to do.

Councilwoman Bowden added that it looks really good when you see the leadership the Town has, and she appreciates it.

Chief Fisher mentioned the meeting he had with the ES911 Commission and the Sheriffs about combining all of the dispatchers with 911. He stated that the Town is not part of the 911 Commission. They are looking to consolidate all dispatchers into 1 center. He and the Sheriffs are strongly against this.

There was discussion.

Councilwoman Bowden asked if they could put this on the workshop agenda for Council to send a letter to the 911 Commission.

Chief Fisher will find out if a letter is warranted.

Councilman Savage mentioned timelapse for contacting the different services for an incident.

Chief Fisher explained that neither he nor the Sheriffs have a problem with a 911 call to be dispatched through their channels. He added that Mr. Flournoy was in the process of

writing a policy for his agency for this. The DCJS came with a rule that in order for 911 to dispatch over a law enforcement radio the dispatchers have to have a specific training. He advised all of his dispatchers have had it. There were a couple of other technical things they would need to work out. They understand and want to do what they can to help. He will check to see if a letter is warranted.

Adjournment

Councilwoman Bowden adjourned the meeting.

**ARPA PROJECT
SELECTION COMMITTEE
Meeting Minutes
October 6, 2021**

Members Present:

J. Arthur Leonard, Mayor
Chris Bott, Vice Mayor
Denise Bowden, Councilwoman
John H. Tarr
James M. West

Members Absent:**Staff Present:**

Michael T. Tolbert, Town Manager
Harvey Spurlock, Public Works Director

Others Present:**1. Call to Order**

Mayor Leonard called the meeting to order.

2. Public Comment

There was none.

3. Agenda Adoption

Councilwoman Bowden motioned, seconded by Vice Mayor Bott to adopt the agenda as presented.

4. Discussion of American Rescue Plan Act

Town Manager Tolbert reviewed the basic plan. He advised the Town has received half of the allocation based on the 2010 Census population in the amount of \$1,491,430 of the \$2,982,860. This fund is to be used to cover the cost that: supports public health expenditures, address negative economic impacts caused by the public health emergency, replace lost public sector revenue, provide premium pay for essential workers, and invest in water, sewer and broadband infrastructure. This gives a broader range of projects.

Town Manager Tolbert stated that the Interim Final Rule for NEUs was a law that was passed quickly. It is a guide, and the Treasury is giving guidance in the form of frequently asked questions. They have attended webinars and he added that there is no process to submit a project for approval to the Treasury Department. Therefore, each NEU (Non-Entitled Unit) must determine its own qualifications through the use of available guidance if a project qualifies for funding. He showed the GFOA calculator that focuses on loss revenue which is calculated on a base year and for the Town would be FY19. He showed the corrected revenue, which is removing all federal funds and all revenue from utilities and taxes from utilities. The Town's calculated growth is 5.2%. If the Town uses the items in the budget that were deferred or were not done because of

COVID19 those projects would qualify under the revenue reduction. They don't have to have anything to do with COVID19. He went through the budget from FY20 and FY21 listing all of the capital projects the Town did not do because they were afraid the budget would suffer. Because the projects were in the budget originally, they would qualify for funding from the \$487,000 in revenue reduction.

5. Review of Current Guidance

Town Manager Tolbert highlighted the qualified projects. He reviewed some of the projects that have been brought up that would also qualify under the Clean Water Act. This includes improvement of drinking water infrastructure, cybersecurity for water infrastructure, construct publicly owned treatment works, modification to the treatment works, replace equipment, etc.

6. Review of Proposed Projects

He advised they have a list for park projects. He explained that it lists park projects as it relates to qualified Census tracts. This means it is in areas that are economically depressed. He would not classify Chincoteague in this light. The Treasury recognizes that park use was increased during COVID19. They received extra maintenance during this extra use. This qualifies for ARPA funding. He asked if the Town could use the money to improve the facilities such as repaving parking lots, boat ramp, replacing roofs, replacing playground equipment, resurfacing and basketball and tennis courts. He is waiting on some guidance from some of the attorneys to see if they could do this. He feels these are considered maintenance and should qualify. They should remain on the list for consideration. Town Manager Tolbert reviewed the project list and items to consider under the guidelines. He explained that ARPA projects must be started by March 3rd, 2021, and all money has to be encumbered by December 31st, 2024, and money expended with work completed by December 31st, 2026. He continued reviewing the proposed projects and items.

