



TOWN COUNCIL REGULAR MEETING

December 02, 2024 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*

1. [Rules of Public Comment](#)

PROCLAMATIONS - *Mayor Leonard*

AGENDA ADOPTION – *Mayor Leonard*

STAFF REPORTS - *Mr. Tolbert*

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

PUBLIC HEARING - NO WAKE ZONES - *Mayor Leonard*

6. [Rules for Public Hearings](#)
7. [Advertisement](#)
8. [No Wake Zone Memo](#)

COMMITTEE REPORTS – *Council*

9. [Public Works November 5th Minutes](#)
10. [Harbor Committee November 7th Minutes](#)
11. [Planning Commission November 12 Minutes](#)

ADOPTION OF MINUTES - *Mayor Leonard*

12. [Council Meeting November 4, Minutes](#)

13. [Council Workshop November 21 Minutes](#)

MAYOR AND COUNCIL COMMENTS – *Mayor Leonard*

CLOSED MEETING - *in Accordance with § 2.2-3711 (A)3 of the Code of Virginia for the discussion of the purchase of real property for a public purpose.*

14. [Closed Session Motion](#)

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

15. [Certification Motion](#)

ADJOURN

Town of Chincoteague, Inc.

Item 1.



Rules for Public Comment:

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

Tax Time:

The Town office staff has been busy collecting and posting taxes since November 5 when they were mailed. As of November 27, they have posted \$271,448 of the projected \$675,000 Real Estate, \$125,841 of the projected \$240,000 Personal Property and \$45,271 of the projected \$88,000 Motor Vehicle Tax revenues for FY25. While these collections seem to be significantly low at this late date, they are actually slightly ahead of last year on the same date. The payment deadline of December 5th is fast approaching after which penalties and interest will apply to late payments, making next week one of the busiest weeks of the year for the Town office staff.



Curtis Merritt Harbor:

Item 2.

During the first week of January, the Public Works Department will begin the task of cleaning up and disposing of the equipment that has been left in the storage area adjacent to the spoil site at the Harbor. For years, Harbor users have “temporarily” stored equipment including boats, trailers, fishing gear, etc. in the area East of the Parking Lot. Due to the abundance of material that has been abandoned there, it has become virtually unusable, precipitating the cleanup. Future storage there is limited by ordinance to those who have an annual slip at the harbor or are granted a lease by the Harbor Master.



The Harbor Master is currently in the process of contacting the owners of such equipment so that they have an opportunity to retrieve it prior to the cleanup.

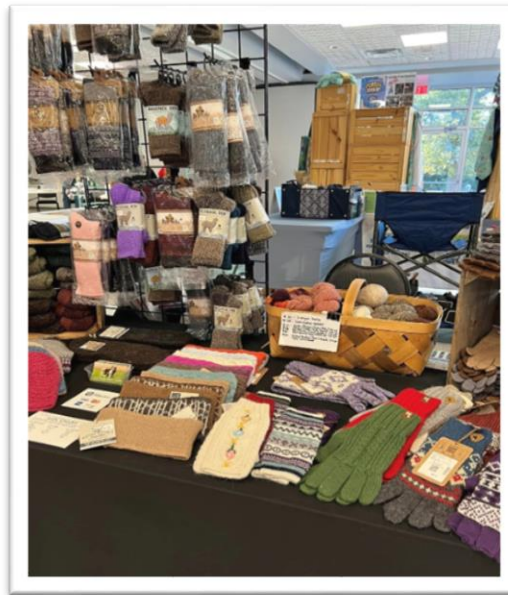
While there are fewer conk potters using the harbor this year due to the depressed market, there are 4 boats from Gwinns Island on the western shore here for the first time horn dogging.

Chincoteague Center:

The popularity of the Center for weddings and receptions continued with a wedding on November 3. Following that event, one of the busiest elections that we have seen at the Center took place on November 5th with Town, State and Federal elections being decided all on the same day.

On November 15th the North Accomack Little League held its annual fund-raising auction and dance featuring the Deloreans. NALL raised over \$30,000 at the event which will be used to support little league for the upcoming season.

After Months of planning, Mary Eshter organized and presented the first annual Christmas Craft Fair held on Saturday the 23rd. The event attracted 43 vendors and over 600 shoppers and by all accounts was a huge success. An improvement survey was circulated to vendors following the show who overwhelmingly asked that the show become an annual event.



