



TOWN COUNCIL REGULAR MEETING

June 05, 2023 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*

STAFF REPORTS - *Mr. Tolbert*

1. [General Government May Report](#)
2. [CPD May Report](#)
3. [Public Works May Report](#)
4. [Emergency Services May Report](#)

ISLAND COMMUNITY HOUSE REPORT - *Ms. Katie O'Shea*

COMMITTEE REPORTS – *Council*

5. [Public Safety Committee Minutes](#)
6. [Public Works Committee Minutes](#)
7. [Harbor Committee Minutes](#)
8. [Planning Commission Minutes](#)
9. [Budget & Personnel Committee Minutes](#)
10. [BZA Minutes](#)
11. [RECE Minutes](#)

ADOPTION OF MINUTES - *Mayor Leonard*

12. [Minutes of May 1 Council Meeting](#)
13. [Minutes of May 18 Workshop Meeting](#)

CONSIDER VACATION OF LOT LINE - *Mr. Tolbert*

14. [Ordinance Advertisement](#)
15. [Lot Line Vacation Ordinance](#)
16. [Line Vacation Plat](#)

PUBLIC HEARING ON FY23 BUDGET AMENDMENT

CONSIDER FY23 BUDGET AMENDMENT - *Vice Mayor Bott*

17. [FY 23 Budget Amendment Advertisement](#)
18. [Amendment Advertisement](#)

CONSIDER READOPTION OF THE STATE VEHICLE TRAFFIC CODE - *Mr. Tolbert*

19. [2023 State Vehicle Traffic Code Memo](#)

MAYOR AND COUNCIL COMMENTS – *Mayor Leonard*

ADJOURN

Chincoteague Center:

Occupancy at the Chincoteague Center for the month of May included 7 community service events. June bookings include 2 community service events, and 3 commercial events. The CHS Graduation was held on Thursday June 1 with a full house.



Virginia Port Authority Project:

In the past, the Town has been very successful in obtaining grants from the Virginia Port Authority’s Aid to Local Ports Program. It is responsible for a near complete renovation and revitalization of Curtis Merritt Harbor. I am sad to report, however that after 4 years of successive grant awards through the Aid to Local Ports Program, we were not successful in obtaining a funding to construct the new mooring facility at Robert Reed Park. Although this is a very worthwhile project and complied with all of the requirements for the grant, there were a greater number of applicants this year many of whom presented projects of great need.

This is the second time since 2019 that a project at Robert Reed Park has been presented and failed to receive an award. During the Fall, the Harbor Committee will meet and select a project for presentation for FY25. In the interim, I will lobby our General Assembly representatives to increase funding for the ALP program.



Septic Local Partners Program:

Last Fall the DEQ rolled out a new program that provides ARPA funds to repair failing septic systems. The Septic Local Partners Program (SLPP) provides funds for the repair and or replacement of failing residential and commercial septic systems. I applied for this program last November and was notified by the DEQ on April 19 that the Town of Chincoteague has been awarded \$750,000 to fund qualifying projects on the Island.



The program provides funding for 50% or 100% of qualifying costs based on income level. We are preparing the program design now and in the next several months, we will publish program details explaining how property owners can qualify for funding.

On Tuesday May 23, I participated in a review of the program with the DEQ and submitted the Town's Program design, procurement procedures and certifications for review on Thursday the 25th. Funding is on a first come first served basis and

according to the program managers, there is an opportunity to receive additional funding should other localities fail to respond appropriately to their award.

Legislative Assistance:

On May 12, I met with Ms. Mara Engelbert of Congresswoman Kiggan's Eastern Shore staff to discuss some outstanding town issues including the ACOE inlet study funding, our well relocation funding and mail delivery for Ocean Breeze. After a full discussion of each issue, Ms. Engelbert promised to enlist the help of her office in moving these issues to completion. During our discussion I offered a cruise/tour of the inlet to further familiarize the Congresswoman with the inlet issue. Rep. Kiggans will be in her district in August, which would be a perfect time to take such a tour.



Also in May, during his visit to the Island, I had an opportunity to speak briefly with Attorney General Jason Miyares concerning transient occupancy taxes, third party intermediaries and their lack of reporting. Mr. Miyares was familiar with the new law and its potential problems and promised to look into the situation. I have followed this up with an email detailing issue.

Electric Vehicle Charging Stations:

On May 2, I met with Mr. Shawn Hildebrand and Mr. Robie Marsh of ANEC to discuss the possibility of locating an Electric Vehicle charging station on Chincoteague. Mr. Hildebrand is applying for grants that would fund the construction of a pole charging station. This station would allow the charging of 2 vehicles at once. ANEC would perform the installation and would collect the resulting fees for service. I suggested that the downtown municipal parking lot would be an ideal location since it was owned by the town and offered businesses and attractions within walking distance for customers to occupy themselves while their car is charging.

I asked Mr. Hildebrand to furnish the price of a second charger unit should the Town elect to add capacity.



CRSP Steering Committee:

I attended the inaugural meeting of the Community Resilience and Sustainability Plan Steering Committee, held at the Eastern Shore Yacht and County Club on Thursday May 26th. This is a regional group sponsored by the A-NPDC for the purpose of improving the Eastern Shore’s resilience to coastal climate impacts and enhancing the region’s sustainability as a community. The intention is to do this through planning and preparing to shovel-ready status, large-scale projects that benefit the the entire Eastern Shore. Local community projects will be featured as identified needs and act as pilots for regional initiatives.



The Committee, made up of community leaders in this effort, will be instrumental in increasing coastal resilience and protection for Eastern Shore communities, cultures and natural habitats. The Committee will be project based, identifying over-arching strategies and smaller local tactile projects that build a case for strategic long-term resilience projects. It will focus on flood control and resilience simultaneously.

The plan will require coordination among local, state and regional partners and will result in a clearly articulated phasing for implementation.

Meals and TOT:

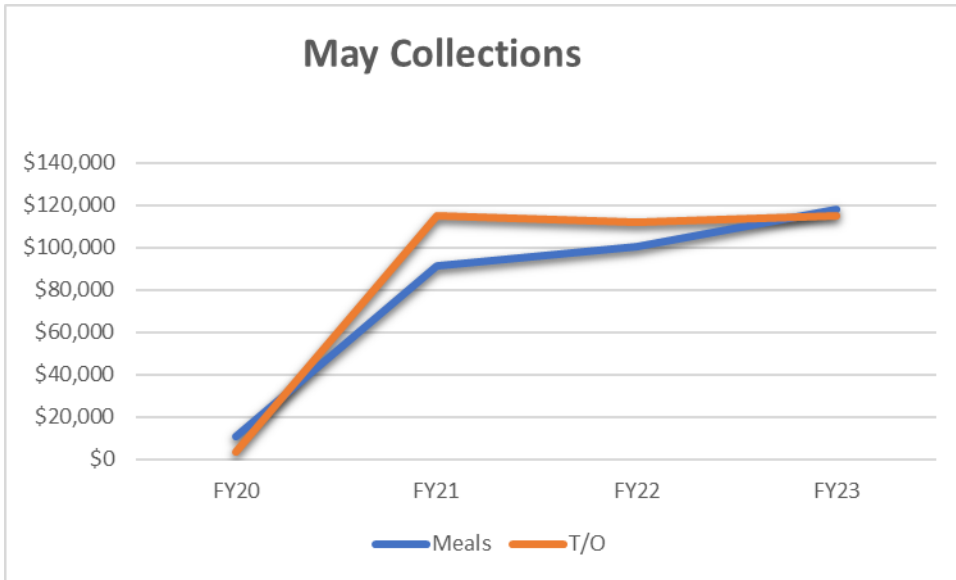
The data in the table below represent collections for the month of May which reflect the level of business by food and lodgings establishments in Town for the month of April. Both taxes showed positive gains for 2023 when compared to May of previous years.

At this point, both excise taxes have exceeded 100% of budget.

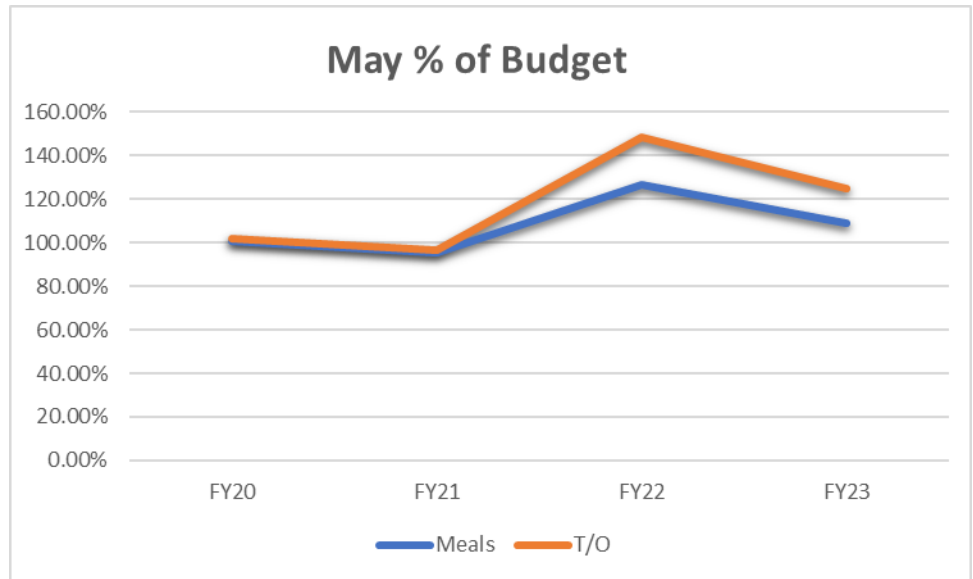
Figures shown are for accounts posted by 05-31-23

Meals and TOT May (April Activity)					
May Collections			Fiscal Year		
Meals Tax	Tax Collected	3 year average	Budget	YTD	% of Budget
FY20 (Pre-COVID)	\$10,678	\$67,484	\$900,000	\$903,611	100.40%
FY21	\$91,184		\$1,040,000	\$989,513	95.15%
FY22	\$100,591		\$1,000,000	\$1,267,635	126.76%
FY23	\$118,228		\$1,200,000	\$1,309,965	109.16%
Deviation from 3 yr. Meals Tax Avg.		\$50,744			
T/O Tax	Tax Collected	3 year average	Annual Budget	YTD	% of Budget
FY20 (Pre COVID)	\$3,521	\$77,040	\$1,120,000	\$1,139,729	101.76%
FY21*	\$115,247		\$1,450,000	\$1,399,653	96.53%
FY22	\$112,353		\$1,400,000	\$2,080,764	148.63%
FY23	\$114,796		\$1,700,000	\$2,125,232	125.01%
Deviation from 3 yr. T/O Tax Avg.		\$37,756			
*Increase in T/O Tax from 4% to 5% effective 1-1-21					

Both TOT and Meals taxes showed moderate increases in May year over year.



May percentage of budget year to year showed exceptional performance in FY22 but has returned to more normal levels in FY23 due primarily to more efficient revenue projections.




The summary below reflects the Town’s overall budget picture as of May 31, 2023. These numbers are typical for the month of May. Again, the deficit in the Harbor Fund is still attributed to the contractor disbursements on the memorial park boat ramp without a similar transfer of revenue from the general fund to the harbor. Those transfers are usually made at the end of the fiscal year. The HVAC renovations have now slipped to August and the funds for that project will be carried over to FY24.

BUDGET vs ACTUAL - May 2023							
Period Ending 05/31/2023							
10 GENERAL FUND	FY23 BUDGET	FY22 MTD	FY23 MTD	FY22 YTD	FY23 YTD	VARIANCE	%
GENERAL FUND REVENUE TOTAL	\$ 6,879,147.00	\$ 445,555.06	\$ 514,517.80	\$ 6,685,354.62	\$ 8,570,541.94	\$ 1,691,394.94	125%
GENERAL FUND EXPENSE TOTAL	\$ 6,879,147.00	\$ 805,666.43	\$ 1,073,680.63	\$ 5,299,764.59	\$ 5,385,533.45	\$ 1,493,613.55	78%
GENERAL GOVERNMENT EXPENSE TOTAL	\$ 1,903,404.00	\$ 70,000.11	\$ 114,637.95	\$ 1,223,531.48	\$ 1,383,656.36	\$ 519,747.64	73%
EMS EXPENSE TOTAL	\$ 1,198,226.00	\$ 80,793.33	\$ 106,611.77	\$ 935,302.79	\$ 848,313.61	\$ 349,912.39	71%
PUBLIC WORKS EXPENSE TOTAL	\$ 1,366,281.00	\$ 146,546.69	\$ 243,522.36	\$ 1,223,262.21	\$ 1,153,009.82	\$ 213,271.18	84%
MOSQUITO CONTROL EXPENSE TOTAL	\$ 133,838.00	\$ 4,390.82	\$ 4,890.42	\$ 82,020.09	\$ 171,643.54	\$ (37,805.54)	128%
ROADS EXPENSE TOTAL	\$ 742,722.00	\$ 413,771.98	\$ 420,337.29	\$ 697,490.00	\$ 611,362.23	\$ 131,359.77	82%
POLICE EXPENSE TOTAL	\$ 1,241,208.00	\$ 71,410.67	\$ 144,036.17	\$ 876,819.25	\$ 953,324.82	\$ 287,883.18	77%
DISPATCHERS EXPENSE TOTAL	\$ 293,468.00	\$ 18,752.83	\$ 39,644.67	\$ 261,338.77	\$ 264,223.07	\$ 29,244.93	90%
30 CURTIS MERRITT HARBOR	FY23 BUDGET	FY22 MTD	FY23 MTD	FY22 YTD	FY23 YTD	VARIANCE	%
CURTIS MERRITT HARBOR REVENUE TOTAL	\$ 1,135,273.00	\$ 33,699.27	\$ 9,766.66	\$ 536,300.38	\$ 695,096.00	\$ (440,177.00)	61%
CURTIS MERRITT HARBOR EXPENSE TOTAL	\$ 1,135,273.00	\$ 171,797.12	\$ 99,390.03	\$ 692,199.69	\$ 1,087,116.76	\$ 48,156.24	96%
70 TROLLEY	FY23 BUDGET	FY22 MTD	FY23 MTD	FY22 YTD	FY23 YTD	VARIANCE	%
TROLLEY REVENUE TOTAL	\$ 262,652.00	\$ 29,260.87	\$ 45.50	\$ 60,675.19	\$ 35,298.96	\$ (227,353.04)	13%
TROLLEY EXPENSE TOTAL	\$ 262,652.00	\$ 10,603.71	\$ 2,375.63	\$ 60,283.50	\$ 43,954.79	\$ 218,697.21	17%
80 WATER	FY23 BUDGET	FY22 MTD	FY23 MTD	FY22 YTD	FY23 YTD	VARIANCE	%
WATER REVENUE TOTAL	\$ 1,144,400.00	\$ 73,840.19	\$ 82,705.50	\$ 970,014.97	\$ 952,791.45	\$ (191,608.55)	83%
WATER EXPENSE TOTAL	\$ 1,144,400.00	\$ 33,754.07	\$ 62,063.15	\$ 608,319.80	\$ 579,719.03	\$ 564,680.97	51%
85 CENTER	FY23 BUDGET	FY22 MTD	FY23 MTD	FY22 YTD	FY23 YTD	VARIANCE	%
CENTER REVENUE TOTAL	\$ 438,194.00		\$ 12,135.91		\$ 462,038.71	\$ 23,844.71	105%
CENTER EXPENSE TOTAL	\$ 438,194.00		\$ 1,678.73		\$ 99,429.07	\$ 338,764.93	23%
REVENUE TOTALS	\$ 9,859,666.00	\$ 582,355.39	\$ 619,171.37	\$ 8,252,345.16	\$ 10,715,767.06	\$ 856,101.06	109%
EXPENSE TOTALS	\$ 9,859,666.00	\$ 1,021,821.33	\$ 1,239,188.17	\$ 6,660,567.58	\$ 7,195,753.10	\$ 2,663,912.90	73%
Difference					\$ (3,520,013.96)	\$ 3,520,013.96	

Water Billing:

Our current water billing procedure is to invoice 1/3 of all customers monthly for their water use during the previous quarter. A second notice is sent to customers who are 30 days past due. This notice also gives a date that the customer's water will be turned off for nonpayment. Once that date arrives, it is current practice to have the water department put a handwritten door hanger on the property's front door extending the cutoff date by another week. In all, the delinquent customer has approximately 60 days, depending on the cycle, calendar and the water department's workload to pay the bill before we interrupt service. Our office staff spends a significant amount of time handwriting door hangers for the same group of customers each month and the water department likewise spends valuable time hand delivering these notices all for very little gain. Therefore, in an effort to regain this wasted time, the use of door hangers will be eliminated beginning July 1. The second notice mailed to all delinquent water customers will now contain a statement that no other notice will be given prior to interruption of service. We will announce this new policy on our website and Facebook page.




 (Acct.#)

 (Name)

 (Address)
 Amt. Due: \$ _____
Your account is still past due. You have until

to pay the balance due in full or your water meter will be pulled for nonpayment and a reconnection fee of \$75 will be added to your account.
 Online payments may be made:
www.chincoteague-va.gov
 Town of Chincoteague, Inc.
 6150 Community Drive
 Chincoteague Island, VA 23336
 (757) 336-6519


 Acct.# _____

Balance Due: \$ _____
Your utility account is still past due. We have locked your water meter for nonpayment. A reconnection fee of \$75 has been added to your account. The balance due must be paid in full prior to reconnection.

Original Bill Mailed: 4/01/23
 Original Bill Due Date: 4/30/23
 2nd Notice Mailed: 5/09/23
 2nd Notice Due Date: 5/23/23
 3rd Notice: Doorhanger: 5/24/23
 Doorhanger Due Date: 5/31/23

 Monday-Friday
 8:00 a.m. – 3:00 p.m.
 No reconnections evenings, weekends, holidays or during office closures. No exceptions.
 Online payments may be made:
www.chincoteague-va.gov
 (with no additional fees)
 Town of Chincoteague, Inc.
 6150 Community Drive
 Chincoteague, VA 23336
 (757) 336-6519

Building and Zoning:

From April 27, 2023, to May 26, 2023, the Building and Zoning Department issued 32 building permits and conducted 60 inspections and 36 case activity inspections.

15 - Business License site visits.

12 - zoning site visits.

23 - building permit plans' reviews.

45 - walk- ins for building and zoning questions.

1 - code violation \$60.00

The total value for the building cost of construction. \$ 459,794.86

The total building permit fees collected were \$ 3,349.83.

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CHINCOTEAGUE POLICE DEPARTMENT

MONTHLY REPORT TO COUNCIL

May 2023

The Chincoteague Police Department received 324 calls for service which resulted in 18 investigations of criminal offenses that included, 1 shoot, stab, Etc., with the intent to maim or kill Etc., 1 drunk in public, 2 aggravated assault, 2 assault and battery, 1 violation of a protective order, 1 disorderly conduct, 1 petit larceny, 2 trespassing in general, 1 hit and run, 1 failure to report a hit and run, 1 drug investigation, 1 construction fraud and 1 forgery of coins or bills. There were 7 arrests with 11 charges as a result of these investigations.

The Department also responded to 3 animal complaints, 4 alarms, 15 suspicious activities, 4 civil problems, 5 control burn checks, 17 assisting other agencies and 8 welfare checks.

In addition, 118 security checks and 16 public service calls were conducted.

The Department issued 21 citations and 17 warning tickets.