Mayor Leonard stated that the majority of the public that spoke at the public hearing requested sewage. He advised that they are working on this.

They discussed the requests from the public hearing.

7. Committee Member Comments

Mr. Tarr stated that the list looks like a Christmas list. He feels that some of the items could take place in the budget process. He feels the funds were given to the Town to see what kind of major impact they could have on water, sewer, drainage. He feels they should look a little harder at some of this. He wants to know in the items presented that it is spelled out to know what is covered under revenue loss and what does and does not qualify under the plan. He expressed his feeling on spending money on a desalination plan or test well. He suggested looking at key things like stormwater management, waterline replacement and possibly fiber to the door.

Mr. West supports some of the items that were postponed because of specific language in loss revenue. He stated that some of the items should be in a capital plan. He feels this is

a stretch and the public may feel it is as well. He commented that he has no idea what to do about central sewage. A lot of money has been spent for years and he doesn't know how to spend the money wisely.

Mayor Leonard stated that judging what the public was requesting, he feels they should look sewage that first. He stated that they had some things scheduled and could use the funds to complete those projects.

Mr. West stated that he would go with the guidance of the loss revenue because you can clearly make the connection. He advised that he asked Town Manager Tolbert what data they have to show how the businesses have suffered. He mentioned the Fire Company's request adding that they lost a lot of revenue for 2 years. This would be an easy number to capture. He added that they are a revenue generator. He commented on the desalination proposal.

There was discussion.

Mr. Tarr stated that what concerns him is that you get a desalination plant and it cost 4-5 times more a year to operate it. He then asked if ARPA will pay for studies.

Town Manager Tolbert stated that in further reading it does pay for engineering and design work, possibly not the preliminary work.

Mr. West stated that he read that as well.

Councilwoman Bowden stated that the majority of the people who spoke at the public hearing were in favor of sewage. She also stated that this is a prime opportunity to do this. She agrees with Mr. West that a few of the things listed shouldn't come out of ARPA funds. However, there is a lot of money coming in the 2nd draw and there is a lot more of the public that will see what they could do with the money. She stated that the small projects matter to the public. She wants to see some of this money go into the parks. She reminded that there is a public safety fund that can cover some items.

Vice Mayor Bott feels that sewage is a major concern and should be addressed. He agreed with Councilwoman Bowden that the parks and outdoor recreation items that almost always get put on the back burner could be completed. He stated that the water main project on Cropper Street needs to be done. He agreed that some of the things should be in the budget.

Mayor Leonard stated they talked about dry hydrants in some of the more remote areas of the Island where the water supply is narrowed. He asked if this would qualify for ARPA funds. He also suggested that increasing the size of pipes would help.

Town Manager Tolbert advised they should qualify under water infrastructure.

Mayor Leonard stated that they have narrowed it down to sewage, parks and improvements, water projects and stormwater management.

There were brief comments.

Town Manager Tolbert stated that he understands there were small items on the list. He explained that every dollar they put toward ARPA that was in the budget and was allowable takes pressure off the existing budget.

Mayor Leonard stated that when they put pavement in at the park, he suggested putting a sign that states “provided by the funds of the American Rescue Plan Act”. He feels it will go a long way. He stated that the Brianna’s Kindness Park equipment is covered, but the equipment at Memorial Park needs replacing. He asked the members to take what was said for the next meeting.

Town Manger Tolbert advised he will go through the list based on the comments and clarify what is covered getting some questions answered.

Councilwoman Bowden asked about a person at the public hearing asking for help for the non-profits. She suggested that if there is money left over, they could help the non-profits because they have suffered as well.