Looking ahead, Chincoteague Elementary School will be putting on their Christmas program on Thursday December 12th and Delegate Rob Bloxom will once again host a New Year's Eve Gala at the Center on December 31. Ticket Information can be found on his website.

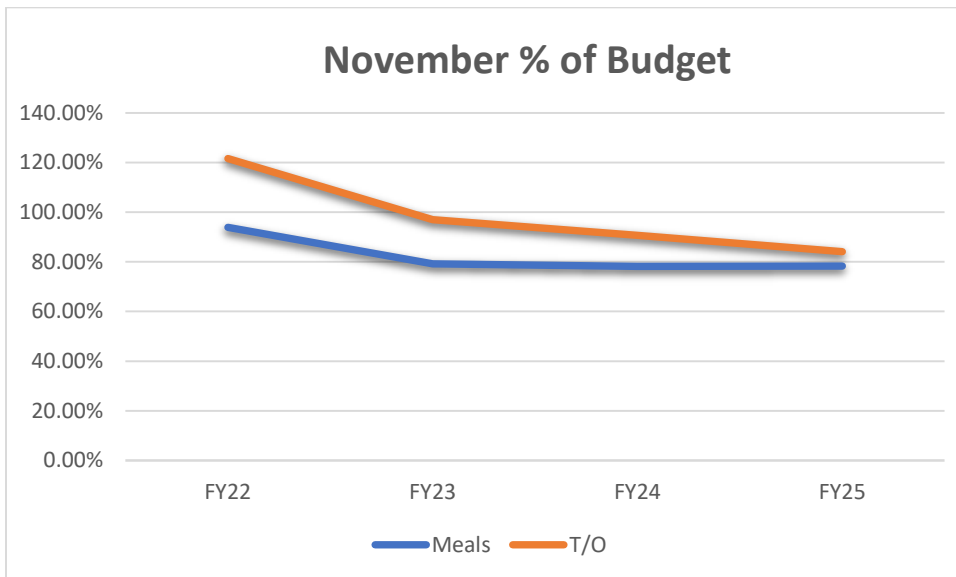
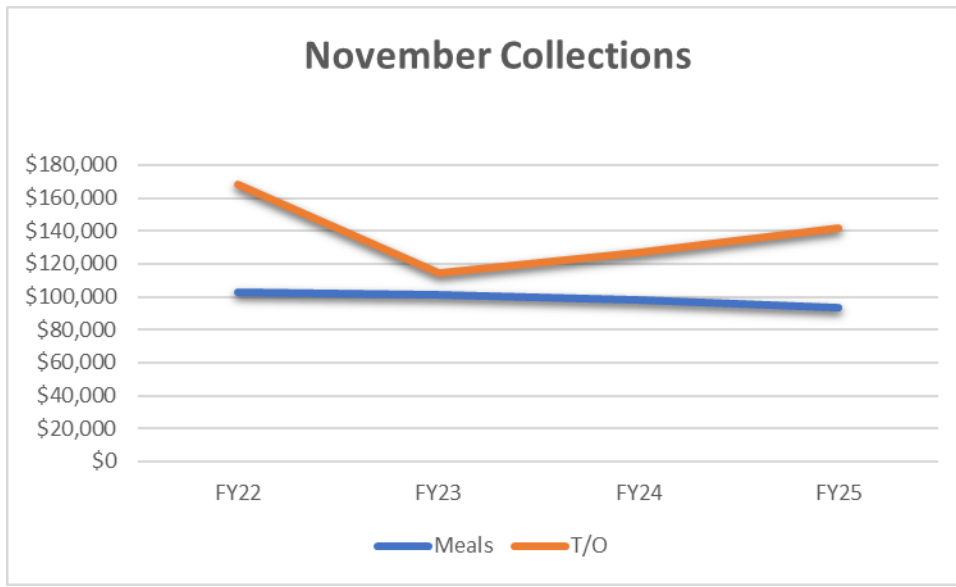
Meals and TOT:

Item 2.