In support of the Fish and Wildlife Service in Virginia (Assateague) the department dispatched 1 disabled motorist, 1 suspicious activity, 3 assist other agency and 11 traffic stops.

On May 5 and 6, 2023, the Department provided overnight security for the Chincoteague Chamber of Commerce Seafood Festival Friday night and assisted on Saturday with traffic control, parking and security during the festival.

On May 11, 2023, Major Greenley and SRO. Geminiani assisted the Chincoteague Elementary School Pre-K with a field trip to the Chincoteague Police Department.

On May 12, 2023, SRO. Carmody assisted with the Prom and After-prom party at the Chincoteague High School.

On May 15, 2023, Cpl. Gladding attended an Intoxilyzer recertification class in Virginia Beach.

On May 17, 2023, Chief Fisher attended the Awards Banquet at the Chincoteague High School.

On May 20, 2023, Chief Fisher directed traffic for the Chincoteague Vol. Fire Co. Oyster Fritter Fundraiser.

Public Works: May Activity

Water main leak Maddox Blvd.



Storm Drain leak Maddox Blvd.



Waterline Inspection.









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Plans for June

- **Continue Paving Operations on Cropper Street and small quantity paving.**
- **Install Security Cameras**
- **Expand Memorial Park Boat parking and pavement markings**
- **Continue routine maintenance of equipment and vehicles.**

TOWN OF CHINCOTEAGUE EMERGENCY SERVICES MONTHLY REPORT

EMERGENCY MEDICAL SERVICES DIVISION

Reporting Period: 05/01/2023 – 05/30/2023

TOTAL EMS RESPONSES: 98

(2 MORE THAN IN SAME PERIOD 2022): 96

ADVANCED LIFE SUPPORT: **38**

BASIC LIFE SUPPORT: **36**

OTHER: **24** (Fire Stand-by, Public Assist Calls, etc.)

HAZMAT: **0**

COMMUNITY SERVICE

BP SCREENINGS

Six BP screenings were conducted at the station this month.

EMS WEEK

Compiled daily shift pictures and messaging which were then posted to social media, highlighting the Town's emergency medical services for EMS Week 2023. Messaging centered around this year's theme "Where Emergency Care Begins".

PLANNING

ROCKET LAB – DYNAMO

The next Rocket Lab launch is scheduled for June 15, 2023, with a time yet to be determined. Staffing will depend on launch time.

ANTARES NG 19

The launch has slipped to August 2, 2023, with a time yet to be determined.

LOGISTICS

NEW AMBULANCE

A pre-build workshop was conducted so that the ambulance box could be started as soon as the chassis arrives. A VIN# has been assigned which means the chassis is being finished and will arrive at the ambulance factory in mid-July with a tentative finished product of late December 2023 to January 2024.

TRAINING

CONTINUING EDUCATION

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

- Medical Case Studies
- Toxicology

- Endocrine Emergencies

ACLS AND PALS

Department employees completed their recertifications in Advanced Cardiac Life Support and Pediatric Advanced Life Support. For the second year, we used a hybrid model that had employees do most of the coursework online and then they only had to attend an eight-hour skills day.

EMERGENCY MANAGEMENT DIVISION

- Daily weather monitoring.
- Attended monthly NASA Range Schedule Work Group meeting.
- Planning for Rocket Lab Dynamo launch on June 15, 2023.
- Planning for Antares NG-19 launch **MOVED** to August 2, 2023.
- Attended a planning meeting for the Points of Distribution Exercise to be held in September.
- Submitted the yearly Comprehensive Resource Planning Report to VDEM. The report shows resources that we may request based on a Cat 3 hurricane for our area.
- Issued Code Red call concerning planned emergency power outage.
- Begin the annual Local Capabilities Assessment Report (LCAR). The report is used to supply training, grant funding and other resources for emergency management planning and mitigation.
- Participated in the annual student government day with Chincoteague High School students. This year, Ms. Ellie Conser was the Director of Emergency Services.
- Ordered this year's Hurricane Guides from VDEM.
- Maintained weekly situational awareness with Accomack County, Northampton County, VDH, VDEM, FEMA and Joint Information Center.

PUBLIC SAFETY COMMITTEE
Meeting Minutes
May 2, 2023
Town Council Chambers

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, EMS Director

Other Members Present:

Chris Bott, Councilman
Ellen Richardson, Councilwoman

Call to Order

Councilwoman Bowden called the meeting to order.

Public Participation

There was none.

Agenda Adoption

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

Update on Unified Surveillance System

Town Manager Tolbert advised the sites have been surveyed and they feel staff can do some of the work to keep costs down. He stated they will provide power by the Dog Park. The materials and equipment have been ordered. They would like to get this in within the next month.

Councilwoman Bowden asked about the vandalism of the restrooms at Memorial Park.

Chief Fisher advised they have a suspect but is still under investigation.

Chief Fisher also advised of the costs associated with a new dispatch console that the ES911 would have. The cost would be \$38,769. The 1st year includes the maintenance, the cost for the additional 14 years \$60,591, which is \$4,328 annually. He explained with the maintenance cost of the current console over a 14-year span would cost \$180,000 versus \$99,360.

There was further discussion about the system.

Councilwoman Bowden stated she would like Chief Fisher to get everything together with a request so they can review it and make a recommendation to the Budget and Personnel Committee.

Discussion continued.

Councilwoman Bowden asked for Emergency Management Coordinator Rush's opinion.

Emergency Management Coordinator Rush feels this is a good system for interact-ability. He is unfamiliar with the current cloud service.

Chief Fisher stated that with the current console they have a handheld backup. He added that with the new system they would be able to do away with this.

Review of Public Safety Reserve Account

Town Manager Tolbert reviewed the Public Safety fund balance. He feels the new console would be the perfect way to expense some of the money.

Councilwoman Bowden asked if Public Works had anything for Public Safety.

There was discussion about increased traffic at the south end of the Island, signage, and possibly delineators.

Town Manager Tolbert advised they have put a little more money into Public Works safety. They have purchased some safety clothing, PPEs, hardhats, etc. He added that there are a few pieces of equipment that could use some safety features. He also stated that the reason he was interested in having Public Works included in Public Safety is sidewalks which define the path of a pedestrian from the path of cars.

There was further discussion.

Town Manager Tolbert advised he and Public Works Director Parks have been looking into the way of sidewalks on south Main Street. They may need to change the side of the street, get permission from the Army Corps of Engineers, and easements from property owners. He also advised another area of public safety that would need sidewalks would be on Maddox Blvd. from Eel Creek to the circle. He feels it's possible for sidewalks on south Main Street.

Chief Fisher also talked about the increase in the County's retirement for Police and EMS.

Emergency Management Coordinator Rush advised that it would give him substantially more per month. He stated that maybe they can look at improving benefits. He stated that retention of employees is important.

Employee retirement benefits were discussed.

Councilwoman Bowden requested they put their heads together to discuss retention and benefits.

Adjournment

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

**Public Works Committee Meeting
May 2, 2023
Council Chambers
Minutes**

Members Present:

Mrs. Ellen Richardson, Chairperson
Mr. Chris Bott, Vice Mayor

Absent:

Mr. Arthur Leonard, Mayor

Staff Present:

Mr. Michael T. Tolbert, Town Manager
Mr. Wes Parks, Public Works Director

Others Present:

Mr. Jay Savage, Councilman

Call to Order

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

Public Participation

There was none.

Agenda Adoption

Vice Mayor Bott motioned, seconded by Councilwoman Richardson to adopt the agenda as presented. All present were in favor and the motion was carried.

Review of Cropper Street Progress and Budget

Public Works Director Parks stated that all the internal operations are complete. The Town will remove the sidewalks and the concrete contractor will be onsite to pour May 9th and 10th. Once the new sidewalks are completed, milling and paving will be done. He explained that they found why the old storm drain was not working. They corrected the errors, and he expects a marked improvement.

There was discussion about the route of the drainage, and details of sidewalk replacement.

Town Manager Tolbert stated he feels this job has gone much smoother than Mumford Street.

Review 5-Year Sanitation Contract

Town Manager Tolbert stated that the last sanitation contract was bid in 2018. It is time for another bid which will be May 19th.

Public Works Director Parks reported on the contractors he called and sent packets for competition.

Town Manager Tolbert stated that the scope was written around the Town's trash ordinance. He reviewed the allowable weekly collection amounts. He explained that that every time someone

sells a house, the new owner calls the office for a trash can because the previous owner took the can. The specifications are clear that if they can provide a list of the homes the cans were delivered to then they don't have to provide them with another can. He added that they won't be responsible for replacement if the can is in disrepair. He also stated that complaints are to come to the Town office as opposed to Davis Disposal.

Councilwoman Richardson commented on people putting trash out too early and leaving the cans out. She added that there is an ordinance about this.

Town Manager Tolbert advised the Ordinance states you can put your trash out at the curb no sooner than 7:00 p.m. the night before and no later than 7:00 a.m. the morning of collection.

There was further discussion.

Town Manager Tolbert read: "The contractor shall provide, at no additional cost, 1 roll-out container for each residence. The container shall be the capacity of 96 gallons, or 65 gallons as selected by the property owner. The property owner will be responsible for replacing carts that have been lost or damaged unless caused by the contractor." He added that the maximum volume of residential containers is 130 gallons.

Discussion continued about customer charges for collection and contractual fees. They also discussed the feasibility of collecting trash in-house.

Review Status of Memorial Park Boat Ramp Project

Public Works Director Parks advised they drove the last and final sheets today and the diver is coming in tomorrow to cut the ends off. All of the excavation has been done at the end of the ramp and the only thing left is to drive the end pole for the floating dock.

They discussed the parking lot extension and pavement schedule.

Councilwoman Richardson asked if the ramp would be done by Memorial Day.

Public Works Director Parks advised it should be done by this weekend or at the latest on Monday or Tuesday.

Councilwoman Richardson asked about the depth markers.

Town Manager Tolbert stated they can put one up on either side.

There was further discussion.

Consider Request for New Street Lamp

Town Manager Tolbert advised the request is for Mire Pond. He showed where the lights are near Mire Pond and advised of the policy. He added that the customer has to pay ANEC for installation, but the Town pays the monthly charge on public roads, which is most of the fees the

Town pays. He also advised that the policy states that the Public Works Committee will act on behalf of the Council on this matter. He advised there are 380 feet between lights.

There was discussion.

Councilwoman Richardson stated she has a security light and pays for it on her electric bill.

The Committee Members commented further and decided not to act.

Committee Member Comments

There were none.

Adjournment

Vice Mayor Bott motioned, seconded by Councilwoman Richardson to adjourn. All present were in favor and the motion was carried.

MINUTES OF THE MAY 4, 2023
CURTIS MERRITT HARBOR COMMITTEE MEETING

Committee Members Present:

J. Arthur Leonard, Chairman
Mike Handforth

Committee Members Absent:

Chris Bott, Vice Mayor
Danny Bowden

Staff Members Present:

Michael T. Tolbert, P.E., Town Manager
Vernon Merritt, Harbormaster

Call to Order

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

Public Comment

There was none.

Agenda Adoption

Mr. Handforth motioned, seconded by Mayor Leonard to adopt the agenda as presented. Unanimously approved.

Review Harbor FY24 Finances

Town Manager Tolbert reviewed the current financial position of the Harbor which is affected by the ramp work expenses and VPA projects. He also explained the fuel computer issues that have been corrected.

Review Schedule of Floating Dock Replacement

Harbormaster Merritt advised that Fisher's Marine will be in on Friday to remove the old dock. He stated that it should take a week to remove the old dock and a week to put the new dock in.

There were brief comments about new signage and cutting the grass at Mariner's Point.

Review Planned Additional Trailer Parking – Memorial Park

Town Manager Tolbert showed pictures of the planned additional trailer parking at Memorial Park. He also advised that Public Works Director Parks has been in contact with the paving contractor. The plan is to do the base work with millings, curbing, drainage, and parking bumpers now, and in the fall to include this in the Memorial Park paving. He advised of the cost.

There was discussion about concerns with the new ramp.

Adjournment

Mr. Handforth motioned, seconded by Mayor Leonard to adjourn the meeting. Unanimously approved.

**MINUTES OF THE
PLANNING COMMISSION MEETING
TOWN OF CHINCOTEAGUE, VIRGINIA
MAY 9, 2023 - 7:00 P.M. – Council Chambers**

Commission Members Present:

Mr. Ray Rosenberger, Chairman
Mr. William T. McComb, Jr. Councilman
Mr. David Britton
Mrs. Mollie Cherrix
Mr. Michael Dendler
Mr. Robert Shendock

Commission Members Absent:

Mr. Steve Katsetos

Staff Present:

Mr. Mark Bowden, Building and Zoning Administrator
Mr. Michael T. Tolbert, P.E., Town Manager

Call to Order

Chairman Rosenberger called the meeting to order at 7:00 p.m.

Invocation

Councilman McComb offered the invocation.

Pledge of Allegiance

Chairman Rosenberger led in the Pledge of Allegiance.

Public Participation

- Ms. Denise Bowden advised she is before the Commission as a citizen who is concerned about filling in some marshlands around the Island. She advised of talk of a section of Eastside that is in jeopardy of the same thing. She stated that to do so; you would have to jump through some hoops. Some would argue that the process is too strenuous. If you have the stamina, know-how, and means to jump through those hoops it is entirely possible to obtain the necessary permits. She explained the process of a Joint Permit Application which consists of the approval of the Army Corps of Engineers, the Virginia Marine Commission, and a local Wetlands Board. She stated that if the owners are successful, by the Town Code they have the right to do a number of things on that marsh. She listed the allowable uses. She advised that the marshlands are zoned RC, Resource Conservation. She read the meaning of conservation. She stated they have a chance to save a little bit of what is left of Eastside. She asked that the Planning Commission send to Council a revision of Section C, Resource Conservation, Section 5.7 that would remove the following: “accessory structures, commercial kayak and boat rental facilities, especially if there was a structure to be built with it, lodges, hunting clubs, and boat clubs”. Ms. Bowden also stated that the seafood business has been on the decline. She added that if it wasn’t for Mr. Mike McGee and Mr. Tommy Clark, they wouldn’t have a seafood industry. They both have a place where they bring their loads ashore. She would also like to see an added prevention of filling in any marshland for parking. She added that what is there, is there now, but once you lose it, you’re never going to get it back. She has no issues with growth

but has a lot of issues with irresponsible growth. She concluded that although things permitted by right doesn't make it right.

- Mrs. Tammy Riley advised she agreed with everything Ms. Bowden said. She doesn't understand that they could begin to fill in marshland to make a parking lot. She advised that several years ago the Town talked about bulkheading Eastside Road to hold the road and make sure the structure stayed there. She asked what they would do if the road failed. She has a problem with allowing someone to come in and buy all the marshland and ruin it all, fill it in, build a house with water and electricity, and rent it to make lots of money. She asked, how about all the other people that have lived here all their lives paying taxes. They have the view and want to keep it. She doesn't feel it's right. She commented on the wildlife that is out there. She added that you know what you have on Main Street but on Eastside they have the exact opposite. You can see the beauty, the abundance of wildlife, and the lighthouse. How beautiful would it be if you couldn't see it?

- Mrs. Peggy Thomas stated she has lived in her house for 88 years. She wants the Planning Commission to take into consideration how long she has been there. Her house came from Assateague beach and is over 100 years old. She is used to being there and doesn't want to go anywhere else. She asked the Commission to take into consideration that they don't want anything built there. They would like open marsh from Mrs. Billie Ann Bowden's house to Tarr Lane which is the only open marsh and waterway you see. She added that on the west side of the Island, you don't see anything until you get to the carnival ground. She stated that it makes her sick to see the changes that have taken place since she's been born.

- Mr. William Craig advised he also lives on Eastside. He bought his house 15 years ago and loves the view and everything about it. He stated that if they would just sit in his yard for a day and listen to people pass by on their bicycles. They pull in his driveway and want to just look and take pictures. He added that if they lose that little space, it's gone. He stated that he doesn't like it. He explained what would happen. He stated that his house is 3 blocks high, and if there is a structure built there he asked if it's going to flood and water puddle in his yard. He asked to take this into consideration and a lot of people come to the Island and say how beautiful it is.

- Mrs. Billie Ann Bowden stated that where she lives on Eastside, she has lived $\frac{3}{4}$ of her 77 years. She stated that the home was left to her and she could have sold it as she already had a home on Ridge Road. Because of the lot size, the location, and the view they decided to sell the other home and move on Eastside. She would like to keep it in her family. She stated that a dock is low impact. But, when it comes to structures and filling in the marsh alongside the road, she has a problem with it. She can't imagine a car being parked on that side of Eastside. She has no problem with docks, but she does have problems with structures and parking. She stated that this might be opening a door for something else. The gentleman may have bigger ideas down the road.

- Ms. Kathleen (no last name) advised she does not live here permanently. This is her second home and she considers it a home. She is concerned about filling in a beautiful marsh that she sees every time she comes down here, rides her bicycle, or walks with her grandchildren

on Eastside. She asked why they would do such a thing as fill in areas that are for wildlife. She doesn't see that this should be a possibility. She stated they have flooding on Eastside and asked what this would do. She agreed with Mrs. Bowden, a dock is no big deal to her, but a home with people coming in and out of there filling up a beautiful natural marsh that they have is a big deal. She asked if this would be a snowball effect. She asked that this be stopped before it gets too far. She hopes that this is her retirement home and wants to enjoy the marsh and the birds. She loves this adding that this is her home.

- Mrs. Sonya Watson Conser echoed her neighbors. Her father built the house in 1974 with the gorgeous view. She has the privilege of living in the house, and added that the view is a fantastic, beautiful thing. She can't imagine someone wanting to fill the marsh. She commented on the number of cars that stop at the end of Wayne Road to take pictures of the view and the sunrise. She agreed with everything Mrs. Bowden said.

- Mr. Robert Watson stated that he moved to the Eastside home when he was 5 years old. He stated that it's a lot of history on Eastside. He discussed drainage issues due to development of the woods on the north side of Wayne Road, all of the drainage used to run into the ditches on Wayne Road running to the marsh on Eastside. A lot of that has been filled and now a lot of that floods. He advised that he owns the marsh property at the end of Wayne Road. The lighthouse, means a lot to him. He bought that property for one reason, because his father was afraid that when that was bought and divided someone was going to build a dock and a boathouse there. He invested money in that marshland and has no interest in doing anything on it. He stated that he wishes they would consider the Island and what is left of the marshlands around the Island and not just Eastside. He asked when enough is enough. He advised that he lives in Salisbury now but owns property here and other places. This is his home, it's where he comes every weekend. Mr. Watson stated that when his father was alive, he came over for 10 years and had breakfast with him every Saturday and Sunday. Eastside is a special side of the Island because they have the Assateague Lighthouse and the Pony Swim. He owns the property there and will never do anything with it. He invested money into that so no one will develop it. Growing up they had to build up Eastside because it used to flood. The Town has spent a lot of money building this up. He can't imagine developing that side of Eastside which would prevent even more drainage from going out.

- Mr. Mike McGee stated he has owned about 6 oyster houses on Eastside and he is still there. He asked why this came up. He has never heard of building on the marsh as it's literally impossible. He commented on dealing with the Army Corps of Engineers. He asked how this came up.

Building and Zoning Administrator Bowden advised there have been no applications at this time. There is a gentleman who is proposing to fill in an 8' x 10' parking spot on the end to put a water meter and a dock out to the end of Sheepshead Creek. He spoke with VMRC last week and nothing has been applied. There have been changes there and the new personnel is talking to old personnel about the site visit. He hasn't received the information back yet.