Mr. Tarr agreed that the non-profits have suffered, and any small amount could help. They do a lot for tourism and a big part of the community. He further commented on sewage.

There were further comments.

8. Adjournment

Vice Mayor Bott motioned, seconded by Councilwoman Bowden to adjourn.
Unanimously approved.

**TOWN OF CHINCOTEAGUE
CEMETERY COMMITTEE MEETING MINUTES
OF THE OCTOBER 7, 2021 MEETING
Council Chambers**

Members Present:

Councilwoman Ellen Richardson, Chairwoman
Councilman Gene Taylor
Mrs. Amanda Betts
Mr. Gary Turnquist

Members Absent:**Others Present:**

Michael T. Tolbert., Town Manager

Call to Order

Chairwoman Richardson called the meeting to order at 6:00 p.m.

Public Comment

There was none.

Agenda Adoption

Motion by Councilman Taylor, seconded by Mr. Turnquist to adopt the agenda as presented. All present were in favor and the motion was carried.

Financial Report:

Chairwoman Richardson advised that the latest contribution was from the Christ United Methodist Church. She commented that they have been sending donations for several years. They reviewed the balance.

Mrs. Betts stated that she knows young man who is trying to get his Eagle Scout. She stated that he wanted to build or purchase a trash can at one of the cemeteries that does not have one.

There was discussion and the Committee decided to hold another meeting next month and invite the young man to give some direction.

Consider Cemetery Cleaning Schedule

They discussed tree work that needs to be done at the cemeteries along with possible vault repairs.

Chairwoman Richardson advised that the Committee needs to choose a week for Cemetery Cleanup Week. She explained that they usually select the week that coincides with Veterans' Day. She announced the week of November 8th – 13th as Cemetery Cleanup Week. The Committee decided to clean the Thornton Cemetery on Ridge Road, Saturday, November 13th from 9:00 a.m. to 12:00 noon.

Consider Cemetery Decorations Announcement

There was discussion to put out an announcement for people to clean up and remove old cemetery decorations. They discussed the evolution of the cemetery cleaning and maintenance.

Committee Member Comments/Other Discussion

The Committee discussed donations that goes into a separate fund for maintenance and repairs. They further discussed specific repairs needed.

Adjournment

Councilman Taylor motioned, seconded by Mrs. Betts to adjourn the meeting. All present were in favor and the motion was carried.

**MINUTES OF THE OCTOBER 26, 2021
RECREATION & COMMUNITY ENHANCEMENT
COMMITTEE MEETING
Council Chambers**

Members Present:

Mr. Gene Wayne Taylor, Chairman
Mr. Jay Savage, Councilman
Ms. Donna Leonard

Members Absent:

Mr. Chris Bott, Vice Mayor
Mrs. Mollie Cherrix

Council and Staff Present:

Michael T. Tolbert, Town Manager
Harvey Spurlock, Public Works Director

Call to Order

Chairman Taylor called the meeting to order at 5:00 p.m.

Public Comment

Chairman Taylor opened the public comment. There was none.

Agenda Adoption

There was none.

Update on Brianna's Kindness Park

Public Works Director Spurlock advised the playground is 100% complete. He anticipated adding more mulch within 6-8 months. The leg machine is the only piece of equipment which will be delivered the week of the 8th of November. The parking lot is 100% complete and they are currently working on the restroom building. They plan to prepare the slab for the pavilion.

There was discussion regarding the drainage. There was also discussion regarding the soccer field and relocating the pavilion.

Ms. Leonard motioned, seconded by Councilman Savage to move the pavilion location from the western Smith Street corner to the eastern corner near the parking lot and to turn the soccer field. All present were in favor and the motion was carried.

Ms. Leonard advise of graffiti at the park, which has been scrubbed off. She commented further and asked that they monitor this.