The data in the table below represent excise tax collections for the month of November which reflect the level of business by food and lodging establishments in Town for the month of October. Meals Tax collections are down by 4.7% for October year over year. This marks the second consecutive month for such a decrease. TOT has recovered somewhat from last month's poor showing and is up by nearly 12% over October 2023 however, we are still slightly behind our percentage of budget for October collections at 84%.

Meals and TOT November (October Activity)					
November Collections			Fiscal Year		
Meals Tax	Tax Collected	2 year average	Budget	YTD	% of Budget
FY22	\$102,841	\$99,590	\$1,000,000	\$939,364	93.94%
FY23	\$101,094		\$1,200,000	\$950,632	79.22%
FY24	\$98,086		\$1,300,000	\$1,015,854	78.14%
FY25	\$93,394		\$1,300,000	\$1,017,575	78.28%
Deviation from 2 yr. Meals Tax Avg.		-\$6,196			
T/O Tax	Tax Collected	2 year average	Annual Budget	YTD	% of Budget
FY22	\$168,343	\$120,835	\$1,400,000	\$1,702,539	121.61%
FY23	\$114,810		\$1,700,000	\$1,647,676	96.92%
FY24	\$126,859		\$2,000,000	\$1,813,680	90.68%
FY25	\$141,908		\$2,200,000	\$1,849,422	84.06%
Deviation from 2 yr. T/O Tax Avg.		\$21,074			

Figures shown are for accounts posted by 11-30-24.



Financial Report:

Item 2.

The financial picture as of the end of November is below. For reason's previously reported, the Harbor expense is \$60,000 over due to the Abandoned Vessel Grant payments being delayed until after the start of FY25.

BUDGET vs ACTUAL - Period Ending 11/30/2024							
10 GENERAL FUND	FY25 BUDGET	FY25 MTD	FY25 MTD	FY24 YTD	FY25 YTD	VARIANCE	%
GENERAL FUND REVENUE TOTAL	\$ 9,586,140.00	\$ 850,387.89	\$ 1,092,338.14	\$ 4,619,758.01	\$ 4,866,943.45	\$ (4,719,196.55)	51%
GENERAL FUND EXPENSE TOTAL	\$ 9,586,140.00	\$ 689,812.16	\$ 370,013.53	\$ 3,219,071.87	\$ 2,973,931.00	\$ 6,612,209.00	31%
GENERAL GOVERNMENT EXPENSE TOTAL	\$ 2,794,880.00	\$ 344,701.75	\$ 71,494.36	\$ 1,031,440.29	\$ 889,432.12	\$ 1,905,447.88	32%
EMS EXPENSE TOTAL	\$ 1,454,458.00	\$ 80,349.30	\$ 89,921.71	\$ 439,753.01	\$ 564,808.37	\$ 889,649.63	39%
PUBLIC WORKS EXPENSE TOTAL	\$ 2,453,895.00	\$ 102,857.61	\$ 72,632.25	\$ 635,152.58	\$ 450,069.86	\$ 2,003,825.14	18%
MOSQUITO CONTROL EXPENSE TOTAL	\$ 172,498.00	\$ 20.00	\$ 383.48	\$ 57,348.75	\$ 29,845.07	\$ 142,652.93	17%
ROADS EXPENSE TOTAL	\$ 928,500.00	\$ 19,380.92	\$ 32,655.14	\$ 384,751.24	\$ 358,751.81	\$ 569,748.19	39%
POLICE EXPENSE TOTAL	\$ 1,445,335.00	\$ 117,976.07	\$ 85,540.08	\$ 530,716.70	\$ 560,955.96	\$ 884,379.04	39%
DISPATCHERS EXPENSE TOTAL	\$ 336,574.00	\$ 24,526.51	\$ 17,386.51	\$ 139,909.30	\$ 120,067.81	\$ 216,506.19	36%
30 CURTIS MERRITT HARBOR	FY25 BUDGET	FY25 MTD	FY25 MTD	FY24 YTD	FY25 YTD	VARIANCE	%
CURTIS MERRITT HARBOR REVENUE TOTAL	\$ 822,269.00	\$ 1,069.00	\$ 4,545.00	\$ 465,128.51	\$ 297,989.04	\$ (524,279.96)	36%
CURTIS MERRITT HARBOR EXPENSE TOTAL	\$ 822,269.00	\$ 44,714.79	\$ 25,211.73	\$ 333,113.93	\$ 361,684.24	\$ 460,584.76	44%
70 TROLLEY	FY25 BUDGET	FY25 MTD	FY25 MTD	FY24 YTD	FY25 YTD	VARIANCE	%
TROLLEY REVENUE TOTAL	\$ 92,803.00	\$ 3,736.00	\$ 19,451.75	\$ 220,003.45	\$ 43,416.55	\$ (49,386.45)	47%
TROLLEY EXPENSE TOTAL	\$ 92,803.00	\$ 2,578.77	\$ 1,314.40	\$ 40,976.29	\$ 51,586.41	\$ 41,216.59	56%
80 WATER	FY25 BUDGET	FY25 MTD	FY25 MTD	FY24 YTD	FY25 YTD	VARIANCE	%
WATER REVENUE TOTAL	\$ 1,028,000.00	\$ 124,973.35	\$ 117,090.87	\$ 537,356.04	\$ 522,239.88	\$ (505,760.12)	51%
WATER EXPENSE TOTAL	\$ 1,028,000.00	\$ 48,564.09	\$ 36,414.60	\$ 275,418.33	\$ 296,149.49	\$ 731,850.51	29%
85 CENTER	FY25 BUDGET	FY25 MTD	FY25 MTD	FY24 YTD	FY25 YTD	VARIANCE	%
CENTER REVENUE TOTAL	\$ 218,400.00	\$ 22,141.01	\$ 3,784.61	\$ 107,858.03	\$ 122,456.42	\$ (95,943.58)	56%
CENTER EXPENSE TOTAL	\$ 218,400.00	\$ 111,424.98	\$ 6,860.45	\$ 327,425.37	\$ 62,347.51	\$ 156,052.49	29%
REVENUE TOTAL	\$ 11,747,612.00	\$ 1,002,307.25	\$ 1,237,210.37	\$ 5,950,104.04	\$ 5,853,045.34	\$ (5,894,566.66)	50%
EXPENSE TOTAL	\$ 11,747,612.00	\$ 897,094.79	\$ 439,814.71	\$ 4,196,005.79	\$ 3,745,698.65	\$ 8,001,913.35	32%
Difference					\$ (2,107,346.69)	\$ 2,107,346.69	