- Town Manager Tolbert read a letter from Mr. and Mrs. Dan Ingersol. It was in reference

to a dock and parking lot on Eastside Road. They are adjacent property owners there as well which includes property across from the lot along the marsh and to the creek. Their property has a very short and low walkway that previous owners constructed to launch kayaks. It is their understanding that a loophole in the Town Code relating to resource conservation could potentially allow this new robust project to be permitted. They questioned the validity of a series of loopholes that allows construction over wetlands and marsh in an environmentally sensitive area across from the U.S. National Park and will suggest that loophole was in fact designed to protect those areas rather than develop them. View shed rights adjacent to the U. S. National Park has long since been protected in many instances in order to preserve the beauty of the cultural landscapes for all to all to enjoy. The construction of any sort of building, residence, or boat house will effectively block the view not only for Mrs. Thomas, but for all living in Eastside Road. It would also effect, residents and tourists who routinely drive around the Island to drive around the Island to see the Assateague lighthouse. Most importantly, as a rich habitat for numerous species and submerged aquatic grasses, marshes are the very heart of our Island. She asked to think twice before allowing a variance that would compromise extraordinary natural diversity of the Island and close loopholes eliminating sections of the Code eliminating future large-scale development over the wetlands by others owning marshland along Eastside Road. They had previous appointments that kept them from attending this meeting and hopes the letter conveys their concerns. They requested the letter be read aloud at the meeting and forwarded to the Planning Commission.

Chairman Rosenberger closed the public participation. He advised that the second item on the agenda is the Comprehensive Plan. It was his intent to address the question of the marsh area that was raised at the Council meeting.

Agenda Review/Disclosures

Councilman McComb motioned, seconded by Mr. Shendock to approve the agenda as presented. All present were in favor and the motion was carried.

Approval of Minutes

Councilman McComb motioned, seconded by Mr. Shendock to approve the minutes of the April 11th, 2023, meeting. All present were in favor and the motion was carried.

Consider Adjustments to Residential Area Requirements

Chairman Rosenberger advised this was a topic as a result of the new structure on Church Street. He stated that Town Manager Tolbert and Building and Zoning Administrator Bowden worked together to create a proposal.

Town Manager Tolbert stated that the issue came up because of a structure that was built excessively higher than the other structures in the neighborhood. He advised of the front yard setbacks that are modified to fit the neighborhood. This keeps the character of the neighborhood by not forcing new structures to be placed so far back that they look out of place, taking that provision and extending it to the height as well as the front yard setback. He added that this could be for R1, R2, and R3. He read further about setbacks. He read the proposed addition to the Code for Height Regulations: “Buildings and other structures may be erected up to 36 feet in height accordance with Section 2.24. Definition of building and structure height: “No structure

shall exceed three stories in height. Exception: Enclosures below the base flood elevation used for incidental storage, parking garages, and means of egress shall be exempt from being considered a story if such space is less than 600 square feet in area. However, the height restriction still applies.” He stated to average the height as per the rest of the neighborhood, they would add, “Structures using the average setback rule as referenced in 3.3.2, must not exceed the average height of the structures on either side of the proposed structure. The building official may make minimum allowances for compliance with applicable flood zone and building code requirements.” He stated that the reason for the last statement is because the average setback rule was put in many years ago before flood insurance was required and before some building codes were changed. The building official will have to give allowance to build at the base flood plus freeboard which is two feet above base. This is also to allow for a new structure which allows a minimum height of 8 feet per story. He added that a lot of buildings have less than 8 feet per story. He explained further that this would be only if he takes advantage of the minimum setback rule.

Chairman Rosenberger stated that he has been on the Planning Commission for over 20 years. They have always taken into consideration what they can do about keeping Chincoteague somewhat the way it is and not having an impact with changes that would alter the dynamics of the Island. That’s the reason he came here, why they stay here, and why others come to visit here. He thinks this is a fair way of approaching it.

Mr. Shendock feels it certainly goes through and adds a usable dimension to the regulations. He added that paragraph 1 in Section 3.34 may be a little restrictive. If this is the case, they could appeal to the Board. He feels this is an enhancement and improvement.

Councilman McComb agreed. He stated that it gives clarity and is well written.

Mrs. Cherrix stated that it’s good.

Mr. Dendler feels this is a good way to address what could be a real problem.

Councilman McComb motioned, seconded by Mr. Shendock to send the proposed changes to Council. All present were in favor and the motion was carried.

Consider Changes to Comprehensive Plan

Chairman Rosenberger stated that this item is to address some additions that they’ve been working on. This is to look at opportunities to improve the Plan or address local issues that they had not foreseen. They’re reviewing the 2020 plan so they’re ready to present a Plan in 2025. They’ve been working on the sewage disposal plan and explained further. They have to find a way to meet the needs for the very near future and meet the needs in the 10 to 15-year time frame. They’ve developed a base plan to present to Council and the developers to see whether they would be in compliance.

Town Manager Tolbert advised that Mr. Shendock put this together.

Mr. Shendock reviewed the process that has been moving along rapidly. The Commission defined a public sewer service area. The PSSA encompasses the boundaries of the incorporated town so that at some point in time the whole Town is under consideration. The immediate step is to expand the existing facility, expanded system facilities, and work out from there. The HRSD was approved to do a study to see what type of options are available. They have to define 3 phases of implementation that are based on the findings of the Wastewater Advisory Committee. The Commission then defined 3 phases of implementation and they are in the commercial district.

Town Manager Tolbert gave an in-depth account of how the sewage treatment plant and partnership began with HRSD. He explained the eligibility of connection and the proposed phases. He stated that HRSD made it clear at the first meeting in 2020 that if the Town went through this deal and followed it through to the end, the Town was able to give this plant to them to operate within the guidelines of what the Planning Commission came up with, as far as connecting. The Planning Commission came up with a map to phase in the different commercial areas and the Town will try to obtain additional capacity from the DEQ so they can treat more sewage on the Island.

Chairman Rosenberger stated that Wastewater Advisory Committee came up with a workable plan, but there was a question of funding. He gave an account of the meeting 5 years ago at the College. He added that this is a long process with commercial areas first. He asked what the next step is with HRSD.

Town Manager Tolbert stated that they need to tune up the proposal and present it to Council to include it in the Comprehensive Plan. This requires a public hearing. A joint public hearing is the most efficient way to get it done. He stated that if they want to approve it pending the HRSD review if they're fine with it then it can go to a joint public hearing in June with Council.

Councilman McComb motioned, seconded by Mr. Shendock to send the proposed addition of Sewage Disposal and Phase Map to the Comprehensive Plan to Council contingent on review by HRSD. All present were in favor and the motion was carried.

Review of 2025 Comprehensive Plan

Chairman Rosenberger stated that last month he requested that the Commission begin reviewing the Comprehensive Plan for things they may need to add to the Plan. As a result of the last meeting, he put marshland on the top of his list. Based on public participation, he would like to proceed with this. He asked for comments.

Councilman McComb stated that a lot of good suggestions have been made tonight specifically when you look at Section 5-7 through 5-10 which address this. He stated that Councilwoman Bowden spoke well with key items in the current section that talks about accessory structures, lodgings, clubhouses, boat and kayak rentals, and the reference of filling in marshland. He would like to see staff bring those sections as they did with the residential area requirements. He suggested writing what a revision would look like for the next Planning Commission meeting for review and possibly take action.

Town Manager Tolbert asked the extent of the revisions that they would like him to do, or should he consolidate everyone's comments or would they like to offer a few specifics.

Councilman McComb stated that he likes what was laid out in the comments specifically addressing things like accessory structure in the letter that was written.

Chairman Rosenberger stated that when the Maddox Campground was developed one of the major concerns was the marshland at that portion of the Island. The marshland extends across Maddox Boulevard, behind the museum, and the rest of it goes all the way back to the townhouses and Piney Island. It was his feeling at the time, and since then they have gotten involved with resiliency issues, retaining what we presently have due to whether you have climate change, or environmental change, or rising sea levels. He stated that one of the aspects of that according to the experts is that marshlands are just as effective as protecting land as bulkheads. Bulkheads raise another foot or two, but they don't last forever. The marshland migrates, or stays the same, and the marshland is the home of crabs, eels, herons, egrets, and small fish. It's the only aspect left on our borders here on the Island. He wouldn't be opposed to totally prohibiting any development on the marshland. He stated that when you put a pier over the marsh there is mud underneath and not a blade of grass under there. He added that it's God's gift to us.

Mr. Shendock suggested taking the time to look at this to make sure they are consistent with other regulations. He feels that the Commission should go through and understand all regulations that apply to this so what they come up with is consistent. He stated there are things that are done to the marsh that are very destructive. They want to make sure they protect against that and be thorough.

Chairman Rosenberger reviewed a couple of articles he read about wetlands mitigation plans. He agreed with Mr. Shendock, they have to stay within the rules. He would like to curtail construction on the marsh.

Councilman McComb feels they should at least protect what they know may potentially be a problem right now and build on it from there.

Chairman Rosenberger mentioned drainage and stated that in the Comprehensive Plan review he would like to look at vacant land and open space. He feels drainage is a big problem and is controlled by the tide. He stated that not only Wayne Road drains into that marsh but so does Tarr Lane and Tarr Lane drainage comes from Sunnywood Manor. They had opportunities of development on Eastside Road. He is concerned that they have the appropriate vehicle for the Comprehensive Plan. The Plan should be broad enough or specific enough to provide the Town with the opportunity to address potential issues that may come forward and maintain what they presently have. Drainage is a problem from the standpoint of a developer. He talked about rules so as not to inundate neighbors with drainage issues. He also reminded that some rules were changed in the last Virginia General Assembly regarding the Planning Commission and Comprehensive Plan and resiliency.

Mr. Shendock commented on the drainage and stated that water flows were incorporated in the 2020 Comprehensive Plan revision. He mentioned multiple available tools to go through and evaluate drainage and suggested integration. He agreed to meet with Building and Zoning Administrator Bowden to go over the tools but advised it will take some time.

Chairman Rosenberger stated that Mr. Shendock is the expert on the Comprehensive Plan and has devoted thousands of hours on the Plan. He expressed his appreciation.

Commission Members Announcements or Comments

Mr. Shendock stated it's good to see everyone out tonight.

Chairman Rosenberger was glad to see everyone out and invited them back on the 2nd Tuesday of the month.

Adjourn

Councilman McComb motioned, seconded by Mr. Shendock to adjourn. All present were in favor and the motion was carried.

Chairman, Mr. Ray Rosenberger

**MINUTES OF THE MAY 10, 2023
BUDGET AND PERSONNEL COMMITTEE MEETING
Council Chambers**

Members Present:

Mr. Christopher Bott, Chairman
Mr. Arthur Leonard, Mayor
Ms. Denise Bowden, Councilwoman

Other Members Present:

Mr. William T. McComb, Jr., Councilman
Mrs. Ellen Richardson, Councilwoman
Mr. Jay Savage, Councilman

Staff Present:

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

Call to Order

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

Public Comment

There was none.

Agenda Adoption

Mayor Leonard motioned seconded by Councilwoman Bowden to adopt the agenda as presented. Unanimously approved.

Review of FY23 Budget Discipline

Town Manager Tolbert explained that he reviews the budget line by line and projects the expenses to the end of the fiscal year. He reviewed each fund, giving explanations of the overages in expenses.

Consider FY23 End of Year Allocations

Town Manager Tolbert stated that his analysis of the FY23 Budget shows a significant increase in revenues to the General Fund as a result of Meals and Transient Occupancy Tax collections as well as an increase to VDOT Urban Maintenance Funding. The changes in expenditures include reconstruction of the Memorial Park Boat Ramp, and 1% to all Transient Occupancy Taxes dedicated to Public Safety. He reported on the surplus and recommended a transfer to long-term savings. He further explained the projects that didn't take place in the FY23 budget but plans to complete in the FY24 budget year with the surplus from FY23. He listed the projects.

Town Manager Tolbert advised he did not include the FY23 Budget Amendment as he and Finance Director Lewis are still finalizing. He plans to put it in next Friday's paper and Council vote on the amendment at the 1st meeting in June. He asked the Committee for approval of the FY23 Amendment provided it mirrors what he laid out this evening.

Councilwoman Bowden motioned, seconded by Mayor Leonard to approve the FY23 Budget Amendment as explained. Unanimously approved.

Adjournment

Mayor Leonard motioned, seconded by Councilwoman Bowden to adjourn the meeting. Unanimously approved.

**MINUTES OF THE
BOARD OF ZONING APPEALS
MAY 11, 2023 AT 7:00 P.M.**

Members Present:

Mr. Robert Cherrix, Chairman
Mr. David Landsberger
Mr. Donald Thornton
Mr. Mike McGee
Mr. Ernest W. Smith, Jr.
Mr. Eddie Moran

Members Absent:**Call to Order**

Chairman Cherrix called the meeting to order at 7:00 p.m.

Pledge of Allegiance

Chairman Cherrix led in the Pledge of Allegiance.

Building and Zoning Administrator Bowden advised they will conduct an election of officers. He opened the floor for nominations for Chairman.

Mr. Thornton nominated Mr. Cherrix, and Mr. Moran seconded.

All were in favor of Mr. Cherrix as the Chairman.

Chairman Cherrix opened the floor for nominations for Vice Chairman.

Mr. McGee nominated Mr. Moran for Vice Chairman and Mr. Thornton seconded.

Mr. Smith nominated Mr. Landsberger.

Chairman Cherrix called for a vote for Mr. Landsberger and Mr. Moran. He declared it was a tie and he voted for Mr. Moran as the Vice Chairman.

Agenda Adoption

Mr. Smith motioned, seconded by Mr. Thornton to adopt the agenda as presented. All present were in favor and the motion was carried.

Public Participation

Chairman Cherrix advised that in order for the vote to be approved there has to have a majority vote of the members present. He also stated that she has 30 days to appeal the decision of the Board in Accomack .

Variance 230314-1

Building and Zoning Administrator Bowden read the appeal:

A request from Chincoteague Center, LLC for a variance from Article VII, Section 7.13.1 of the Zoning Ordinance of the Town of Chincoteague. The applicant wishes to create a mural on the north side of the structure known as Sunsatons located at 4110 Main Street, Tax Parcel #30A5-A-464. The property is zoned C-2, Old Town Commercial.

Ms. Cindy Faith thanked the Board for hearing her case. She explained that when the Showard Brothers building was demolished last year she realized that it would be a great space to do a mural. She advised that she spoke with local merchants to see if there would be support for this. She stated she also spoke with local artists to see if anyone would be interested in putting up a mural. She then reached out to a gentleman who would also speak tonight. She stated that he is a wonderful artist and is well-known for murals on the Eastern Shore. She reached out to restaurants, merchants, and hotel owners asking if they would agree on getting a variance for a mural on this space. She added that the downtown area businesses are struggling a bit with the older buildings that could be torn down soon. She feels this is an opportunity to revitalize the beautiful downtown. She thinks that once it gets approved there would be ample support for funding as it would help the merchants in the downtown area and something Chincoteague could be proud of. Ms. Faith showed a sketch of the mural explaining that it would be celebrating the working waterfront. She added that this is a great opportunity to tell the story on the wall about the people of Chincoteague. She hopes after they hear everyone tonight they will support this.

Mr. Thornton asked who would maintain the mural.

Ms. Faith advised that the artist will be addressing the longevity of the mural. She added that it has a lifespan. She advised there are currently 8 murals on the Island that are fading and chipping away.

Mr. Moran asked who will approve the artwork for the mural.

Ms. Faith explained the plan of the mural to include the historical downtown and the working waterfront with sea life below.

Mr. Thornton stated they have no say what goes on there.

Mr. Landsberger stated that it would have to be within community standards.

Ms. Faith stated that there wouldn't be anything they would be embarrassed by and there would be no verbiage.

Chairman Cherrix opened the public participation.

- Mr. Michael Rosatto, the mural artist, stated that the sketch is only a concept sketch of the possibilities. In every project he has done, he meets with community members who gave history. He stated that when you involve the community you get ownership of the mural. When people come to the Town, people see part of the building and the history of Chincoteague. It will transform a community. He addressed longevity stating that it's about quality materials with very little upkeep. The paints he uses are the highest quality with ultraviolet protection. He does

three layers of ultraviolet protection on it. It would take a long time to wear down to the actual paint. He also explained the process. He has 35 years of experience and takes pride in his work looking at every aspect of the mural. He also advised he lives on the Eastern Shore.

Mr. Landsberger asked how long it would take him to complete the mural.

Mr. Rosatto advised it takes about 2 months but depends on the help.

Mr. McGee stated that Chincoteague Island is known for its ponies and the seafood industry. He asked if he could add a horse to the mural.

Mr. Rosatto stated there is a possibility for everything. He added that he thought about this as well. He can add a horse to it.

- Mr. Tommy Clark, who is represented the Main Street Merchants, stated that they have jumped onboard with this to improve the downtown area and the general appearance of it. He stated they are working with Ms. Faith hand-in-hand on this project. He advised that Don's Seafood Restaurant has been there for 50 years across from Showard Brothers and when they tore it down it left a big hole. He feels when they take a ride through Town, they can see a big empty spot. He added that to be able to improve the area would be an asset to the downtown area. He sees people enjoying Ruby Lee's Park. He feels this would be a great opportunity and improvement.

- Mrs. Tina Zoller advised she is in support of this. She commented on Onancock who has beautiful Willie Crockett murals all along main Street. She described some of the murals. She agreed with Mr. Clark that the Main Street could use some sprucing up. She stated she was walking today and realized they have a boarded-up building. She's unsure what happened to the store, but someone broke a window leaving a very unattractive boarded up building. She stated they have community support, and everyone loves it.

- Mrs. Pat Farley who is an Island resident, a working artist, and part of the artist community. She advised that the artists are very excited about this. She stated that no one that she knows has the expertise to put up a mural and they are very fortunate to have a very experienced mural artist. She reported that she was a member of the Arts Commission in Pittsburgh. Their job was to approve primarily murals and sculptures. They were part of the Planning Department with a staff member who reviewed permissions from the neighbors, the design, along with maintenance, materials, and longevity. She stated that once the Art Commission approved it, the Planning Commission approved it, and then the City Council would approve it. She is unsure if that is the process here, but she feels it's something they need to do to create a system for doing these kinds of projects. Mrs. Farley stated it is well known that putting murals in commercial areas is a huge benefit as Mr. Clark mentioned. She advised that there is a bit of a struggle for the downtown merchants. A mural brings people together, tourists together, and Town people together. It is a boost for the businesses downtown. She encourages the Board to approve the variance. She hopes in the future it won't be a variance.

Town Manager Tolbert advised the boarded-up window was a result of a car accident last Saturday.

- Ms. Donna Leonard referred to the Downtown Revitalization and the Town worked with the ANPDC. One of the priorities was eliminating blight. She thinks this will add beauty and the historic story to the downtown. She referred to the Harriett Tubman mural in Cambridge. She feels this is noteworthy if you're looking for something that Mr. Rosatto has done. This comes with first class artistry in mind. She's sure if Ms. Faith has anything to do with it, it will be done right, and the history of Chincoteague will certainly be told. She added that during the Downtown Revitalization, the RCEC was formed at that time. She stated that if it needs to go in the direction of being changed from a sign to a mural and the Town is going to oversee how it's going to be done, she recommends that it be given to the RCEC. She feels this is exactly the kind of thing they were organized to do.