Review of Budget for Brianna's Kindness Park

Town Manager Tolbert reviewed the budget to date. He advised that Mr. David Landsberger advised he will be donating \$25,000 for the pavilion. He expressed his appreciation of the donation. He explained additional expenses and advised that the total cost is \$531,056 with \$49,000 left to spend. He stated that he would like to pay a lot of the expenses for the park from

ARPA funds. He is looking into this further as to the wording in the ARPA expenditures requirements and guidelines.

There were comments that upgrades to Memorial Park could possibly be paid through ARPA funds.

Town Manager Tolbert advised they have until December 31, 2023, to commit the ARPA funds.

Councilman Taylor mentioned completing the restrooms at Brianna's Kindness Park as there are other needs such as the outdoor pickleball players.

Town Manager Tolbert commented about the auditors reviewing the budget for Brianna's Kindness Park. He explained the guidance for ARPA and that it falls on the Committee and how comfortable they feel putting the money toward that project. He recommended to stay within the guidelines. He doesn't want anyone coming to the Town in 2027 with an audit advising the Town owes them money.

There were further comments.

Committee Member Comments/Other Discussion

Ms. Leonard advised that November 13th is World Kindness Day, and they would like to do a dedication of the Brianna's Kindness Park which would be more appropriate. They have planned the dedication ceremony at 10:30a.m. Saturday, November 13th. There will be music, prayer, and speakers. The idea is to keep the message of "be kind" going. There will also be a Pledge of Kindness to lead the group and handing out free bracelets. She asked if they knew anyone who wanted to speak or sing. She asked if the Town would post something on the website. She stated that Team Brianna would like to thank the Public Works Department. She announced that on November 10th, as they are gearing up toward the dedication day, lunch will be served to the Public Works Department.

There was discussion about Phase 2, bleachers, fundraising for the bleachers and fencing around the soccer field. They also talked about zoning and fence height.

Ms. Leonard also talked about the upgrades to Memorial Park. She asked about the swings.

Public Works Director Spurlock advised they have been done.

There was discussion about replacing the pirate ship or something else to take its place.

Ms. Leonard also asked for a step at the xylophone for smaller children. She commented that someone who uses the fitness equipment at the Brianna's Kindness Park reported that it is top of the line.

Councilman Taylor asked to look into volunteers to clean and check for graffiti at the parks. He added that the Public Works staff can't clean it after every use. He asked Councilman Savage to close in prayer before they close the meeting.

Ms. Leonard asked to add landscaping to phase 2.

They discussed planting trees at the Donald Leonard Park and placement of the trees and bench.

Councilman Savage closed in prayer.

Adjournment

Councilman Taylor closed the meeting.

**MINUTES OF THE OCTOBER 4, 2021
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:

None

Staff Present:

Mr. Michael T. Tolbert, Town Manager
Mr. Robby Fisher, Police Chief
Mr. E. Bryan Rush, Emergency Management Coordinator
Mr. Harvey Spurlock, Public Works Director

Call to Order

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

Invocation

Councilman Taylor offered the invocation.

Pledge of Allegiance

Mayor Leonard led in the Pledge of Allegiance.

Public Comment

- Mr. Jim Frese, 7444 Eastside Road, came before Council asking for their support of Lt. Col. Stuart Scheller who was put in the brig for speaking the truth. He stated that when he rides around the Island, he sees the flags honoring all of the armed forces and those locally who serve. He is proud and again asked Council to support Lt. Col. Stuart Scheller.
- Mrs. Julie Brommer, Chincoteague Island Cats, advised they will hold a fall catch and release at the old fire house from Thursday, October 14th - 17th. She thanked the Town for allowing them to use one of the firehouse bays. They hope to collect 65 cats from 10 different locations. Pocomoke Animal Hospital has agreed to conduct surgery and microchipping 50 cats.
- Mr. David Landsberger, 5475 Warren Street, advised that they have received a recommendation from the Planning Commission on the detached quarter proposal he submitted to the Town several months ago. He strongly recommended that they reject the recommendation from the Planning Commission and either send the detached quarter ordinance back to the Planning Commission for further consideration or pass it as it was suggested. He gave the reasons that Council has read the ordinance that addresses a problem that exists here in the Town. He stated that ignoring or not dealing with it doesn't make this problem go away. Some