CHINCOTEAGUE POLICE DEPARTMENT

Item 3.

MONTHLY REPORT TO COUNCIL NOVEMBER 2024

The Chincoteague Police Department received 328 calls for service, resulting in 24 investigations of criminal offenses and 8 arrest including: 2 Burglary/Breaking & Entering, 1 Shoplifting, 4 Larceny, 6 Destruction/Damage/Vandalism of Property, 1 Disorderly Conduct, 1 DUI, 1 False pretense/Swindle/Confidence Game and 8 Other offenses.

The Department responded to 4 alarms, 5 suspicious activities, 1 civil problem, 3 control burn checks, 11 assisting other agencies, 12 welfare checks, 4 animal complaints, 4 accidents, 4 trespassing, 5 thefts, 8 juvenile problems, 4 suspicious persons and 5 suspicious activities.

In addition, 143 security checks and 9 public service calls were conducted.

The Department issued 33 citations and 31 warning tickets.

In support of the Fish and Wildlife Service in Virginia (Assateague) the department received 1 CFS including: 1 Domestic Call

On November 18th-22nd, Sgt. Stevens attended the FBI First Line of Supervisor Training at the Virginia State Police Academy in Richmond, Va.

Earlier this year, a temporary drainage ditch was installed to better drain Accomack and Annemessex streets. This month we installed 12" storm drain pipe as a permanent solution.



Installing Christmas decorations.





New wreaths were put up on 4x6s rather than attaching them to the building.



Last month drainage repairs were done on Poplar Street. Early this month we patched the road with asphalt.



This fall it has been a challenge keeping the streets cleared from leaves and pine shatters.



Street Sweeper was delivered on 11/25.



Right turn on red signs installed at intersections of Chicken City/Maddox and Deep Hole/Maddox.

Items Planned to be completed in December.

Item 4.