Chairman Cherrix closed the public participation. He asked for discussion.

Mr. Smith asked if there were letters sent to the property owners within the required distance from the property.

Building and Zoning Administrator Bowden advised it was included in the packet.

Mr. Smith asked if there were any responses.

Building and Zoning Administrator Bowden responded there were none.

Mr. Landsberger stated they are permitted to grant a variance for a larger sign and that's what they are there to do. He asked if they can be restrictive. He explained that if they grant a variance, they are granting a sign for a property owner. The owner can take the variance and put up a full-size billboard for his business after its approved and no one can stop it. He asked Building and Zoning Administrator Bowden if they could specify that this is to be a non-commercial mural.

Building and Zoning Administrator Bowden advised they could.

Mr. McGee stated that it's for everyone in the Town and he would go along with it, it's a great idea.

Mr. Thornton stated he wished Mr. Rosatto had brought some work with him so they could enjoy it.

Mr. Moran feels it's a great idea as long as it sticks with the character of Chincoteague. He asked if someone would give final approval on this.

Ms. Faith stated responded that whatever the Board asked them to do they're willing to do.

Mr. Landsberger stated that based on the variance, the Board's purview is not to decide what is on the mural, but the size. He feels they can approve the sign adding that it has to be non-commercial and represent historic Chincoteague.

Chairman Cherrix asked if they could put something in the motion to get the final approval of what goes on the mural to the Town Council.

Town Manager Tolbert advised that the Board of Zoning Appeals is appointed by the Circuit Court, the Town Council has no purview over the Board's decisions.

Mr. Landsberger stated that once the permission is granted the property owner can put anything within what they grant.

Mr. McGee stated they can make specifications.

Mr. Landsberger stated they can make it a non-commercial and historic requirement.

Chairman Cherrix commented that he would rather not have people on the mural.

Board Action on Appeal:

Mr. Landsberger motioned, seconded by Mr. Thornton to approve the variance provided the sign/mural is of historic nature with the history of Chincoteague and non-commercial. All present were in favor and the motion was carried. The motion was carried.

Ayes: Landsberger, Smith, Thornton, McGee, Moran

Nays: None

Abstain: None

Absent: None

Mr. Smith asked for minutes from the previous meetings within a month or two.

Building and Zoning Administrator Bowden stated he will email them.

Town Manager Tolbert stated that the minutes are posted on the website as well.

Adjourn

Mr. Thornton motioned, seconded by Mr. Moran to adjourn. Unanimously approved.

**MINUTES OF THE MAY 23, 2023
RECREATION & COMMUNITY ENHANCEMENT
COMMITTEE MEETING
Town Council Chambers**

Members Present:

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

Members Absent:

Mr. Chris Bott, Vice Mayor

Council and Staff Present:

Ellen Richardson, Councilwoman
Michael T. Tolbert, Town Manager

Call to Order

Chairman Taylor called the meeting to order at 6:00 p.m.

Public Comment

Chairman Taylor opened the public comment.

There was discussion about the Dog Park and the personal affects of users being left at the park, cleaning up the Hallie Whealton Smith Nature Trail, putting a storage container at the Dog Park for their personal items.

Town Manager Tolbert advised that the benches were delivered, but they waited for this meeting to determine placement.

They discussed placement of the benches, the sail shade, and relocating the fire hydrant.

Councilman Taylor asked how long it would be to get the sail shade in and installed.

Town Manager Tolbert advised it will take about 30 days.

Councilman Taylor feels the Hallie Whealton Smith Nature Trail needs to be cleaned up.

There was discussion about putting something under the water station and adding stone at the gate. They further discussed cleaning up the Hallie Whealton Smith Nature Trail of fallen and leaning trees.

There was discussion about putting sail shading at the small dog area, placement of the benches, and possibly adding a picnic table in the Dog Park.

Town Manager Tolbert asked those present if they would wear their Dog Park Permits. He explained further and advised a police officer will be checking passes. He also stated that they plan to put a camera in the Dog Park along with an AED.

There was discussion about possibly putting in a port-a-let, and reducing the rate for the Dog Park. They also talked about the new boat ramp at Memorial Park. There was also a discussion about graffiti.

Ms. Leonard asked for an update on Brianna's Kindness Park.

Town Manager Tolbert advised of the orders, estimated deliveries, and surveillance placement.

There was discussion about a trail, basketball court, benches, a reading library, signage, and murals.

Agenda Adoption

(The agenda was not adopted.)

Consider Dog Park Improvements – Bench Placement, Shade, Water Fountain

(This item was discussed under public comment.)

Adjournment

Councilman Savage motioned, seconded by Ms. Leonard to adjourn the meeting. All present were in favor and the motion was carried.

**MINUTES OF THE MAY 1, 2023
CHINCOTEAGUE TOWN COUNCIL MEETING
Council Chambers**

Council Members Present:

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

Council Members Absent:

Staff Present:

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

Call to Order

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

Invocation

Mr. Maury Enright offered the invocation.

Pledge of Allegiance

Mayor Leonard led in the Pledge of Allegiance.

Certificate of Recognition

Mayor Leonard read and presented the Certificate of Recognition for Mrs. Peggy Thomas on the celebration of her 90th birthday.



**CERTIFICATE OF RECOGNITION
PRESENTED TO**

Mrs. Peggy Elizabeth Cherrix Thomas

WHEREAS, Mrs. Thomas will be honored by relatives and friends on the occasion of her 90th birthday; and

WHEREAS, Mrs. Thomas was born on April 29th, 1933, and has been a lifelong and valued citizen of the Town of Chincoteague; and

WHEREAS, On December 9, 1949, Mrs. Thomas married Mr. William Carroll Thomas and had 5 Daughters, 7 grandchildren, 11 great grandchildren and 1 great great grandchild; and

WHEREAS, Together with her Husband Bill Thom, Mrs. Thomas owned Sulky Acres Race Horses, Bill's Garage and Sulky Acres Mobile Home Park; and

WHEREAS, Mrs. Thomas is a founding member and loyal supporter of the Island Baptist Church and an active, lifelong and proud member of the community.

NOW, THEREFORE, by virtue of the authority vested in me as Mayor of the Town of Chincoteague, I do hereby deem it an honor and pleasure to extend this tribute to Mrs. Peggy Thomas on the occasion of her 90th birthday, with sincere congratulations and best wishes for many more happy and productive years.

Presented this 1st day of May, 2023.

Mayor John A. Leonard

Attest:

Michael T. Tolbert, Town Manager

Mayor Leonard read and presented the Resolution of Honorary Citizenship to Mr. Maury Enright.



**Resolution of Honorary Citizenship
Presented to**

Mr. William Maury Enright

WHEREAS, Mr. William Maury Enright was born in Philadelphia, Pa. on May 7, 1943, was educated at William and Mary and began his teaching career at Chincoteague High School in the year of our Lord nineteen hundred and sixty-five; and

WHEREAS, Mr. Enright labored tirelessly during his 42 year teaching career to instruct his students in not only academics but in all things associated with a moral and virtuous life, to be in service not only to themselves but to their neighbors; and

WHEREAS, Mr. Enright is remembered fondly by his students, parents, colleagues, and all others within the Town for his contribution to the community through his service to his students and families long after they graduated by officiating scores of weddings, services and when necessary memorials; and

WHEREAS, Mr. Enright has contributed immeasurably to the integrity of the Island Community by highlighting the formal education of 4 generations of its youth and helping to provide a firm foundation on which to build this community; and

WHEREAS, Mr. Enright ensured that these 4 generations of citizens were proficient in the finer points of poetic verse and floral recognition.

NOW, THEREFORE, by virtue of the authority vested in me as Mayor of the Town of Chincoteague, I do hereby deem it an honor and pleasure to bestow upon Mr. William Maury Enright the title of **HONORARY CITIZEN OF THE TOWN OF CHINCOTEAGUE** with all of the rights and privileges that accompany such honor.

Presented this 1st day of May 2023.

Mayor John A. Leonard

Attest:

Michael T. Tolbert, Town Manager

Mr. Mickey Merritt stated that in June Mr. Enright will have attended 58 straight graduations. He stated that Chincoteague is blessed as there are no finer schools than the 2 we have on the Island. There were many great teachers that made a difference in our lives.

Councilwoman Bowden stated that she had Mr. Enright for a semester or 2 in high school. She stated that learning the poems was hard. He taught her father and her. Mr. Enright is the most honorable man she’s ever met, and she appreciated everything he has ever done for Chincoteague High School and for this community. She advised she will always have the utmost

respect for him. She added that while he was saying the prayer and believes she could listen to him read the phone book. He is appreciated on the Island.

Mayor Leonard stated he heard of the many stories of the torture some of the students put him through.

Mr. Enright commented that he thinks some of the stories got larger as they were told.

Councilwoman Richardson stated that it has been a pleasure working with him for 46 years. He also taught her kids. She added that he is a fine Christian man, and she has enjoyed her years with him at school.

Councilman Taylor thanked Mrs. Peggy Thomas for her for keeping many church doors open. He tells the youth to “get a voice”. He wishes that Mrs. Thomas would talk to the youth about speaking out. He is proud of her for speaking her mind and he thanked her.

Public Comment

Mayor Leonard opened the floor for public comment.

- Mrs. Tammy Riley, 4460 Williams Lane, expressed her concern about reports about someone wanting to fill some of the marshland on Eastside Road. She understands that they plan to fill in the marsh to put in a parking lot and dock. She doesn't mind the dock because it doesn't impede their view. However, filling in the marsh and putting a parking lot would impede the view. She feels the view should be there for the homeowners. She explained that the view is abundant, and the Town has a nice mixture. Eastside is known for its view of Assateague. She doesn't want a boathouse, or parking lot there. She suggested ordinances to keep this under control, so they don't end up with another Main Street on Eastside. She added that she owns quite a bit of that marsh, and it would only benefit her to have someone build on it, but it's not about the money. She bought it to be clear.
- Mrs. Peggy Thomas, 7805 Eastside Road, asked where the septic was going if they put rental on the marsh. She stated she is against it. She asked when the next Planning Commission meeting is and was advised it is 1 week from tomorrow at 7:00p.m.
- Mrs. Beverly Fleming, 3860 Main Street, asked about the letter she received about the drinking water. She stated that the letter was dated in September, and it was mailed out in May. She asked if this was normal procedures.

Mayor Leonard advised that back in September there was a water sample taken a few days early as there was an approaching storm. According to the Health Department you can't take the sample early, which caused the letter to be sent.

Mrs. Fleming asked if they would use the CodeRed callout system to notify the residents if there was something wrong with the water.

Mayor Leonard advised they would.

- Mrs. Billie Ann Bowden, 7855 Eastside Road, agreed with Mrs. Riley. She advised she owns a big section of marsh, and they have a lot of land behind her home. She stated there are a lot of things she could do, but isn't looking to make money off of it. She added that it is nice to look out her front window at the view. She also doesn't have a problem with building a dock. She added that Mrs. Thomas is the Mayor of Eastside and she's the Vice Mayor and they're against it.

- Mrs. Mary Chrisman, 4235 Main Street, addressed Council regarding the Dog Park. She stated that they appreciate the Dog Park but feel they need more seating and shade. She commented on the regulars that go there for socialization and their chairs, table, and umbrellas were taken up without notice. She feels they could have done this differently.

Town Manager Tolbert advised that 3 more benches have been ordered and should be here soon.

- Ms. Paula Nees, 6417 Canal Lane thanked Council for doing the cleanup week. She shared the post on Facebook and would like to plan for next year suggesting that they meet soon to strategize. She would also hopes that the Adopt-a-Road Program would start back up. She suggested advertisement. She also stated that last year she requested the Proclamation about Gun Violence. She asked Council to extend it this year, from June 2nd to June 4th. She also advised that wearing orange and putting up signs during this time to show support and that we live in a safe community. She wants to put up signs and she read why you should wear orange. She thanked Council and asked for the proclamation to be extended.

- Mrs. Julie Brommer, President and Founder of Chincoteague Island Cats, she advised that since June of 2018 over 500 cats have been caught, neutered/spayed, shots, flea treatments, and microchipped. She announced the free dog and cat rabies clinic on August 12th with approval from Council and Accomack County. There will also be another Catch and Release Program scheduled for September 14th – 17th to trap and care for 50 cats. She added that the neuter scooter will be on-scene to do the surgeries. She thanked the Town for their support.

- Ms. Barbara Mimm, 8202 Seahorse Drive, thanked Town Manager Tolbert for replacing the benches so quickly and she also asked for shade at the Dog Park. She informed Council they maintain the area and pickup the area as well.

District 1 Supervisor Report

Supervisor Billy Joe Tarr reported on the County's FY24 budget which totals \$70 million. He listed what the budget consists of. There will be an increase in staff compensation of 6.5% or possibly 7%, with a compensation study planned. They will increase the VRS up to 1.85 multiplier to bring it up to the Sheriff's Department and State Police. They will also increase the cigarette tax from \$0.10 to \$0.20 per pack, the personal property tax assessments will go back to normal. It was up because the used vehicle values went up. He reported that they gave the Chincoteague Chamber of Commerce \$65,000 from the ARPA Tourism Recovery Funds and initially approved \$80,000. He gave an update on the HRSD plans for taking over central Accomack. He stated that the new library is almost completed. The trustees are not satisfied

with the lease agreement. He reported on the funding of dredging the Channel, and possibly Lewis Creek. He commented further.

Councilwoman Bowden commented that she recognizes what the launches do for the Eastern Shore, but feels Chincoteague brings more to the economy. The south end of the Island gets washed out and washed out, yet they're still waiting. She stated that it's disheartening to see them take care of others all around the Island.

Supervisor Tarr commented further.

Councilman Taylor thanked the County for giving the Town the Chamber property, adding that they need public restrooms.

Supervisor Tarr suggested that the additional money they should receive from the ARPA funds could be used for this.

Agenda Adoption

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

Staff Reports

General Government

Town Manager Tolbert reported on the Center's rentals for April. He also advised of the May bookings which include the CHS Prom, and graduation. He reported that last fall the DEQ rolled out a new program that provides ARPA funds to repair failing septic systems. The Septic Local Partners Program (SLPP) provides funds for the repair and or replacement of failing residential and commercial septic systems. He advised that he applied for this program last November and was notified by the DEQ on April 19th that the Town of Chincoteague has been awarded \$750,000 to fund qualifying projects on the Island.

Town Manager Tolbert reported that on Wednesday April 15th, he met with a group of officials from NASA Wallops, Goddard, and NASA headquarters in DC in reference to moving the wells off of NASA property. They discussed the progress of the legislation to relocate the Town's wells off of NASA property. He further advised that he has asked for time as the proposed cost estimate is 6 years old and more than likely not adequate to complete the project. He then gave an update on the Inlet Study. He also advised he had an issue with the 5-year window to design, construct, and obtain permits. This is not sufficient. He requested to extend it to 10 years. He will meet with Representative Jen Kiggans' Eastern Shore staff next week to request the Representative's assistance in providing ACOE funding for the Study. He also reached out to Senator Kaine and Warner's office for similar assistance. He reported that no studies in the state of Virginia were approved this year.

Town Manager Tolbert then reviewed the financial report for April. He also reported that the Town is still in discussion with the Hampton Roads Sanitation District (HRSD) as to the fine points of the transfer agreement. He then gave a brief report on the Building and Zoning Department activities.

Vice Mayor Bott asked about the Planning Commission sewage phase work.

Town Manager Tolbert stated they are working on Sewage Phase and Qualifications to add to the Comprehensive Plan, then to have a joint public hearing and pass the specifications for connection. This doesn't have to be done beforehand, but they were clear what needed to be in the Comprehensive Plan.

Councilwoman Bowden asked if Town Manager Tolbert was still meeting with staff after Council meetings.

Town Manager Tolbert advised he does, however, occasionally things happen to keep it from happening.

Police Department

Chief Fisher advised reported that on April 17th he, Mr. Harry Thornton met with VDOT officials, the State Police, and the Sherriff to change the 911 procedures for road hazards. On April 18th, the Eastern Shore 911 met here to check the vehicles to see how to mount the new radios. This will be up and running by fall of 2024. He also advised he will be at the Budget and Personnel Committee meeting to give the cost of possibly updating the dispatch console to the new ones that the County is installing.

There was discussion about paging out for incidents and specifics not being relayed causing confusion.

Public Works Department

Public Works Director Parks reported they have completed the Main Street tie-in for Cropper Street. He gave an update on the Memorial Park Boat Ramp Project. He stated that staff repaired a water main leak on Eastside and flushed hydrants the week of April 17th. He also gave an update on the Cropper Street Project advising that the water main and storm drains are complete. The new sidewalks will be put in beginning May 8th to be completed by Memorial Day. Public Works Director Parks advised they have a bid advertisement for the Sanitation Contract with the bids due on May 19th. Paving will begin this week for Woodland Drive and Maddox Blvd.

Mayor Leonard asked if they could have depth markers on the poles at the new boat ramp at Memorial Park.

Emergency Services

Director of Emergency Services Rush advised of his calls for April comparing to April 2022. He reported of the Rocket Lab launch scheduled for June 15th and the ANTARES NG 19 launch July 7th at 6:30a.m. They are planning the POD Exercise for September. He reviewed the 2023 CSU Hurricane Forecast which is slightly below the average. He urged everyone to be prepared and ready, especially since last weekend's tornado in Virginia Beach. He stated that May 11th the Covid State of Emergency ends.

Committee Reports:
Budget and Personnel

Vice Mayor Bott advised there was nothing to report.

Recreation and Community Enhancement Committee

Councilman Taylor advised they met on March 28th and discussed the exercise trail at Brianna’s Park along with the picnic table, a shade structure, a path for the handicapped to access the equipment and a basketball goal near the soccer field. He also commented that the Dog Park should have a shade structure. He asked Public Works Director Parks to look into making the Hallie Whealton Trail look beautiful as well.

Adoption of the Minutes of the April 3rd and April 20th, Council Meetings

Councilman McComb motioned, seconded by Councilwoman Bowden to adopt the minutes of the April 3rd and April 20th, 2023, Council meetings as presented. Unanimously approved.

Vice Mayor Bott, motioned, seconded by Councilwoman Bowden to approve the minutes of the April 3rd and April 20th, 2023, Council meetings as presented. Unanimously approved.

Consider Request from the Chincoteague Island Cats

Town Manager Tolbert advised that the CI Cats are requesting to conduct a dog and cat rabies clinic on August 12th with a location to be determined.

Councilwoman Bowden advised that she is asking the Fire Company at the monthly meeting, if they can have the clinic at the firehouse.

Vice Mayor Bott motioned, seconded by Councilman McComb to approve the CIC dog and cat rabies clinic. Unanimously approved.

Resolution of EMS Appreciation Week

Mayor Leonard read the resolution.



RESOLUTION

Emergency Medical Services Appreciation Week 2023

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

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

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

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

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

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

Now, Therefore, Be It Resolved, that the Town Council' of the Town of Chincoteague, Virginia does hereby proclaim the week of May 21ST – May 27TH, 2023, as "Emergency Medical Services Appreciation Week: in the Town of Chincoteague, with this year’s theme being “EMS: Where Emergency Care Begins”.

Signed: _____

J. Arthur Leonard, Mayor

Attest: _____

Michael T. Tolbert PE, Town Manager

Resolution of National Public Works Appreciation Week
Town Manager Tolbert Read the resolution.