of the reasons that were given were: 1) “I don’t want this in my neighborhood” which was a comment made by a Commission member prior to consideration. 2) “Mr. Landsberger has resources that others in the Town do not have.” He stated that this comment is irrelevant to the proposal. 3) “Enforcement of single-family occupancy would be hard.” He added that enforcement difficulty is not a valid reason. 4) “The Special Use Permit solves the problem.” He feels this is not true and it’s not a practical solution for many people dealing with housing issues whether a charge is made or not. He also added that discussion of this topic has brought several discriminatory and illogical zoning rules. The fact that the R1 Zone is limited to 4 subdivisions on the Island is not based on any illogic that anyone has been able to explain to him. Mr. Landsberger stated that regardless of HOA rules which should take precedence, there is no reasonable distinction between, for example, Smuggler’s Cove and Oyster Bay. Smuggler’s Cove is an R1, and Oyster Bay is not. This hasn’t been explained to Mr. Landsberger by anyone.

Mr. Landsberger stated that he is advising Council that he is not giving up on this issue and will pursue this to the fullest extent that he can. He intends to; 1) Get a permit to attach his garage to his home, making his detached quarter into an attached quarter. He added that this is perfectly legal and can be done. The construction of this and the publicity he intends to pursue to demonstrate the wastefulness and pettiness of the current zoning and the reason why it should be dealt with now instead of being swept under the rug. The ability for someone to build a duplex on their property, other than in an R1, but not build a detached resident on the same property is arbitrary and illogical. He advised that he intends to publicize this. 2) Pursue a legal opinion as to whether or not the current policy denies him the full use of his property which would be the basis for legal action. Given only facts, he strongly recommends that Council approves the ordinance, which was well written and complete, or to send it back to the Planning Commission for further consideration.

- Ms. Mary Drew, Grand Bay Court, advised that Saturday, she was watching her daughter and son-in-law with her grandson fish off of the pier at Memorial Park. A little boy threw his fishing line backwards that hit her daughter causing her to lose her balance and fall overboard. Her grandson immediately jumped in after her and helped her. She was taken to the Dock’s In for x rays as she was injured with bruises and cuts on both feet, but nothing life threatening. She asked Council to put fencing or a barricade up to keep anyone from falling.

Agenda Adoption

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

Staff Reports

General Government

Town Manager Tolbert advised that they will be renting another space in the old firehouse for a barber shop. He stated that VDOT has installed signage along the Causeway. He added that edge line reflectors are not approved for the Causeway and rumble strips will be put down the center line as requested. He stated that Trolley Director Welsh’s last day is Sunday, October 10th. He stated they have advertised for this position but as of today they have not received any applications. They ordered the fuel system at the Harbor as discussed. The new fuel system will be more reliable using a cellular signal as opposed to the unreliable WiFi at the Harbor. They

will install an upgrade of a chip reader sometime after the first of the year. Mr. Eddie Moran has agreed to become the new Board of Zoning Appeals and has been sworn in. Town Manager Tolbert stated that the mason has started laying blocks for the restrooms at the Brianna's Kindness Park and hopes to have a grand opening in November. He reviewed the financial report including the monthly Meals and Transient Occupancy Tax revenues. The Building and Zoning Department has issued 46 building permits for September.

Councilman Taylor reminded everyone to keep Building and Zoning Administrator Bowden in their prayers.