- **Complete new water line connection on Wildcat Road. Initial work including disinfection completed in November.**
- **Maintain Christmas decorations**
- **Order materials for Memorial Park Fishing Pier.**
- **Continue routine maintenance of equipment and vehicles.**

TOWN OF CHINCOTEAGUE EMERGENCY SERVICES MONTHLY REPORT

EMERGENCY MEDICAL SERVICES DIVISION

Reporting Period: 11/01/2024 – 11/25/2024

TOTAL EMS RESPONSES: 62

(5 LESS THAN IN SAME PERIOD 2023): 67

ADVANCED LIFE SUPPORT: **26**

BASIC LIFE SUPPORT: **22**

OTHER: **13** (Fire Stand-by, Public Assist Calls, etc.)

HAZMAT: **1**

COMMUNITY SERVICE

BP SCREENINGS

Three BP screenings were conducted at the station this month as well as a B-12 shot.

CHINCOTEAGUE ELEMENTARY CAREER DAY

Paramedic Ashley Northam participated in career day at the elementary school on November 25th. She set up a display to garner attention and answered numerous questions in trying to attract future providers for EMS delivery.

PLANNING

EMS ADVISORY BOARD

The EMS Advisory Board and associated committees assembled in Richmond, November 14th and 15th. Discussions ensued on a path forward for the Office of EMS and what reorganization should look like. The board was given the JLARC report that showed continued discrepancies within the Virginia Department of Health in which OEMS functions. A discussion is ongoing as to whether OEMS should remain under VDH or be moved to the Department of Fire Programs or the Department of Public Safety. The board has been directed to focus on the following six topics in the short term:

- What should the role of the state medical director be moving forward
- What should be the role of OEMS in managing the Trauma monies that they distribute to the trauma centers throughout the state
- Should the Advisory Board committee structure remain the same or be decreased for better efficiency
- Should education and training remain with OEMS or be moved to the local Emergency Medical Services Councils (Chincoteague is in TEMS region)
- Should the EMS Council make up remain at 11 regions or reduced to 7
- Where should OEMS reside (Public Safety, VDH, VDFP, others)

TEMS EDUCATION AND TRAINING COMMITTEE

Attended the Tidewater EMS Council's Education and Training Committee for discussions on protocol updates and whole blood program.

LOGISTICS

DRUG KIT TRANSITION

We are still awaiting approval of our CSOS paperwork. Once returned to us, we can order and stock medication kits as well as complete final training for staff. At the time of this report, Accomack and Northampton have now received their DEA registration and they are submitting their CSOS paperwork. We have now moved our "go live" date to January 1. Riverside Shore Memorial has agreed to continue to support any Eastern Shore agency past the November 27th deadline since there is a backlog at the DEA, and since all agencies have at least started the process. The deadline has now been moved to April 15th. We continue to participate in the TEMS regional drug kit transition meetings.

TRAINING

CONTINUING EDUCATION

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

- Special Healthcare Needs
- Infectious Diseases
- Psychiatric Emergencies

EMERGENCY MANAGEMENT DIVISION

- Weather and situational awareness monitoring.
- Department head briefings for a tidal flooding event and a separate wind event.
- Completed Trick-or-Treat after action to better prepare for next year's event.
- Code Red calls to Wildcat residents, advising of road closures for water repairs.
- Conducted a surprise fire drill at the Chincoteague library to help them meet their safety responsibilities.
- Planning discussion with department heads for the operations posture related to the RL launch.
- Attended VDEM Region 5 Cyber Capabilities webinar
- Attended Wallops Monthly Range Scheduling Meeting
- Attended Wallops Range Schedule Workgroup



Rules for Public Comment at Public Hearings:

1. All attendees wishing to speak shall sign up on the provided roster.
2. Speakers must preface all comments by stating their name and 911 address.
3. Comments shall be limited to (4) minutes per speaker.
4. Attorneys representing clients will be limited to 10 minutes.
5. A speaker cannot reserve or transfer time to another speaker.
6. Speakers must not use profanity, threatening language or otherwise be abusive to Council or Committee members.
7. Signs and placards are not allowed inside the Council Chambers.
8. Speakers shall not address specific personnel matters which involve individual employees in a public meeting.
9. Members of the Council will not answer questions directly or engage with speakers.
10. Specific questions shall be directed to the Mayor who shall at his shall discretion solicit a response from the appropriate staff member.