National Public Works Week Proclamation

May 21 – 27, 2023

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

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

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

WHEREAS, the year 2023 marks the 63rd annual National Public Works Week sponsored by the American Public Works Association/Canadian Public Works Association be it now

RESOLVED THAT , I, John A. Leonard, do hereby designate the week May 21 – 27, 2023 as National Public Works Week; I urge all citizens to join with representatives of the American Public Works Association and government agencies in activities, events, and ceremonies designed to pay tribute to our public works professionals, engineers, managers, and employees and to recognize the substantial contributions they make to protecting our national health, safety, and quality of life.

IN WITNESS WHEREOF, I have hereunto set my hand,

DONE at **Chincoteague Island, Virginia** this 1st day of May, 2023.

Signed: _____

John A. Leonard,
Mayor

Attest: _____

Michael T. Tolbert,
Town Manager

Consider Trolley Drug and Alcohol Policy

Town Manager Tolbert advised that the DRPT writes a Drug and Alcohol Policy that conforms with the Federal Transit Administration standards. They have requested that this policy be adopted.

Vice Mayor Bott motioned, seconded by Councilman McComb to adopt the Pony Express Trolley Drug and Alcohol Policy. Unanimously approved.

Pony Express- Town of Chincoteague

Drug and Alcohol Policy

Effective as of [07/01/2023]

Adopted by: _____

Date Adopted: [05/01/2023]

Last Revised: [04/18/2023]

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I. Purpose of Policy

This policy complies with 49 CFR Part 655, as amended and 49 CFR Part 40, as amended. Copies of Parts 655 and 40 are available in the drug and alcohol program manager’s office and can be found on the internet at the Federal Transit Administration (FTA) Drug and Alcohol Program website

<http://transit-safety.fta.dot.gov/DrugAndAlcohol/>.

All covered employees are required to submit to drug and alcohol tests as a condition of employment in accordance with 49 CFR Part 655.

Portions of this policy are not FTA-mandated, but reflect Pony Express - Town of Chincoteague’s policy. These additional provisions are identified by **bold text**.

In addition, DOT has published 49 CFR Part 32, implementing the Drug-Free Workplace Act of 1988, which requires the establishment of drug-free workplace policies and the reporting of certain drug-related offenses to the FTA.

All Pony Express - Town of Chincoteague employees are subject to the provisions of the Drug-Free Workplace Act of 1988.

The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in the covered workplace. An employee who is convicted of any criminal drug statute for a violation occurring in the workplace shall notify the Designated Employer Representative no later than five days after such conviction.

2. Covered Employees

This policy applies to every person, including an applicant or transferee, who performs or will perform a “safety-sensitive function” as defined in Part 655, section 655.4.

You are a covered employee if you perform any of the following:

- Operating a revenue service vehicle, in or out of revenue service
- Operating a non-revenue vehicle requiring a commercial driver's license
- Controlling movement or dispatch of a revenue service vehicle
- Maintaining (including repairs, overhaul and rebuilding) of a revenue service vehicle or equipment used in revenue service
- Carrying a firearm for security purposes

See Attachment A for a list of covered positions by job title.

3. Prohibited Behavior

Use of illegal drugs is prohibited at all times. Prohibited drugs include:

- marijuana
- cocaine
- phencyclidine (PCP)
- opioids
- amphetamines

All covered employees are prohibited from performing or continuing to perform safety-sensitive functions while having an alcohol concentration of 0.04 or greater.

All covered employees are prohibited from consuming alcohol while performing safety-sensitive job functions or while on-call to perform safety-sensitive job functions. If an on-call employee has consumed alcohol, they must acknowledge the use of alcohol at the time that they are called to report for duty. If the on-call employee claims the ability to perform his or her safety-sensitive function, he or she must take an alcohol test with a result of less than 0.02 prior to performance.

All covered employees are prohibited from consuming alcohol within four (4) hours prior to the performance of safety-sensitive job functions.

All covered employees required to take a post-accident test are prohibited from consuming alcohol for eight (8) hours following involvement in an accident or until he or she submits to the post-accident drug and alcohol test, whichever occurs first.

4. Consequences for Violations

Following a positive drug or alcohol (BAC at or above 0.04) test result or test refusal, the employee will be immediately removed from safety-sensitive duty and referred to a Substance Abuse Professional.

Following a BAC of 0.02 or greater, but less than 0.04, the employee will be immediately removed from safety-sensitive duties until the start of their next regularly scheduled duty period (but for not less than eight hours) unless a retest results in the employee's alcohol concentration being less than 0.02.

Zero Tolerance

Per Pony Express - Town of Chincoteague policy, any employee who tests positive for drugs or alcohol (BAC at or above 0.04) or refuses to test will be referred to a Substance Abuse Professional (SAP) **and terminated from employment.**

5. Circumstances for Testing

Pre-Employment Testing

A negative pre-employment drug test result is required before an employee can first perform safety-sensitive functions. If a pre-employment test is cancelled, the individual will be required to undergo another test and successfully pass with a verified negative result before performing safety-sensitive functions.

If a covered employee has not performed a safety-sensitive function for 90 or more consecutive calendar days, and has not been in the random testing pool during that time, the employee must take and pass a pre-employment test before he or she can return to a safety-sensitive function.

A covered employee or applicant who has previously failed or refused a DOT pre-employment drug and/or alcohol test must provide proof of having successfully completed a referral, evaluation, and treatment plan meeting DOT requirements.

Reasonable Suspicion Testing

All covered employees shall be subject to a drug and/or alcohol test when Pony Express - Town of Chincoteague has reasonable suspicion to believe that the covered employee has used a prohibited drug and/or engaged in alcohol misuse. A reasonable suspicion referral for testing will be made by a trained supervisor or other trained company official on the basis of specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the covered employee.

Covered employees may be subject to reasonable suspicion drug testing any time while on duty. Covered employees may be subject to reasonable suspicion alcohol testing while the employee is performing

safety-sensitive functions, just before the employee is to perform safety-sensitive functions, or just after the employee has ceased performing such functions.

Post-Accident Testing

Covered employees shall be subject to post-accident drug and alcohol testing under the following circumstances:

Fatal Accidents

As soon as practicable following an accident involving the loss of a human life, drug and alcohol tests will be conducted on each surviving covered employee operating the public transportation vehicle at the time of the accident. In addition, any other covered employee whose performance could have contributed to the accident, as determined by Pony Express - Town of Chincoteague using the best information available at the time of the decision, will be tested.

Non-fatal Accidents

As soon as practicable following an accident not involving the loss of a human life, drug and alcohol tests will be conducted on each covered employee operating the public transportation vehicle at the time of the accident if at least one of the following conditions is met:

- (1) The accident results in injuries requiring immediate medical treatment away from the scene, unless the covered employee can be completely discounted as a contributing factor to the accident
- (2) One or more vehicles incurs disabling damage and must be towed away from the scene, unless the covered employee can be completely discounted as a contributing factor to the accident
- (3) The vehicle is a bus, and is removed from operation, unless the covered employee can be completely discounted as a contributing factor to the accident

In addition, any other covered employee whose performance could have contributed to the accident, as determined by Pony Express - Town of Chincoteague using the best information available at the time of the decision, will be tested.

A covered employee subject to post-accident testing must remain readily available, or it is considered a refusal to test. Nothing in this section shall be construed to require the delay of necessary medical attention for the injured following an accident or to prohibit a covered employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident or to obtain necessary emergency medical care.

Random Testing

Random drug and alcohol tests are unannounced and unpredictable, and the dates for administering random tests are spread reasonably throughout the calendar year. Random testing will be conducted at all times of the day when safety-sensitive functions are performed.

Testing rates will meet or exceed the minimum annual percentage rate set each year by the FTA administrator. The current year testing rates can be viewed online at www.transportation.gov/odapc/random-testing-rates.

The selection of employees for random drug and alcohol testing will be made by a scientifically valid method, such as a random number table or a computer-based random number generator. Under the selection process used, each covered employee will have an equal chance of being tested each time selections are made.

A covered employee may only be randomly tested for alcohol misuse while the employee is performing safety-sensitive functions, just before the employee is to perform safety-sensitive functions, or just after the employee has ceased performing such functions. A covered employee may be randomly tested for prohibited drug use anytime while on duty.

Each covered employee who is notified of selection for random drug or random alcohol testing must immediately proceed to the designated testing site.

6. Testing Procedures

All FTA drug and alcohol testing will be conducted in accordance with 49 CFR Part 40, as amended.

Dilute Urine Specimen

If there is a negative dilute test result, Pony Express - Town of Chincoteague will accept the test result and there will be no retest, unless the creatinine concentration of a negative dilute specimen was greater than or equal to 2 mg/dL, but less than or equal to 5 mg/dL.

Dilute negative results with a creatinine level greater than or equal to 2 mg/dL but less than or equal to 5 mg/dL require an immediate recollection under direct observation (see 49 CFR Part 40, section 40.67).

Split Specimen Test

In the event of a verified positive test result, or a verified adulterated or substituted result, the employee can request that the split specimen be tested at a second laboratory. Pony Express - Town of Chincoteague guarantees that the split specimen test will be conducted in a timely fashion. **Employee will be required to pay for the test (may not condition analysis on employee payment).**

7. Test Refusals

As a covered employee, you have refused to test if you:

- (1) Fail to appear for any test (except a pre-employment test) within a reasonable time, as determined by Pony Express - Town of Chincoteague.
- (2) Fail to remain at the testing site until the testing process is complete. An employee who leaves the testing site before the testing process commences for a pre-employment test has not refused to test.
- (3) Fail to attempt to provide a breath or urine specimen. An employee who does not provide a urine or breath specimen because he or she has left the testing site before the testing process commenced for a pre-employment test has not refused to test.
- (4) In the case of a directly-observed or monitored urine drug collection, fail to permit monitoring or observation of your provision of a specimen.
- (5) Fail to provide a sufficient quantity of urine or breath without a valid medical explanation.
- (6) Fail or decline to take a second test as directed by the collector or Pony Express - Town of Chincoteague for drug testing.
- (7) Fail to undergo a medical evaluation as required by the MRO or Pony Express - Town of Chincoteague's Designated Employer Representative (DER).
- (8) Fail to cooperate with any part of the testing process.
- (9) Fail to follow an observer's instructions to raise and lower clothing and turn around during a directly-observed test.
- (10) Possess or wear a prosthetic or other device used to tamper with the collection process.
- (11) Admit to the adulteration or substitution of a specimen to the collector or MRO.
- (12) Refuse to sign the certification at Step 2 of the Alcohol Testing Form (ATF).
- (13) Fail to remain readily available following an accident.

As a covered employee, if the MRO reports that you have a verified adulterated or substituted test result, you have refused to take a drug test.

As a covered employee, if you refuse to take a drug and/or alcohol test, you incur the same consequences as testing positive and will be immediately removed from performing safety-sensitive functions, and referred to a SAP.

8. Voluntary Self-Referral

Any employee who has a drug and/or alcohol abuse problem and has not been notified of the requirement to submit to reasonable suspicion, random or post-accident testing or has not refused a drug or alcohol test may voluntarily refer her or himself to the Designated Employer Representative, who will refer the individual to a substance abuse counselor for evaluation and treatment.

The substance abuse counselor will evaluate the employee and make a specific recommendation regarding the appropriate treatment. Employees are encouraged to voluntarily seek professional substance abuse assistance before any substance use or dependence affects job performance.

Any safety-sensitive employee who admits to a drug and/or alcohol problem will immediately be removed from his/her safety-sensitive function and will not be allowed to perform such function until successful completion of a prescribed rehabilitation program.

9. Prescription Drug Use

The appropriate use of legally prescribed drugs and non-prescription medications is not prohibited. However, the use of any substance which carries a warning label that indicates that mental functioning, motor skills, or judgment may be adversely affected must be reported to the Designated Employer Representative. Medical advice should be sought, as appropriate, while taking such medication and before performing safety-sensitive duties.

10. Contact Person

For questions about Pony Express - Town of Chincoteague's anti-drug and alcohol misuse program, contact the Designated Employer Representative.

Attachment A: Covered Positions

Operators

Dispatchers

FY24 Budget Presentation

Town Manager Tolbert gave an in-depth presentation of the FY24 Budget. He explained the process of the budget. He showed historical comparisons. He reviewed each fund, with highlights of revenues and expenditures for each fund showing charts and graphs. (The presentation is listed on the website in its entirety).

FY24 Budget Public Hearing

Mayor Leonard opened the FY24 Budget Public Hearing at 8:52p.m. There were no comments, and Mayor Leonard closed the public hearing at 8:53p.m.

Town Manager Tolbert advised they have to let the budget sit for 2 weeks before voting on it at the Workshop meeting on the 18th.

Consider Recommendation of the RCEC

Councilman Taylor commented on the RCEC suggestion to put a small basketball court at the Brianna's Kindness Park. The Committee recommends a small court near the soccer field.

Town Manager Tolbert advised that the work could be included in the small quantities portion of the current spring paving contract. It will total 50% of the small quantities funding. He added that it could be in FY24.

There was a brief discussion about the small quantities.

Councilman Taylor stated that it isn't a lot, it's only 40'x 40'.

There was discussion about paying for it out of Brianna's Park Reserves.

Vice Mayor Bott motioned, seconded by Councilman McComb to approve the basketball court as presented for Brianna's Kindness Park to be paid for from the reserve fund. Unanimously approved.

Mayor and Council Comments

Councilman Savage stated that Town Manager Tolbert gave a great presentation. He gave kudos to Town Manager Tolbert, staff, and the Budget and Personnel Committee. He thanked Mr. Enright adding he had a couple of generations of his family. He appreciated knowing Mr. Enright as a friend and teacher. He also congratulated Mrs. Peggy Thomas on her 90th birthday.

Councilman Taylor thanked Mayor Leonard for all he does. He commented that Supervisor Tarr said good help is hard to find. He stated that the Town is very blessed. He told of a lady with a water leak. He called the Police Department who dispatched the Waterworks Technician on-call who came and took care of it. He thanked everyone and wished the Town could do more with the raises.

Councilman McComb congratulated Mrs. Thomas and Mr. Enright. He stated he had Mr. Enright in the 9th, 11th and 12th grades. He won't ever forget how to diagram a sentence and can still remember his flowers. He expressed his appreciation for everything he's done. It would be hard to find a better person in this community than what he has been. It's nice to see other areas getting studies and money spent on their survival. There are very little things that face this community that's of bigger priority right now other than maintaining what they have as far as land, adding once it's gone it's gone. The one thing that protects Chincoteague is Assateague. There are a couple of different reasons to pay attention to this. Council will be interested in hearing about his meeting with Congresswoman Kiggans next week.

Vice Mayor Bott stated that this was a well-deserved recognition of Mr. Enright. He also recognized Town Manager Tolbert for an excellent job on the budget and the presentation.

Councilwoman Bowden hoped Mrs. Thomas could have stayed a few more minutes so she could wish her a "Happy Birthday". She stated that she would never have enough good words to say about Mr. Enright. She also commended Town Manager Tolbert on an awesome job of the budget presentation. She advised that Mr. Alfred Johnson, that he referred to in past minute book excerpts, was her grandfather who died at 51. She was able to learn more about him over the years. She knew about his service on the Town and was a Police Commissioner. But to see it in black and white to know what they said and did was an eyeopener. She added they have al

lot to be proud of here and she hopes that this cleanup week continues on for years to come. She would like to see the Adopt-a-Road Program come back.

Councilwoman Bowden also commented about being a gun owner and concealed weapons permit holder. She is also a very responsible gun owner. She feels there is a problem when gun violence is the leading cause of death. She added that it can happen here at any time. The School Resource officers make her feel better. It will more than likely touch someone and they should think about it. She thanked all of the employees, adding they do a fantastic job. She also thanked everyone for coming to the meeting.

Councilwoman Richardson stated that they have a lot of employees that take pride in how the Island looks and they're proud of it. She appreciates the Public Works Department and advised that they did a good job clearing the Hallie Whealton Smith Drive and Deep Hole Road intersection. She stated that they all have to take part into taking care of the Island. She added that she appreciates what people do in serving on committees and volunteerism.

Mayor Leonard congratulated Mr. Enright for now being a Chincoteaguer. He added that he did a lot of work trying to educate this bunch. He also reminded everyone that it's getting close to the busy season and this weekend is the Seafood Festival. It bears witness by the budget what tourism is to the Island. He concluded with "Roll Tide".

Adjourn

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

J. Arthur Leonard, Mayor

Michael T. Tolbert, Town Manager

MINUTES OF THE MAY 18, 2023
CHINCOTEAGUE TOWN COUNCIL MEETING
Council Chambers

Council Members Present:

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

Council Members Absent:**Staff Present:**

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

Call to Order

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

Invocation

Councilman Savage offered the invocation.

Pledge of Allegiance

Mayor Leonard led in the Pledge of Allegiance.

Student Government Report

Student Mayor Victor Aipia introduced the participating students for Student Government Day.
 Student Town Manager, Ms. Sam McCall
 Student Chief of Police, Mr. Lonie Fuller
 Student EMS Director, Ms. Ellie Conser
 Student Public Works Director, Mr. Zach Outten
 Student Council Members: Ms. Allie Bell, Mr. Elliott Garland, Mr. Jake Harper, Ms. Takisha Wallop, Mr. Adam Williams, and Ms. Jade Wilson.

Student Mayor Aipia reported that they split into 2 teams who discovered different problems in the community. One team looked into the recent idea of installing a central sewer system. The other team thought about more recreation in the wintertime to bring in more tourism and help keep the Town afloat during the winter months.

Student Councilmember Garland advised that his team found in the research of the downtown area and Maddox Blvd. that a lot of people wanted the central sewage system. They feel it will allow Chincoteague to have more restaurants on the Island. He added that people complained about the long-term housing. He added that it will help create more jobs and boost Chincoteague.

Student Councilmember Wilson stated that if the Town did have central sewage, they would be able to bring more tourism in the winter because more restaurants would be open. They talked with local business owners who would like to have more tourism in the winter months. They would also like the Center to have more events in the winter such as markets and festivals.

Student Mayor Aipia stated that while they were talking to people about sewage, he let them know the Town is already working on this. He thanked everyone for their time and added that they were happy to be here.

Public Comment

Mayor Leonard opened the floor for public comment.

- Mrs. Tina Zoller, 3454 Main Street, advised there have been 2 incidents in the last 3 months where someone drove over her waterfront property and destroyed everything there including art poles and decorative birds. Her neighbor had 2 heavy Adirondack chairs taken out from an accident. She stated that she is concerned with the speed. She asked Council to look at the speed limit and possibly come up with something to make it safe so no one will lose their life.

- Ms. Paula Nees, 6417 Canal Street, advised of a fluorescent tube that was busted in the drainage waterway next to Hallie Whealton Smith Drive. She asked if the ditch is owned by the school or the Town. She also stated that she knows the gun violence proclamation is on the agenda and she advised she has orange lapel pins for Council and Police to wear in respect of the victims of gun violence.

Agenda Adoption

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

Proclamation for Gun Violence

Town Manager Tolbert read the proclamation.



**PROCLAMATION
IN RECOGNITION OF DECLARING FRIDAY JUNE 2, 2023
TO BE LOCAL GUN VIOLENCE AWARENESS DAY**

This proclamation recognizes that Friday June 2, 2023, 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 2, 2023, 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 2nd, 2023 to help raise awareness about gun violence; and

WHEREAS, by wearing orange on June 2nd, 2023, 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 2, 2023, 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

Proclamation for National Police Week
Chief Fisher read the proclamation.