Police Department

Chief Fisher gave an update to his report for September. He reported that the annual Poker Run raised \$20,000. He stated that everyone had a great time and thanked everyone who helped. He stated that SRO John Carmody attended CIT training. He added that he wants all of his officers to have this training as it is good for all law enforcement, fire and EMS. He and Captain Greenley attended the FBI Academy Citizens Academy Symposium in Newport News last week. They covered various topics. Cpl. Butler and Pfc. Geminiani attended virtual trauma in law enforcement conference. Chief Fisher also advised that he and both Sheriffs met with the Eastern Shore 911 Commission who want to combine all dispatch services with 911. He stated that there was a study done and it was recommended they have 2 extra dispatchers. He explained that the Town's dispatchers do more than dispatch. They have been doing call logs since 2017. He reported that they have received just over 12,000 calls since then. They also sell Dog Park passes, boat launch permits, emergency calls, etc. He is unsure how this would work. They were strongly against this. He advised of the preparations for the 2nd Annual Flag Football Tournament, which is scheduled for Saturday, November 27th.

Public Works Department

Public Works Director Spurlock reported that other running water system, maintaining the parks, and road maintenance the Brianna's Kindness Park playground is 100% complete. The parking bumpers will be installed this week as the striping has been done. They have started the restrooms this week as well. Lukas Utilities ran the septic line from the gym of about 300 ft. at no charge to the Town as their contribution to the Park. He publicly thanked Lucas Utilities for their donation. When the restrooms are completed, they will begin on the pavilion. He reported that Well 6 puts out about 270 gallons per minute, this more water than they can use in the winter. They installed a VFD, a variable frequency drive, to slow it down the well which will save money on electricity.

Councilwoman Bowden stated that the roads in Ocean Breeze have been grated and filled. She asked where they stand on getting some of this paved.

Public Works Director Spurlock advised that VDOT denied adding the roads into the Urban Maintenance Program this year. VDOT issued a few recommendations, and the Town will make the request again that they be added for next year.

Emergency Services

Emergency Management Coordinator Rush advised of the monthly response numbers. He mentioned a potential storm that isn't expected to become a hurricane. He advised of the Helios Laser Target Engagement program which planned to close Assateague beach 20 days in October. There was a joint letter sent and the reduced the number of days. He expressed how important the impact of this could be in June and July and feels they should work this out now. He also reminded that everyone needs to be prepared as we are still in hurricane season. He gave ideas of some items to add to the preparedness list. He advised of ANEC Generlink to hook your generator to the electrical box. They also have surge assistance. He stated that everyone should learn the scent for fire safety. He added to change the batteries in smoke detectors and replace smoke detectors that are older than 10 years old. He also mentioned an escape plan and escape ladders.

Emergency Management Coordinator Rush reminded that Halloween Trick-or-Treating will be Saturday, October 30th with a curfew of 8:00 p.m. He stated that Main Street will be closed from Cropper Street to Church Street and Sunnywood Manor will be closed to vehicle traffic. He also reviewed the COVID statistics and gave a brief summary.

There were brief comments regarding the laser target engagement that is a testing phase to potentially put on ships.

Committee Reports

Harbor Committee

Mayor Leonard advised they discussed the Kids' Fishing with Harbormaster Merritt Day, Saturday October 16th, a kayak ramp at Memorial Park, the sale of fuel, the fuel system and replacing the last wooden pier at the Harbor with grant money. They also talked about replacing the boat ramp at Memorial Park to be done in-house.

Budget and Personnel Committee

Vice Mayor Bott advised they discussed the Police salaries which will be discussed later in the meeting.

Introduction of Municode Meeting Application

Town Manager Tolbert showed Council how to log into their portal for the Municode. He also showed how to maneuver to get the information needed for meetings including agendas, packets, minutes and audio/videos.

Adoption of the Minutes for the September 9th and 16th, 2021, Council Meetings.

Councilman McComb motioned, seconded by Councilwoman Richardson, and others, to adopt the minutes of the September 9th and 16th, Council Meetings as presented. Unanimously approved.

Consider Transient Occupancy Tax Resolution

Councilman Bott explained that with the 1% increase to the Transient Occupancy Tax, they felt it was necessary to specify the use of the funds. A resolution was drafted to give guidelines for the expenses of the 1%. He stated that it will be made available to the Public Safety Committee who will make recommendations for the safety and the welfare of the public. The Public Safety

Committee's recommendations will go to the Budget and Personnel Committee and then on to the full Council.