PROCLAMATION TO RECOGNIZE NATIONAL POLICE WEEK

WHEREAS, there are approximately 900,000 law enforcement officers serving in communities across the United States, including the 12 dedicated members of the **CHINCOTEAGUE POLICE DEPARTMENT**;

WHEREAS, we rely on law enforcement officers and dispatch professionals to keep our neighborhoods safe, enforce our laws, and respond in times of crisis; and

WHEREAS, everyday law enforcement officers throughout the nation face the threat of violence and danger, routinely putting their lives in jeopardy to defend others, putting themselves at risk of injury, disability, or even death; and

WHEREAS, the **CHINCOTEAGUE POLICE DEPARTMENT** has made and continues to make important changes in policy, policing, and transparency, including the enhancement of services, crime analysis, and community policing initiatives accredited through the Virginia Law Enforcement Professional Standards Commission; and

WHEREAS, these men and women by their distinctive service and dedicated efforts as law enforcement officers and dispatch professionals, have earned our highest respect and deepest gratitude.

NOW, THEREFORE, BE IT RESOLVED THAT the Town Council of the Town of Chincoteague, Virginia does hereby proclaim the week of May 21st – May 27th. 2023, as “Police Appreciation Week” in the Town of Chincoteague.

Signed: _____
J. Arthur Leonard, Mayor

Attest: _____
Michael T. Tolbert PE, Town Manager

FY23 Budget Compliance

Vice Mayor Bott stated that the Budget and Personnel Committee met and looked at the overage for FY23. He advised that the memo is in the packet. It shows the revenue overages that offsets the proposed projects. They discussed the disposition of the overages and asked Town Manager Tolbert to review the list.

Town Manager Tolbert reviewed the list of projects to include in FY23 to be paid for out of the revenue overages.

Vice Mayor Bott motioned, seconded by Councilwoman Bowden to adopt the FY23 Budget Compliance, listed projects to be paid for from the revenue overages, as presented. Unanimously approved.

Consider FY24 Proposed Budget Approval and Appropriation

Vice Mayor Bott motioned, seconded by Councilwoman Bowden that the proposed FY24 budget be adopted as presented and that the funds be appropriated for disbursement as such. Unanimously approved.

ACCOUNT	DESCRIPTION	FY24 PROPOSED BUDGET
GENERAL FUND	GENERAL FUND REVENUES	
104001.0100	REAL ESTATE TAX LEVY	\$656,500
104001.0125	TANGIBLE PROP. TAX LEVY	\$215,000
104001.0130	DEL.TAX,INTEREST,PENALTY	\$16,000
104001.0500	MEALS TAX	\$1,300,000
104001.0600	BANK FRANCHISE TAX	\$92,000
104010.0100	SALES TAX	\$175,000
104010.0200	BUSINESS LICENSE	\$135,000
104010.0300	MOTOR VEHICLE LICENSE	\$88,000
104010.0500	UTILITIES TAX	\$217,000
104010.0600	TRANSIENT OCCUPANCY TAX	\$2,000,000
104015.0100	FINES	\$24,000
104015.0650	CIGARETTE TAX	\$80,000
104020.0100	INTEREST ON SAVINGS	\$20,200
104041.0150	CEMETERY CLEANUP DONATIONS	\$200
104041.0170	PLAYGROUND EQUIP DONATIONS	\$0
104041-0180	ROBERT REED PARK	\$1,000
104041.0190	BRAINNA'S KINDNESS PARK DONATIONS.	\$0
104041.0200	USER FEES BOAT RAMPS	\$20,000
104041.0300	USER FEES DOG PARK	\$5,000
104041.0500	BUILDING PERMITS	\$56,000
104041.0600	ZONING ADVERTISEMENTS	\$1,000
104045.0100	GRANTS/LITTER	\$0
104049.0100	SALE OF ASSETS/ABANDONED PROP	\$25,000
104051.0200	HEALTH INSURANCE/RET.SPOUSE	\$15,000
104051.0300	VA FIRE PROGRAMS	\$15,000
104061.0100	PAYMENT IN LIEU OF TAX- USFWS	\$6,500
104061.0106	RENTAL INCOME TROLLEY	\$16,000
104061.0107	TOWER RENT	\$6,438
10-4061-0110	MATTHEWS PROPERTY	\$3,125
104061.0625	OLD FH/GARAGE RENTS	\$40,000
104071.0100	COMMUNICATIONS TAX	\$90,000

104071.0200	PERSONAL PROPERTY REL ACT	\$129,246
104071.0300	MOBILE HOME SALES TAX	\$5,000
104071-0400	CAR RENTAL DISTRIBUTION TAX	\$12,000
104091.0100	OVERAGE/SHORTAGE	\$0
104101.0200	RECOVERED COST FROM WATER	\$100,000
104201.0100	PUBLIC WORKS MISC. REV	\$4,500
104201.0150	PW SCRAP METAL SALES	
104303.0100	MISCELLANEOUS INCOME	\$12,000
104303-0400	SOLID WASTE COLLECTION FEE	\$413,000
104401.0100	LAW ENFORCEMENT FUNDS	\$117,000
104401.0125	POLICE MISCELLANEOUS	\$1,228
104401.0130	UNCLAIMED PROPERTY/CASH	\$0
104401.0150	POLICE DONATIONS	\$35,000
104401.0160	POLICE GRANTS	\$131,000
104401.0161	CPD BLOCK GRANT FY18	\$0
104401.0163	CPD BLOCK GRANT FY19	\$0
104401.0164	LOLE-2020 GRANT	\$0
104401.0200	DISPATCH REVENUE	\$12,900
104401.0201	USFWS - SARBANES GRANT	\$0
104401.0350	911 TAX TO ES 911 COMMISSION	\$0
104501.0100	VDOT MAINTENANCE FUNDS	\$787,793
104501.0101	ROAD PERMIT FEES	\$250
104501.0110	LAND USE SURETY	\$2,000
104545.0100	ACCOMACK COUNTY CARES ACT	\$0
104545.0140	VA COMM FOR ARTS GRANT	\$4,500
104545.0150	VDEM GRANT	\$0
104601.0150	ARPA LOCAL FUNDING	\$0
104601.0300	VA PORT AUTHORITY GRANT	\$0
104701.0400	TRF. FROM RAMP REPAIR FND	\$0
104701.0600	TRF. FROM DRAINAGE SAVINGS	\$0
104701.1000	TRF.FROM GEN.FUND SAVINGS	\$0
104701.1100	TRF. FROM M.C. SAVINGS	\$0
104940.8900	TRF. FROM M.C. SAVINGS DRAINAGE	\$0
104701.1500	TRF FROM PLAYROUND EQUIP. FUND	\$0
104701.1600	TRF FROM BEACH/REC/TOUR FUND	\$0
	TRF FROM PUBLIC SAFETY RESERVE	\$77,272
104601.0150	TRF FROM ARPA FUND RESERVE	\$400,000
	GEN FUND TOTALS:	\$7,563,652
GENERAL GOVT	GENERAL GOVERNMENT EXPENDITURES	
	SALARIES	
105010.0101	MAYOR	\$4,800

105010.0102	COUNCIL	\$23,040
105010.1001	TOWN OFFICE STAFF	\$451,518
105010.1003	OVERTIME	\$3,600
	TOTAL	\$482,958
	BENEFITS	
105010.2001	SOCIAL SECURITY	\$36,946
105010.2101	HOSPITALIZATION	\$50,075
105010.2201	RETIREMENT	\$64,025
105010.2202	VSRS/LIFE INSURANCE	\$3,267
105020.2103	UNEMPLOYMENT/TOWN	\$1,500
	TOTAL	\$155,813
	OPERATIONS EXPENSES	
105030.3100	BANK CHARGES	\$22,000
105030.3101	BUILDING ADMIN EXPENSE	\$100
105030.3102	CLEANING	\$19,000
105030.3103	PLANNING COMMISSION	\$100
105030.3104	BOARD OF ZONING APPEALS	\$100
105030.3105	BUILDING PERMIT SURCHARGE	\$2,000
105030.3106	BOARD OF BLDG CODE APPEAL	\$100
105030.3200	PERMIT CLOUD SERVICE	\$6,000
105030.3401	INSURANCE	\$168,500
105030.3501	AUDITING	\$30,000
105030.3601	DONATIONS	\$16,000
105030.3701	TRF.TO CIVIC CENTER FUND	\$110,000
105030.3705	MEALS TAX - TOURISM 10%	\$130,000
105030.4030	ANPDC MEMBERSHIP	\$7,000
105030.4301	SCHOLARSHIP	\$2,000
105030.4401	OFFICE SUP./PUBLICATIONS	\$11,000
105030.4402	OFF.EQUIP/SOFTWARE MAINT.	\$78,000
105030.4403	POSTAGE	\$11,000
105030.4404	TAX CONVERSION	\$2,400
105030.4701	GASOLINE	\$1,800
105030.4702	VEHICLE MAINTENANCE	\$1,000
105030.4801	TRAVEL & TRAINING	\$1,500
105030.4901	MAYORS EXPENSE	\$300
105030.4902	COUNCILS EXPENSE	\$1,000
105030.4903	TOWN MANAGERS EXPENSE	\$500
105030.5101	ATTORNEY/LEG.CONCONSULTANTS	\$35,000
105030.5201	DRUG/ALCOHOL TESTING	\$2,000
105030.5501	CHRISTMAS DINNER	\$2,000
105030.6101	DUES	\$1,641
105030.7101	ADVERTISING & WEBSITE	\$3,000
105030.7301	BUILDING MAINTENANCE	\$5,000

105030.7401	ELECTRICITY	\$14,000
105030.7402	HEATING OIL	\$5,000
105030.7701	SPECIAL PROJECTS	\$5,000
105030.7702	PONY PENNING EXPENSE	\$15,000
105030.7703	DEER DE-POP PROGRAM	\$500
105030.8001	LEONARD ASSISTANCE FUND	\$0
105030.8202	TELEPHONE BILLS	\$28,000
105030.8401	HEALTH INSURANCE - RETIREES	\$60,000
105030.8402	INSUR-RET SPOUSES & OTHER	\$20,000
105030-8403	TRANSFER TO MEDICARE RESERVE	\$0
105030.8404	RETIREE PERSCRIPTION DRUG ASSISTANCE	\$3,500
105030.8501	MISCELLANEOUS	\$4,000
105030-8505	911 ADDRESSING	\$500
105030.8600	CEMETERY CLEANUP	\$200
105030.8625	OLD FIREHOUSE/GARAGE MAINT	\$15,000
105030.8650	APRP PROJECTS	\$400,000
105030.8700	VA COMM FOR THE ARTS	\$9,000
105030.8710	CARES ACT ASSISTANCE	\$0
105030.8900	TRANSFER TO TROLLEY FUND	\$28,148
105030.8910	TRANSFER TO GENERAL FUND RESERVE	\$0
105030.8913	TRF TO RECREATION/TOURISM RESERVE	\$50,000
105030.8914	RECREATION/TOURISM EXPENSE 1% OF TOTAX	\$0
105030.9000	TRANSFER TO HARBOR	\$47,859
	TRANSFER TO PUBLIC SAFETY RESERVE	\$440,000
	TOTAL	\$1,815,748
	CAPITAL IMPROVEMENTS	
105090.9704	PROPERTY ACQUISITION RESERVE	\$0
105090.9705	PROPERTY ACQUISITION	\$0
105090.9709	OFFICE EQUIP	\$0
105090-9710	COUNCIL ROOM EQUIPMENT/FURNITURE	\$15,000
105090-9715	NEW BOILER-MUN BLDG	\$0
105090-9725	REHAB TOWN OFFICE RESTROOMS	\$0
	TOTAL	\$15,000
	GEN GOV TOTALS:	\$2,469,519
EMS	EMS EXPENDITURES	
	SALARIES	
105110.1002	EMERGENCY MED. STAFF	\$945,820
105110.1003	BONUS	\$4,500
	TOTAL	\$950,320
	BENEFITS	
105110.2001	SOCIAL SECURITY	\$72,700
105110.2101	HOSPITALIZATION	\$111,278

105110.2201	RETIREMENT	\$99,611
105110.2202	VSRS/LIFE INSURANCE	\$6,030
	TOTAL	\$289,619
	OPERATIONS EXPENSES	
105130.3107	EMERGENCY MED. CLOTHING	\$4,500
105130.3108	EMS CELL ALLOWANCE	\$3,000
105130.3602	FIRE DEPARTMENT DONATION	\$31,500
105130.4401	OFFICE SUP./PUBLICATIONS	\$300
105130.4402	OFF.EQUIP/SOFTWARE MAINT.	\$750
105130.4801	TRAVEL & TRAINING	\$2,000
105130.6101	DUES	\$500
105130.7601	VA FIRE PROG/CVFC	\$15,000
105130.7602	EOC OPERATIONS/TRAINING	\$3,000
105130.8501	MISCELLANEOUS	\$0
105130.8912	VOLSAP FOR VOLUNTEER FIREFIGHTERS	\$4,500
	TOTAL	\$65,050
	CAPITAL IMPROVEMENTS	
105190.9100	EMPLOYEE LOCKERS	\$0
10519.9150	TRAINING EQUIPMENT	\$0
	TOTAL	\$0
	EMS TOTALS:	\$1,304,989
PUBLIC WORKS	PUBLIC WORKS EXPENDITURES	
	SALARIES	
106010.1001	SALARIES*	\$375,200
106010.1003	OVERTIME	\$6,000
	TOTAL	\$381,200
	BENEFITS	
106010.2001	SOCIAL SECURITY	\$29,162
106010.2101	HOSPITALIZATION	\$70,190
106010.2201	RETIREMENT	\$53,203
106010.2202	VSRS/LIFE INSURANCE	\$2,715
	TOTAL	\$155,270
	OPERATIONS EXPENSES	
106030.4100	SEASONAL DECO & BANNERS	\$1,000
106030.4401	OFFICE SUPPLIES & EQUIP.	\$400
106030.4501	STREET MAINTENANCE	\$100
106030.4502	STREET SIGNS / 911	\$150
106030.4503	STREET LIGHTS	\$25,000
106030.4701	GASOLINE/DIESEL	\$25,000
106030.4703	OIL/GREASE	\$1,000
106030.4704	TOOLS/SHOP	\$2,500
106030.4801	TRAVEL & TRAINING	\$500
106030.5202	CLOTHING/UNIFORMS	\$5,500

106030.7301	BLDG. MAINTENANCE	\$3,000
106030.7302	EQUIPMENT REPAIRS	\$10,000
106030.7303	SAFETY	\$4,000
106030.7304	VEHICLE P/M'S	\$500
106030.7305	TIRES	\$2,000
106030.7306	GARAGE SUPPLIES	\$4,000
106030.7307	VEHICLE REPAIRS	\$6,000
106030.7401	ELECTRICITY	\$15,000
106030.7402	LP GAS	\$2,000
106030.7501	TIPPING FEES	\$750
106030.7502	SANITATION CONTRACT	\$450,000
106030.8501	MISC.	\$1,500
106030.8502	SCRAP METAL EXPENSE FUN	\$0
106030.8510	ROBERT REED PARK DONATIONS	\$0
106030.8590	PARKS & REC EXPENSE	\$35,000
106030.8600	VANDALISM REPAIRS	\$500
106030.8700	BOAT RAMP EXPENSE	\$1,000
106030.8701	BOAT RAMP RESERVE	\$20,000
	TOTAL	\$616,400
	CAPITAL IMPROVEMENTS	
106090.9101	VEHICLE/EQUIPMENT	\$0
106090.9103	CONSULTANT	\$0
106090.9104	MEM PARK PIER AND RAMP REP	\$0
106090.9105	DJA CENTER EXT REPAIRS	\$0
106090.9106	RESURFACE TENNIS AND BBALL CTS.	\$0
106090.9107	RR LANDSCAPING AND FURNITURE	\$0
106090.9108	SIDEWALK REPAIRS - MUN CENTER	\$0
106090.9110	FLOATING DOCK - RR PARK	\$0
106090.9120	REHAB EAST SIDE BOAT RAMP	\$0
106090.9200	PLAYGROUND EQUIPMENT (Brianna's Park)	\$0
106090-9300	BRIDGE TENDER HOUSE RESTORATION	\$5,000
106090.9301	PED TRAIL - SARBANES	\$0
106090.9305	REPLACE PUBLIC WORKS FUEL PUMPS	\$20,000
106090.9307	SPIN BALANCER - GARAGE	\$0
106090-9310	PARK KIOSKS AND INFO BOARDS	\$0
106090-9450	VIDEO UPGRADES MEMORIAL PARK	\$0
106090.9466	SEPTIC SYSTEM - CHAMBER PARCEL	\$0
106090.9468	CHAMBER SITE PUBLIC RESTROOMS	\$0
106090-9475	DOG PARK	\$0
106090.9500	SMITH ST PARK PROJECT (Brianna's)	\$0
106090-9700	OCEAN BREEZE ROAD PROJECT	\$0
106090.9601	PAVE MEMORIAL PARK DRIVE AND LOTS	\$75,000
	MEM PARK BOAT PARKING EXPANSION	\$0

106090.9510	BRIANNA'S PARK LIGHTING	\$0
	REPARIS TO DJA CENTER - Interior and RR	\$0
	REPLACEMENT BACKHOE	\$0
	STANDBY GENSET TRANSFER SWITCH	\$0
-	WASTEWATER COLLECTION SYSTEM	\$50,000
	TOTAL	\$150,000
	<i>PW TOTALS:</i>	<i>\$1,302,870</i>
MOSQUITO CONT.	MOSQUITO CONTROL EXPENDITURES	
	SALARIES	
106110-1001	SALARIES	\$41,272
106110-1003	OVERTIME	\$1,000
	TOTAL	\$42,272
	BENEFITS	
106110.2001	SOCIAL SECURITY	\$3,219
	TOTAL	\$3,219
	OPERATION EXPENSES	
106130.3401	INSURANCE	\$8,000
106130.4401	OFFICE SUPPLIES	\$50
106130.4701	GASOLINE	\$6,000
106130.4704	TOOLS & SMALL EQUIPMENT	\$500
106130.4705	CHEMICALS	\$50,000
106130.4706	CONTRACT SPRAYING	\$26,000
106130.4801	TRAVEL, TRAINING, CONFERENC	\$100
106130.5202	UNIFORMS	\$0
106130.6101	SUNDRY	\$100
106130.7302	EQUIPMENT REPAIRS/MAINT.	\$500
106130.7303	SAFETY EQUIPMENT	\$500
106130.7304	VEHICLE MAINTENANCE	\$1,000
	TOTAL	\$92,750
	CAPITAL IMPROVEMENTS	
106190.9124	EQUIPMENT/VEHICLES	\$0
106190.9125	DRAINAGE	\$0
	TOTAL	\$0
	<i>MOSQUITO CTRL TOTALS:</i>	<i>\$138,241</i>
ROADS	ROADS EXPENDITURES	
	SALARIES	
106510.1001	SALARIES	\$95,850
106510.1003	OVERTIME	\$2,500
	TOTAL	\$98,350
	BENEFITS	
106510.2001	SOCIAL SECURITY	\$7,524
106510.2101	HOSPITALIZATION	\$16,000

106510.2201	RETIREMENT	\$13,592
106510.2202	VSRS/LIFE INSURANCE	\$694
	TOTAL	\$37,810
106530.4102	SNOW REMOVAL	\$22,000
106530.4150	PAVEMENT MAINTENANCE.	\$405,000
106530.4201	SIDEWALKS	\$20,000
106530.4202	TRAFFIC CONTROL OPERATIONS	\$2,000
106530.4250	ROADSIDE STRUCTURES	\$0
106530.6250	DRAINAGE MAINTENANCE	\$5,000
106530.7202	TRAFFIC CONTROL DEVICES	\$3,000
106530.7450	ELECTRICITY	\$62,000
106530.8600	ENGINEERING	\$0
106530.9855	VEHICLES/EQUIPMENT*	\$50,000
	TOTAL	\$569,000
	ROADS TOTALS:	\$705,160
POLICE	EXPENDITURES	
	SALARIES	
107010.1001	SALARIES/OFFICERS	\$837,852
107010.1003	OVERTIME	\$11,300
	TOTAL	\$849,152
	BENEFITS	
107010.2001	SOCIAL SECURITY	\$64,960
107010.2101	HOSPITALIZATION	\$119,838
107010.2201	RETIREMENT	\$118,807
107010.2202	VSRS/LIFE INSURANCE	\$6,063
	TOTAL	\$309,668
	OPERATIONS EXPENSES	
107030.4701	GASOLINE	\$25,000
107030.4801	TRAVEL & TRAINING	\$25,000
107030.5201	UNIFORM ALLOWANCE (OFF.)	\$8,100
107030.5202	UNIFORMS (TOWN)	\$3,000
107030.7300	OFFICE SUPPLIES/EQUIPMENT	\$5,000
107030.7302	EQUIP. MAINT. AGREEMENTS/software	\$7,500
107030.7304	VEHICLE MAINTENANCE	\$7,200
107030.7901	DRUG ENFORCEMENT	\$5,000
107030.7903	ACADEMY DUES	\$8,500
107030-7904	BICYCLE PATROL	\$0
107030.7905	COMMUNITY/YOUTH PROGRAMS	\$30,000
107030.7906	GRANT FUNDED EXPENDITURES	\$0
107030.7907	AMMUNITION	\$3,000
107030.8164	BYRNE/JUSTICE ASSIST GRANT 2022	\$0
107030.8165	LOLE-2020 GRANT	\$0
107030.8203	CELL PHONE ALLOWANCE	\$3,600

107030.8301	POLICE ACCREDITATION	\$2,000
107030.8501	SUNDRY	\$1,500
	TOTAL	\$134,400
	CAPITAL IMPROVEMENTS	
107090.9650	PATROL VEHICLE	\$0
107090.9655	LSV (for use by seasonal and SRO)	\$0
107090.9660	KEVLAR VESTS	\$1,500
107090.9663	STANCIL RECORDER	\$0
107090.9565	RADIO REPEATER	\$0
107090.9670	IN-CAR COMPUTERS	\$0
107090-9690	INTOXILYZERS, VEHICLE 3EA.	\$0
107090-9695	FINGERPRINT SCANNER	\$0
107090.9696	COMPUTERS/SOFTWARE	\$3,500
107090.9697	KITCHENETTE	\$0
107090.9698	CAMERA SYST.-INTERR.ROOM	\$0
107090-9700	RADAR UNITS X5	\$0
107090-9705	LICENSE PLATE READERS	
107090-9710	INTERNAL SURVEILLANCE PD	\$0
107090.9715	PATROL VEHICLE RIFLES	\$0
107090.9720	PATROL VEHICLE BAILOUT BAGS	\$0
107090.9725	EQUIP. NEW OFFICERS	\$10,000
107090-9750	MAGESTRATE COM.	\$0
107090-9760	SOFTWARE MAINT.-CAMERAS	\$5,000
107090.9762	CELLBRIGHT CELL PHONE TOOL	\$0
107090.9675	SURVEILLANCE EQUIPMENT	\$0
107090.9685	SRTS PROGRAM PROJECTS	\$0
	TOTAL	\$20,000
	<i>POLICE TOTALS</i>	<i>\$1,313,220</i>
DISPATCHERS	DISPATCHERS EXPENDITURES	
	SALARIES	
107510.1001	SALARIES/DISPATCHERS	\$218,869
107510.1003	OVERTIME	\$3,100
	TOTAL	\$221,969
	BENEFITS	
107510.2001	SOCIAL SECURITY	\$16,981
107510.2101	HOSPITALIZATION	\$34,239
107510.2201	RETIREMENT	\$23,752
107510.2202	VSRS/LIFE INSURANCE	\$1,212
	TOTAL	\$76,184
	OPERATIONS EXPENSES	
107530.4801	TRAVEL & TRAINING-DISP.	\$2,500
107530.5201	UNIFORM ALLOWANCE (DISP)	\$1,200
107530.5202	UNIFORM (TOWN-FOR DISP)	\$650

107530.7300	EQUIP MAINT AGREEMENTS	\$15,000
107530.7500	DISPATCH SERVICE AGREEMENT	\$12,000
107530.8501	SUNDRY	\$150
	TOTAL	\$31,500
	CAPITAL IMPROVEMENTS	
	TOTAL	\$0
	DISPATCHERS TOTALS:	\$329,653
GENERAL GOVERNMENT EXPENSE TOTALS:		\$7,563,652
HARBOR	CURTIS MERRITT HARBOR REVENUE	
304031.0100	INTEREST ON HARBOR SAVINGS	\$800
304031.1000	HARBOR RENT	\$110,000
304031.1002	SUBLEASES	\$45,000
304031.1003	DRY/WINTER STORAGE	\$7,500
304031.1050	VA PORT AUTHORITY GRANT	\$143,575
304031.1055	DEPT. OF HEALTH B.I.G.	\$63,050
304031.1058	FUEL REVENUE	\$450,000
304031.1060	HARBOR MISC	\$500
304910.8700	TRF.FROM BOAT RAMP FUND	\$0
304910.8800	TRF. FROM GENERAL FUND	\$47,859
304910.8900	TRF.FROM LT REPLACEMENT - UNION BANK	\$0
	CURTIS MERRITT HARBOR TOTAL	\$868,284
HARBOR	EXPENDITURES	
	SALARIES	
308010.1001	SALARIES	\$56,085
308010.1003	OVERTIME	\$200
	TOTAL	\$56,285
	BENEFITS	
308010.2001	SOCIAL SECURITY	\$4,306
308010.2101	HOSPITALIZATION	\$7,704
308010.2201	RETIREMENT	\$7,953
308010.2202	VRS LIFE INSURANCE	\$405
	TOTAL	\$20,368
	OPERATIONS EXPENSES	
308030.7300	OPERATIONS, MAINT.,ST. LIGHTS, ETC.	\$40,500
308030.7315	FUEL PURCHASE	\$400,000
308030.8501	SUNDRY	\$500
	TOTAL	\$441,000
	CAPITAL IMPROVEMENTS	
308090.9124	LONG TERM REPLACEMENT RES	\$54,000
308090.9200	INFRASTRUCTURE REPAIRS/UPGRADES	\$32,147
308090.9130	NEW FUEL SYSTEM	\$0

308090-9210	WEST SIDE RESTROOMS	\$0
308090-9300	FLOATING DOCK FINGER PIER	\$191,434
308090.9400	MEM PARK RAMP IMPROVEMENTS	\$0
308090.9410	FENCE NE SIDE	\$10,000
308090.9420	B.I.G. UPGRADES HARBOR, RR PARK	\$63,050
	TOTAL	\$350,631
	HARBOR TOTALS:	\$868,284
TROLLEY	TROLLEY REVENUE	
704501.0100	TROLLEY GRANTS	\$68,913
704501.0110	PROGRAM INCOME	\$3,892
704501.0200	RTAP REIMBURSEMENTS	\$0
704501.0300	MISC. NONPROGRAM INCOME	\$0
704501.8900	TRANSFER FROM GEN. FUND	\$28,148
	FED GRANT TROLLEY - NEW TROLLEY	\$132,400
	STATE GRANT TROLLEY - NEW TROLLEY	\$26,480
	TR FR TROLLEY CAP ACCT - NEW TROLLEY	\$0
	TROLLEY TOTALS:	\$259,833
TROLLEY	TROLLEY EXPENDITURES	
	SALARIES	
703010.0100	SALARIES	\$49,980
	TOTAL	\$49,980
	BENEFITS	
703010.2001	SOCIAL SECURITY	\$3,823
	TOTAL	\$3,823
	OPERATIONS EXPENSES	
703030.3401	INSURANCE & BONDING	\$3,400
703030.4400	COMMUNICATION SERVICES	\$500
703030.4401	PRINTING & REPRODUCTION	\$3,000
703030.4402	ADVERTISING	\$1,200
703030.4403	EDUCATION & TRAINING	\$1,000
703030.4404	CLEANING SUPPLIES	\$300
703030.4406	SUPPLIES, MATERIALS	\$500
703030.4407	MEMBERSHIPS & DUES	\$250
703030.4408	TRAVEL & MEALS	\$1,000
703030.4701	FUEL & LUBRICANTS	\$8,000
703030.4702	TIRES & TUBES	\$3,000
703030.4703	UNIFORMS	\$1,000
703030.4704	PARTS	\$750
703030.5201	DRUG TESTING	\$750
703030.6100	RTAP EXPENSES	\$0
703030.7302	REPAIRS/MAINT	\$6,500
703030.8505	RENT TO GENERAL FUND	\$16,000

	TOTAL	\$47,150
	CAPITAL IMPROVEMENTS	
703090.9001	TROLLEY & VAN PURCHASE	\$148,626
	TRANSFER TO TROLLEY CAP ACCT.	\$10,254
703090.9100	CAPITAL EXPENDITURES	\$0
	TOTAL	\$158,880
	<i>TROLLEY TOTALS:</i>	<i>\$259,833</i>
WATER	WATER REVENUE	
804101.0100	WATER RENT	\$950,000
80-4101-2200	WATER ADJUSTMENTS	\$0
804131.0100	WATERLINE EXTENSIONS	\$1,000
804131.0200	SERVICE CONNECTIONS	\$12,000
804131.0300	INTEREST ON WATER SAVINGS	\$2,000
804131.0400	MISCELLANEOUS	\$0
804131.0500	AVAILABILITY FEES	\$50,000
804701.0100	TRANSFER FR WATER RESERVE	\$0
804701-0700	TRANSFER FR GENERAL FUND	\$0
	TRANSFER FROM ARPA	\$0
	WATER TOTAL	\$1,015,000
	<i>WATER REVENUE TOTAL:</i>	<i>\$1,015,000</i>
WATER	EXPENDITURES	
	SALARIES	
806210.1001	SALARIES	\$255,617
806210.1003	OVERTIME	\$5,000
806210.1004	PUMP DUTY	\$19,000
	TOTAL	\$279,617
	BENEFITS	
806210.2001	SOCIAL SECURITY	\$21,391
806210.2101	HOSPITALIZATION	\$37,927
806210.2201	RETIREMENT	\$36,247
806210.2202	VRS LIFE INSURANCE	\$1,850
	TOTAL	\$97,415
	OPERATION EXPENSES	
806230.4401	OFFICE SUPP/EQUIP MAINT	\$500
806230.4403	POSTAGE	\$5,500
806230.4701	GASOLINE & DIESEL	\$7,000
806230.4704	TOOLS	\$1,000
806230.4705	CHEMICALS	\$12,000
806230.4801	TRAVEL & TRAINING	\$2,000
806230.5202	UNIFORMS	\$1,000
806230.6101	DUES/LICENSES	\$800
806230.7301	BUILDING MAINT/REHAB	\$2,100
806230.7303	SAFETY	\$1,000

806230.7304	VEHICLE MAINTENANCE	\$500
806230.7400	RAW WATER PURCHASE (NASA)	\$0
806230.7401	ELECTRICITY	\$43,000
806230.7402	LP GAS	\$550
806230.8101	DISTRIBUTION & REPAIRS	\$50,000
806230.8103	SUPPLY REPAIRS	\$10,000
806230.8202	CELL PHONE ALLOWANCE	\$900
806230.8204	MISS UTILITY	\$800
806230.8209	SUBSCRIPTION-NEPTUNE 360	\$10,000
806230.8501	SUNDRY	\$500
806230.8601	REIMBURSEMENT TO FUND 10	\$100,000
806230.8700	WATER RATE STUDY	\$0
806230.8750	REGULATION COMPLIANCE	\$6,000
806230.8770	STATE GROUNDWATER PERMITS	\$10,000
806230.8780	TOWER RENT FOR GATEWAY	\$0
806230.8900	TRANSFER TO WATER RESERVES	\$214,790
806230.9100	ENGINEERING	\$0
	TOTAL	\$479,940
	CAPITAL IMPROVEMENTS	
806290.9101	WATER MAIN EXTENSIONS	\$5,000
806290.9200	2017 EXPL WELL	\$0
806290.9205	NASA WELL REIMBURSEMENT	\$0
806290.9206	GENERATOR WATER PLANT	\$0
80620.9207	METERED DISTRIBUTION	\$10,000
806290.9506	WATER BONDS	\$0
806290.9507	INTEREST ON WATER BONDS	\$0
806290-9508	AMI BOND	\$86,564
806290-9509	AMI BOND INTEREST	\$16,464
806290.9600	WATER LINE REPLACE	\$0
806290.9630	WIRELESS METERS	\$0
806290-9635	WIRELESS METERS - GATEWAYS	\$0
806290.9700	LAND ACQUISITION	\$0
806290-9701	HIGH RISE TANK PAINT	\$0
806290.9703	GWST TANK PAINT	\$0
806290.9704	HIGH RISE LIFT PUMPS W/VFD'S	\$30,000
806290.9720	VFD FOR WELL #6	\$0
806290-9848	8" CHANNEL CROSSING	\$0
806290.9850	VEHICLE	\$0
906290.9710	REPLACE FILTER MEDIA - WILLOW ST.	\$0
806290-9851	DESALINATION FEASIBILITY STUDY	\$0
806290.9855	EQUIPMENT	\$10,000
806290.9856	SOFTWARE, COMPUTERS	\$0
	TOTAL	\$158,028

	<i>WATER TOTALS:</i>	<i>\$1,015,000</i>
CENTER	CENTER REVENUE	
854300.0100	FACILITY RENTAL	\$38,000
854300.0200	BAR SERVICES	\$0
854300.0300	EQUIPMENT RENTAL	\$3,000
854300.0400	KITCHEN USAGE	\$1,250
854300.0500	SPONSORED EVENTS	\$2,000
854300.0600	MISCELLANEOUS	\$400
854600.0100	TR FROM GEN FUND MEALS	\$55,000
854600.0200	TR FROM GEN FUND TOT	\$95,000
854600.0300	TR FROM LONG TERM RESERVE	\$0
	CENTER TOTAL	\$194,650
	<i>REVENUE TOTALS:</i>	<i>\$194,650</i>
CENTER	CENTER EXPENDITURES	
	SALARIES	
855210.1001	SALARIES	\$40,822
	TOTAL SALARIES	\$40,822
	BENEFITS	
855210.2001	SOCIAL SECURITY	\$3,123
855210.2101	HOSPITALIZATION	\$6,420
855210.2201	RETIREMENT	\$5,789
855210.2202	VSRS/LIFE INSURANCE	\$294
	TOTAL BENEFITS	\$15,626
	OPERATIONS EXPENSES	
855330.0000	ACCOUNTING FEES	\$0
855330.0000	LEGAL FEES	\$0
855330.0000	RETURN DEPOSITS	\$5,000
855330.3100	BANK FEES	\$750
855330.3401	INSURANCE & BONDING	\$7,200
855330.3450	ADVERTISING & PROMOTION	\$8,000
855330.3501	PRINTING & REPRODUCTION	\$500
855330.3550	EVENT MARKETING	\$3,000
855330.4403	EDUCATION & TRAINING	\$500
855330.4408	TRAVEL & MEALS	\$50
855330.4900	CLEANING SUPPLIES	\$2,500
855330.4920	SUPPLIES, MATERIALS	\$3,500
855330.4950	OFFICE EQUIPMENT	\$2,000
855330.4960	OFFICE SUPPLIES	\$1,500
855330.5000	CONTRACTUAL SERVICES	\$8,500
855330.6101	MEMBERSHIPS & DUES	\$500
855330.7401	ELECTRIC UTILITY	\$25,000
855330.7402	PROPANE	\$0
855330.8202	TELEPHONE	\$1,500

855330.8210	INTERNET	\$1,500
855330.8500	CONTRACT SERV. MARKETING	\$5,000
855330.8505	RENT TO GENERAL FUND	\$0
855330.8600	EVENTS EXPENSE	\$4,000
855330.8901	TR TO CENTER LT RESERVE	\$17,702
	TOTAL EXPENSES	\$98,202
	CAPITAL IMPROVEMENTS	
855390.9200	HVAC OVERHAUL	\$0
855390.9300	INTERIOR PAINTING	\$20,000
855390.9400	AUDIO VISIUAL SYSTEM O/H	\$0
855390.9500	KITCHEN RENOVATION	\$20,000
	TOTAL CAPITAL IMPROVEMENTS	\$40,000
	<i>CENTER TOTALS</i>	<i>\$194,650</i>

Mayor and Council Comments

Councilwoman Richardson stated she appreciated what Ms. Nees is doing about gun violence. She commented on mental issues with school age children and feels they need to look into this.

Councilwoman Bowden referred to the budget presentation by Town Manager Tolbert. She stated that it's amazing how far the Town has come. She then commented that she has been working on Church Street for the past few days and sees speeding there. She added that it's only going to get worse. She feels they need to do something to make the streets safe as the Island grows. She concluded with "Go Yankees!"

Vice Mayor Bott thanked Mr. & Mrs. Zoller and stated they are aware of the issues along south Main Street. He added that maybe they'll find a solution.

Councilman McComb agreed with Vice Mayor Bott.

Councilman Taylor agreed with Councilwoman Richardson. He feels they need to learn to love and respect one another.

Councilman Savage stated that he appreciated Mrs. Zoller for coming to Council and they should try to find a solution. He also stated that he can't express enough what the Town Manager and staff have done for the budget. He added that this is a great Island, and they have a great group of employees. He expressed his appreciation.

Mayor Leonard also expressed his appreciation to the students who went out and talked to the public. He stated that they saw the issues with septic and were actually concerned. He thanked everyone for coming out.

Closed Meeting in Accordance with §2.2-3711 (A) (3) of the Code of Virginia for the discussion of real property.

Councilwoman Bowden motioned, seconded by Councilman Savage to go into a closed meeting in accordance with §2.2-3711 (A) (3) of the Code of Virginia for discussion of real property. 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 Savage in accordance with §2.2-372 (D) of the Code of Virginia that the Council certify that to the best of each Council Member's knowledge.

(1) only public business matters lawfully exempted from opening meeting requirements under this chapter and only such public business matters were identified in the motion by which the closed meeting was convened, were heard, discussed, or considered. All present were in favor and the motion was carried.

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

Nays: None

Adjourn

Councilwoman Bowden motioned, seconded by Councilman Savage to adjourn.

Unanimously approved.

J. Arthur Leonard, Mayor

Michael T. Tolbert, Town Manager

Legal Ads

TOWN OF CHINCOTEAGUE, INC. NOTICE OF PUBLIC HEARING

The Chincoteague Town Council will hold a Public Hearing commencing at 7:00 p.m. on June 5, 2023, in the Council Chambers of the Town of Chincoteague, 6150 Community Drive, Chincoteague, Virginia, to afford interested parties the opportunity to be heard or present written comments concerning the following proposed Ordinance to vacate a property line of a recorded plat of subdivision in the Town of Chincoteague, Accomack County, Virginia.