Councilwoman Bowden stated that she wants to go on record that she doesn't agree with including Public Works to this.

Councilwoman Richardson explained that she felt the same way until it was explained that Public Safety is when you need snow removal and tree removal which falls under safety for storms. She mentioned Hurricane Sandy which the Town has still never been reimbursed for their expenses for the cleanup and repairs. These are funds for emergency crews and during a bad storm.

Councilwoman Bowden advised she understands but doesn't want to see it being used for sidewalks or roads.

Vice Mayor Bott motioned, seconded by Councilman McComb to adopt the Transient Occupancy Tax Resolution. Unanimously approved.

RESOLUTION

WHEREAS, the Town of Chincoteague is responsible for the safety and general welfare of the public, both citizenry and visitors and provides services to protect the public within its incorporated limits; and

WHEREAS, maintenance and improvement of public safety can regularly require the establishment and funding of Department of Emergency Services, Police and Fire Departments and Public Works; and

WHEREAS, in recent years the increased tourism and visitation to the Island has strained the Town's resources causing potential reductions in the general welfare and public safety services; and

WHEREAS, the Town Council recognizing the need for increased public safety services voted at its November 4, 2019 regular meeting to increase the Transient Occupancy tax by 1% to be effective January 1, 2021 and that the funds resulting from this increase shall be accounted for in a separate fund and be used exclusively for the improvement of the general public safety of the Town's citizens and visitors; and

WHEREAS, the Town's standing Public Safety Committee, whose membership is composed of 3 members of Council, is charged with making improvements to public safety for the betterment of the community and its inhabitants.

NOW THEREFORE, BE IT RESOLVED, that all proposals for expenditures from such public safety fund shall be presented to the Public Safety Committee at a scheduled meeting for review and approval and that the chairperson of the Public Safety Committee shall recommend to the Budget and Personnel Committee at its next regular meeting any expenditure so approved by the Committee; and

BE IT FURTHER RESOLVED that no expenditures from the Public Safety fund shall be made without a recommendation from the Budget and Personnel Committee and the approval of the full Council except they be part of a lawfully approved annual Town budget.

Recorded Vote:

Moved By: _____

Seconded By: _____

Yeas: _____

Nays: _____

TOWN COUNCIL of the
TOWN OF CHINCOTEAGUE, VIRGINIA

By: _____
John Arthur Leonard, Mayor

The undersigned Clerk of the Town of Chincoteague, Virginia, hereby certifies that the foregoing constitutes a true and correct copy of a Resolution adopted by the Town Council of the Town of Chincoteague, Virginia, at a regular meeting held on the ____ day of _____, 2021.

Michael T. Tolbert, Clerk

Consider Chincoteague Police Department Salary Changes

Vice Mayor Bott advised that EMS salaries and staffing levels were addressed at the last Council meeting. Police Department salaries was discussed at the last Budget and Personnel Committee meeting.

Town Manager Tolbert reviewed the increases and the comparisons to other local law enforcement salaries. The Budget and Personnel Committee recommended the increase which will cost less than \$20,000 for the remainder of the fiscal year.

Vice Mayor Bott motioned, seconded by Councilwoman Bowden to approve the Chincoteague Police Department’s Salary Increases per the recommendation. Unanimously approved.

Consider Planning Commission Recommendation

Town Manager Tolbert stated that they heard a proposal from Mr. David Landsberger to allow detached quarters in all residential zones of the Town. He advised the Planning Commission voted unanimously to make the following recommendations: 1) they not recommend to change anything in the current Zoning Code with respect to detached quarters. 2) they would like to monitor applications for detached quarters for such uses for the purpose of possibly including them into the next revision of the Town’s Comprehensive Plan, and 3) waive any application fee

in association of a medical hardship. He advised that because they are not making any change to the Zoning Ordinance it will not require a public hearing.

Mayor Leonard asked when the next revision of the Comprehensive Plan is.