AN ORDINANCE VACATING A PROPERTY LINE OF A SUBDIVISION PLAT

WHEREAS, the governing body of a municipality may vacate part of recorded plat after the sale of a lot shown on said plat pursuant to Section 15.2-2272 (2) of the Code of Virginia of 1950, as amended; and

WHEREAS, an Application have been filed by Catherine V. Letteney and James J. Berry to vacate a part of a recorded plat of a subdivision in the Town of Chincoteague entitled "PHYSICAL SURVEY of LOT 2 (030A70800000200), NORTH MAIN STREET and LOT 3 (030A70800000300), NORTH MAIN STREET Chincoteague Island District Accomack County, Virginia for CATHERINE V. LETTENY and JAMES J. BERRY" which plat is recorded in the Clerk's Office of the Circuit Court of Accomack County, Virginia, as Document Number 220003592; and

WHEREAS, the basis of said vacation is that:

1. The property line between Lot 2 (030A70800000200), North Main street and Lot 3 (030A70800000300), North Main street is a property line between two lots both owned by Applicant, Catherine V. Letteney and James J. Berry.
2. That the said Catherine V. Letteney and James J. Berry desires to remove the boundary line between the two lots to result in one parcel of land.

THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CHINCOTEAGUE:

1. That the division or property line between said Lot 2 (030A70800000200), North Main Street and Lot 3 (030A70800000300), North Main Street as shown on a certain plat of survey entitled "PHYSICAL SURVEY of LOT 2 (030A70800000200), NORTH MAIN STREET and LOT 3 (030A70800000300), NORTH MAIN STREET Chincoteague Island District Accomack County, Virginia for CATHERINE V. LETTENY and JAMES J. BERRY" be and is hereby vacated, as shown on the plat attached to the Application. The "new plat."
2. That as the result of said vacation of property lines of former Lot 2 (030A70800000200), North Main Street and Lot 3 (030A70800000300), North Main Street shall result in one (1) parcel of land as shown on the new plat.
3. That the Town Manager, after the time for an appeal of the adoption of this Ordinance has expired, or if appealed, the action of Counsel is upheld, shall cause a copy of this Ordinance to be recorded in the aforesaid Clerk's Office.
4. That the effective date of the Ordinance shall be upon adoption by the Town Council for the Town of Chincoteague.

Handicapped assistance available by calling 757-336-6519.

Michael T. Tolbert
Town Manager
Town of Chincoteague

APPLICATION

This application of Catherine V. Letteney and James J. Berry, owner of Lot 2, North Main street and Lot 3, North Main street, as shown on a certain plat of survey entitled "PHYSICAL SURVEY of LOT 2, NORTH MAIN STREET and LOT 3, NORTH MAIN STREET Chincoteague Island District Accomack County, Virginia for CATHERINE V. LETTENEY and JAMES J. BERRY" said plat being recorded in the Office of the Clerk of the Circuit Court for the County of Accomack, Virginia as Document Number 220003592. Applicant is requesting that the aforesaid survey be by ordinance amended so as to vacate the property line as shown on said plat, which separates Lot 2, North Main Street and lot 3, North Main Street. This Application to Vacate said property line is pursuant to Section 15.2-2272(2) of the 1950 Code of Virginia, as amended.

Catherine V. Letteney and James J. Berry

AN ORDINANCE VACATING A PROPERTY LINE OF A
SUBDIVISION PLAT PURSUANT TO SECTION 15.2-2272.2

WHEREAS, Catherine V. Letteney and James J. Berry owns two parcels of land shown on a certain plat entitled "PHYSICAL SURVEY of LOT 2, NORTH MAIN STREET and LOT 3, NORTH MAIN STREET Chincoteague Island District Accomack County, Virginia for CATHERINE V. LETTENNEY and JAMES J. BERRY" and recorded in the aforesaid Clerk's Office as Document Number 220003592 being Lot 2, North Main Street and Lot 3, North Main Street within the Town of Chincoteague,
Tax Map Numbers #030A70800000200 and 030A70800000300; and

WHEREAS, Catherine V. Letteney and James J. Berry desires to vacate the lot line between Lot 2, North Main street and Lot 3, North Main street; and

WHEREAS, the said Catherine V. Letteney and James J. Berry has requested that the division of property line between said Lot 2, North Main street and Lot 3, North Main street be vacated so that the lots become one parcel; and

WHEREAS, the notice requirement of Section 15.2-2272.2 has been complied with; and

WHEREAS, the governing body affirmatively finds that no owner of any lot shown on said Plat will be irreparably damaged by the said vacations of said line.

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS:

1. That the division of property line between said Lot 2, North Main Street and Lot 3, North Main Street as shown on a certain plat of survey entitled "PHYSICAL SURVEY of LOT 2, NORTH MAIN STREET and LOT 3, NORTH MAIN STREET Chincoteague Island District Accomack County, Virginia for CATHERINE V. LETTENNEY and JAMES J. BERRY " recorded in the aforesaid Clerk's Office as Document Number 220003592 be and is hereby vacated.

2. That as the result of said vacation of property lines of former Lot 2, North Main Street and Lot 3, North Main Street shall result in one (1) parcel of land.

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

1

Ayes: _____

Nays: _____

Approved as of, June 5, 2023

Mayor

Commonwealth of Virginia

County of Accomack

The foregoing Ordinance was acknowledged before me this ____ day of ____ 2023 by J. Arthur Leonard, Mayor, in my jurisdiction aforesaid.

Notary Public

Commission expires: _____

NOTICE OF PUBLIC HEARING

The Chincoteague Town Council will hold a Public Hearing commencing at 7:00 p.m. on June 5, 2023, in the Council Chambers of the Town of Chincoteague, 6150 Community Drive, Chincoteague, Virginia, to afford interested parties the opportunity to be heard or present written comments concerning the following proposed Ordinance to vacate a property line of a recorded plat of subdivision in the Town of Chincoteague, Accomack County, Virginia.

AN ORDINANCE VACATING A PROPERTY LINE OF A SUBDIVISION PLAT

WHEREAS, the governing body of a municipality may vacate part of recorded plat after the sale of a lot shown on said plat pursuant to Section 15.2-2272 (2) of the Code of Virginia of 1950, as amended; and

WHEREAS, an Application has been filed by Catherine V. Letteney and James J. Berry to vacate a part of a recorded plat of a subdivision in the Town of Chincoteague entitled "PHYSICAL SURVEY of LOT 2, NORTH MAIN STREET and LOT 3, NORTH MAIN STREET Chincoteague Island District Accomack County, Virginia for CATHERINE V. LETTENEY and JAMES J. BERRY" which plat is recorded in the Clerk's Office of the Circuit Court of Accomack County, Virginia, as Document Number 220003592; and

WHEREAS, the basis of said vacation is that:

- 1. The property line between Lot 2, North Main street and Lot 3, North Main street is a property line between two lots both owned by Applicant, Catherine V. Letteney and James J. Berry.
- 2. That the said Catherine V. Letteney and James J. Berry desires to remove the boundary line between the two lots to result in one parcel of land.

THEREFORE BE IT ORDAINED BY

THE TOWN COUNCIL OF THE TOWN OF CHINCOTEAGUE

- 1. That the division or property line between said Lot 2, North Main Street and Lot 3, North Main Street as shown on a certain plat of survey entitled "PHYSICAL SURVEY of LOT 2, NORTH MAIN STREET and LOT 3, NORTH MAIN STREET Chincoteague Island District Accomack County, Virginia for CATHERINE V. LETTENEY and JAMES J. BERRY" be and is hereby vacated, as shown on the plat attached to the Application. The "new plat".
- 2. That as the result of said vacation of property lines of former Lot 2, North Main Street and Lot 3, North Main Street shall result in one (1) parcel of land as shown on the new plat.

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

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

Handicapped assistance available by calling 757-336-6519.

Michael T. Tolbert
Town Manager
Town of Chincoteague

GENERAL NOTES

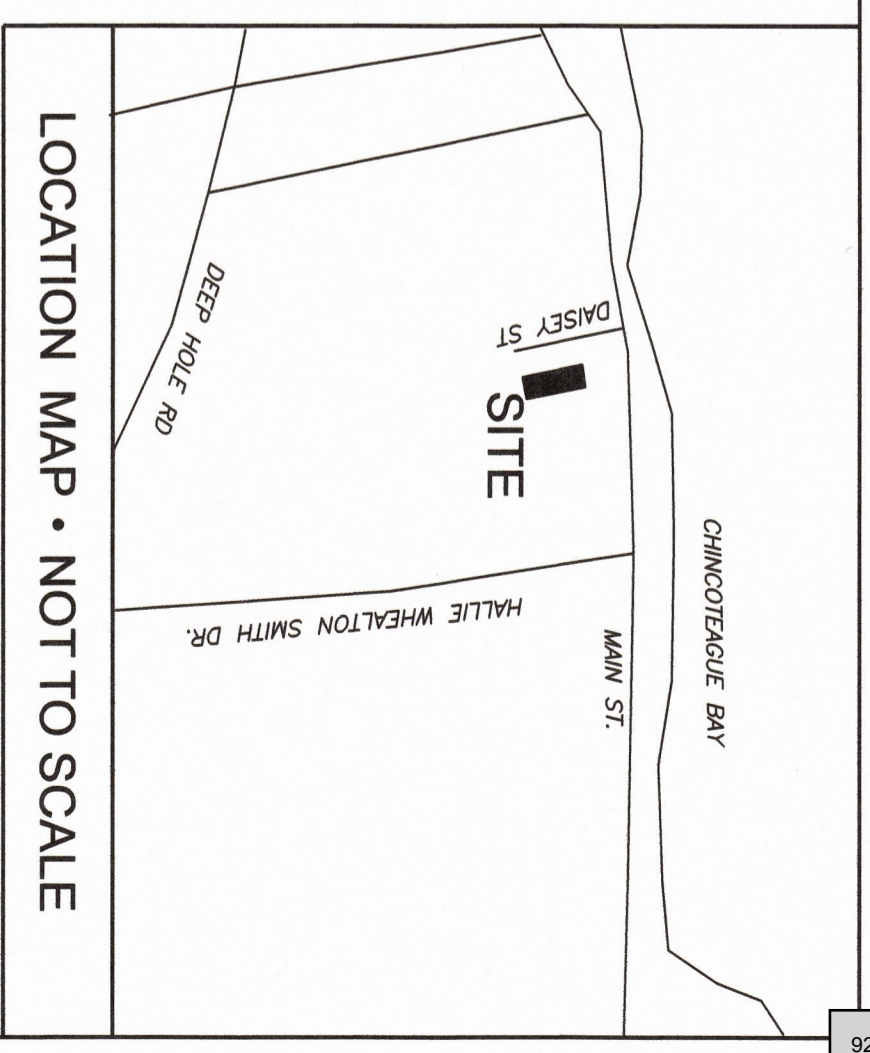
1. ACCOMACK COUNTY TAX MAP 30A7-8-3 AND 30A7-8-2
2. CHINCOTEAGUE ISLAND, ISLAND DISTRICT, ACCOMACK COUNTY, VA
CURRENT OWNER: CATHERINE LETTENY AND JAMES BERRY
7615 DONERAIL CT
CHESAPEAKE BEACH, MD 20732
3. DEED REF: 220003592
4. PLAT REF: 22/73
5. FLOOD ZONE AE, ELEV. 3 AND 4, AS SHOWN ON
FIRM MAP 51001C0280G, DATED 5/18/15
6. ZONED: R3

LEGEND

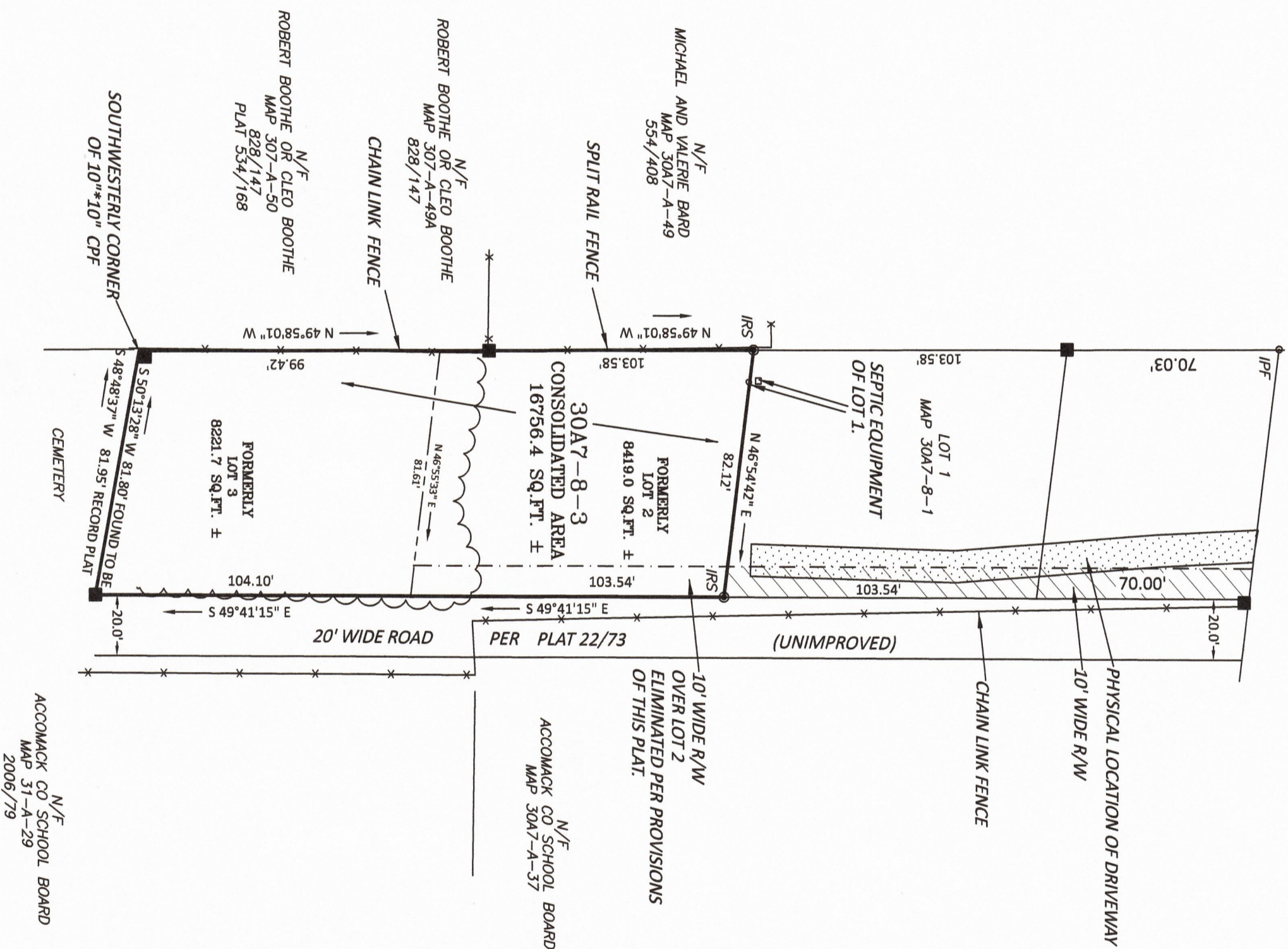
- CONCRETE POST FOUND
 - IRS
 - IRP
 - IRP
- PROPERTY LINE TO BE ELIMINATED PER PROVISIONS OF THIS PLAT

PLAT PURPOSE

THE PURPOSE OF THIS PLAT IS TO ELIMINATE THE PROPERTY LINE BETWEEN LOTS 2 AND 3, HEREBY CONSOLIDATING LOTS 2 AND 3 INTO A SINGLE LOT.



NORTH MAIN STREET



LANDS OF

CATHERINE LETTENY & JAMES BERRY

BOUNDARY SURVEY SHOWING CONSOLIDATION OF LOTS 2 AND 3

SCALE	1" = 40'	SURVEYED	NAN	JOB NO.	NAMN 30A7-8-2
DATE	10/12/22	DRAWN	NAN	FIELD BOOK	X
REVISED		CAD FILE CONSOLIDATE		SHEET	1 OF 1

WILKINS-NOBLE LLC
LAND SURVEYING and CIVIL ENGINEERING
11729 CHURCH ST.
PRINCESS ANNE, MD 21853
410-621-0321

AUTHORIZED DESIGNEE OF LEWIS CLARK & SONS, LLC
CHINCOTEAGUE, VIRGINIA

MARK BOWDEN, PLANNING AND ZONING ADMIN.
CHINCOTEAGUE, VIRGINIA

OWNERS CONSENT AND DEDICATION
THE DIVISION OF LAND SHOWN HEREON IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE UNDERSIGNED OWNER. ALL STATEMENTS AFFIXED TO THIS PLAT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.



This plat is based on a current field survey.
No Title Report Furnished.

Except as specifically stated or shown on this plat, this survey does not purport to reflect any of the following which may be applicable to the subject real estate: easements; building setback lines; restrictive covenants; subdivision restrictions; zoning or other land use regulations, and any other facts that an accurate and current title search may disclose.

I HEREBY CERTIFY THAT THIS PLAT IS BASED ON A CURRENT FIELD SURVEY AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IS CORRECT AND COMPLETE WITH THE MINIMUM PROCEDURES AND STANDARDS ESTABLISHED BY THE VIRGINIA STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS AND CERTIFIED LANDSCAPE ARCHITECTS.

**Town of Chincoteague FY23
Proposed Budget Amendment**

The Chincoteague Town Council will hold a public hearing on June 5, 2023 at 7PM for a proposed FY23 Budget amendment. The hearing will be held in the Council Chambers located at 6150 Community Dr. Chincoteague, Va. 23336. Commenting by letter: Written Statements may be mailed to the Town of Chincoteague, Attn: FY23 Budget Amendment, 6150 Community Dr. Chincoteague, Va. 23336. Emails may be addressed to mtolbert@chincoteague-va.gov with the subject line FY23 Budget Amendment. All comments must be received by 5pm, June 5, 2023. Written comments will be included in the meeting official record. Comments must include the commenter's name and address.

FY 2023			
Budget Amendment	Approved	Proposed	
Expenditures	Budget	Amendment	Variance
GEN. FUND TOTAL EXPENSES	\$ 6,879,147	\$ 8,187,040	\$ 1,307,893
GEN. FUND TOTAL REVENUES	\$ 6,879,147	\$ 8,187,040	\$ 1,307,893
HARBOR TOTAL EXPENSES	\$ 1,135,273	\$ 1,255,608	\$ 120,335
HARBOR TOTAL REVENUES	\$ 1,135,273	\$ 1,255,608	\$ 120,335
WATER TOTAL EXPENSES	\$ 1,144,000	\$ 1,086,574	\$ (57,426)
WATER TOTAL REVENUES	\$ 1,144,400	\$ 1,086,574	\$ (57,826)
CENTER TOTAL EXPENSES	\$ 438,194	\$ 465,237	\$ 27,043
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TROLLY FUND EXPENSES	\$ 262,252	\$ 227,067	\$ (35,185)
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Details of the FY 2023 Budget Amendment synopsis can be reviewed at the Town Office.			

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TO: Mayor Leonard and Town Council

FROM: Michael Tolbert, Town Manager

DATE: June 5, 2023

SUBJECT: Vehicle and Traffic Code

It is requested that Council adopt Chapter 58, Traffic and Vehicles of the Town Code. This “readopting” occurs annually to ensure that the Town Code aligns with any changes in the relevant portion of the Code of Virginia. Chapter 58 with the new changes follows:

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)

(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)