Town Manger Tolbert advised they have 3 years.

Councilman Taylor asked about the state laws regarding mother-in-law quarters.

Town Manager Tolbert was unable to quote the state laws. He stated that the state law gives each community the powers within their framework, which is fairly large. There are guidelines of what to make R1, R2, R3 and R4. They give the latitude to adopt the Comprehensive Plan the way they want. The Zoning should follow the Comprehensive Plan. The Planning Commission decided not to make a recommendation on the zonings.

Councilman Taylor doesn't see a problem because duplexes are allowed in the Residential Districts.

Councilwoman Bowden stated that the Planning Commission has reviewed this on August 10th and August 14th. She wholeheartedly believes they have reviewed this, debated it and its not in the Comprehensive Plan as it stands.

Councilwoman Bowden motioned, seconded by Councilman McComb to approve the Planning Commission's recommendation to waive the fee for a Conditional Use Permit for a medical hardship. Unanimously approved.

Mayor and Council Comments

Councilman Savage commended the Town on a fine job with the Brianna's Kindness Park. He has taken his grandchildren and added that it is a great job. He added that the Town, as a whole, is under great leadership and they do a fine job.

Councilman Taylor stated that Lt. Col. Scheller and all of the military should be in our prayers. They are under stress and in a position where they don't feel they have support. He asked everyone to pray for their safety and protection.

Councilman McComb expressed his condolences to Building and Zoning Administrator Bowden and his family because of the loss of his father. He also wished the Chincoteague Chamber of Commerce luck in the upcoming Oyster Festival.

Vice Mayor Bott thanked Mr. Frese for reminding Council of Lt. Col. Scheller adding that he has been following this and feels it's criminal what's going on. He encouraged everyone to get involved.

Councilwoman Bowden stated that she has also followed it. She feels these are bad times with things happening in the country that she never thought would. She stated that we should all keep their eyes on this. She announced that the Fire Company will have their oyster fritter dinner

Friday, October 29th at noon and asked Chief Fisher for traffic control. She asked about Star Transit to utilize their services a couple of days a week.

Town Manager Tolbert advised they had a conference call last week. He stated he will report on this at the workshop meeting when he has all of the information.

Councilwoman Bowden also mentioned that our Building and Zoning Administrator Bowden lost his father over the weekend. She asked to keep him in your prayers. She concluded that the Yankees play tomorrow night, one and done; win and go on or lose and go home.

Mayor Leonard asked for prayers for Sheriff Todd Wessells who lost his father as well. He advised that Mr. Dallas Johnson, who worked here, went to school here and played ball here recently passed away from cancer. He commented that he was a great person who had many friends here. He concluded with “Roll Tide”.

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

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

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

Councilwoman Bowden motioned, seconded by Councilwoman Richardson in accordance with §2.2-372 (D) of the Code of Virginia that the Council certify that to the best of each Council Member’s knowledge.

- (1) only public business matters lawfully exempted from opening meeting requirements under this chapter and**
- (2) only such public business matters were identified in the motion by which the closed meeting was convened, were heard, discussed, or considered. Unanimously approved.**

3. Adjourn

Councilwoman Bowden motioned, seconded by Councilwoman Richardson to adjourn. Unanimously approved.

J. Arthur Leonard, Mayor

Michael T. Tolbert, Town Manager

Executive Session Motions:

Closed Meeting Motion:

I will entertain a motion that the Council convene a closed meeting pursuant to Sec. 2.2-3711 A,5 Code of Virginia for discussion of potential business opportunities.

Town of Chincoteague, Inc.



Certification Motion:

In accordance with section 2.2-3712(D) of the Code of Virginia, I move that the Council certify that to the best of each Council Members' knowledge:

(1) only public business lawfully exempted from open meeting requirements was discussed and

(2) to the best of each member's knowledge (a) only public business matters lawfully exempted from open meeting requirements under this chapter and (b) only such public business matters as were identified in the motion by which the closed meeting was convened, were heard, discussed or considered.