PUBLIC HEARING

The Town of Chincoteague is considering an application to the Department of Wildlife Resources for the establishment of no wake zones to be located on Assateague Channel from Tom's Cove Aquafarms to Sheepshead Creek and on Chincoteague Channel from the southern point of Marsh Island to the north end of Lewis Creek.

The Town of Chincoteague will conduct a public hearing on December 2, 2024, at 7:00 PM in the Council Chambers located at 6150 Community Drive, Chincoteague, VA 23336 to hear comments in reference to this application. All interested parties should plan to attend.

Written comments can be addressed to Michael Tolbert, Town Manager, at the above address or via email to mtolbert@chincoteague-va.gov.

Town of Chincoteague, Inc.

Item 8.



TO: Mayor Lenoard and Members of the Committee

FROM: Michael Tolbert, Town Manager

DATE: December 2, 2024

SUBJECT: No Wake Zones

Under § 29.1-744 of the Code of Virginia the Town may apply for the placement of ‘no wake’ buoys:

“Any political subdivision of this Commonwealth may, at any time, but only after public notice, formally apply to the Board or the Department Wildlife Resources, for special rules and regulations with reference to the safe and reasonable operation of vessels on any water within its territorial limits and shall specify in the application the reasons which make the special rules or regulations necessary or appropriate.”

At the September 19th, 2024 meeting, Council approved the Chincoteague Channel no wake zone as recommended by the Harbor Committee on September 5, however, according to the VMRC, the 2017 no wake zone application for Assateague Channel, was never approved by the DWR Board and therefore does not currently exist. We will therefore be submitting an application for both zones to the DWR Board.

The creation of a no wake zone requires the public to be given notice prior to submission of the application. The attached notice describing both zones will be advertised in the Eastern Shore Post on November 15 and 22 for discussion and approval at the December 2 Council meeting.

Included here is a depiction of both the Chincoteague Channel and Assateague Channel Zones as well as an ordinance that defines and codifies each.







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Ordinance:

ARTICLE III. USE OF OTHER TOWN WATER RELATED FACILITIES

DIVISION 1. GENERALLY

Sec. 70_124. Provisions regulating boat wakes in and adjacent to any such facility and other areas in the waters surrounding Chincoteague.

All boats entering, leaving, or navigating in or within 100 feet of any such facility shall be operated in such a manner so as not to create a swell sufficient to cause damage to the other boats moored, anchored, offloading, loading, or utilizing the boat ramps at such facility

All boats entering, leaving, or navigating in the waters known as Chincoteague Channel, from a point adjacent to the South end of Black Narrows Marsh approximately 4,300 feet Southwest of the Route 175 bridge to a point 1800 feet northeast of the Route 175 bridge which shall include waters know as Lewis Creek, shall be operated in such a manner so as not to create a wake.

All boats entering, leaving, or navigating in or within 200 feet of the Chincoteague Island shoreline in the waters known as Assateague Channel, from a point 1800 feet north of Black Point Landing to the mouth of Sheepshead Creek and within 200 feet of the Chincoteague shoreline, shall be operated in such a manner so as not to create a wake.

The Committee is asked to approve the ordinance for recommendation to Council.

**Public Works Committee Meeting
November 5, 2024
Council Chambers
Minutes
6:00 p.m.**

Members Present:

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

Absent:**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

Mayor Leonard motioned, seconded by Vice Mayor Bott, to adopt the agenda as presented. Unanimously approved.

Review of Fall Paving Projects

Public Works Director Parks advised they worked on patching Ridge Road, Merritt Drive, Pine Tree Way, Deep Hole Road, and the Municipal parking lot where they eliminated a light pole. He stated they have a little more paving where they did a repair on Poplar Street, and they need to repair Herbie's Lane where a storm drain in the road is settling.

Town Manager Tolbert advised that Mr. Jester complained about the road settling over the 2) 16" culvert pipes that drain everything north of that road to Memorial Park and to Mr. McDowell's home. He advised the Town could correct the drainage but couldn't repave the road. Mr. Jester was aware of that. He feels it would be more feasible to overlay that. He stated that while they have the pavers here, they could overlaid it 2" and it would last a while.

There was brief discussion.

Mayor Leonard motioned, seconded by Vice Mayor Bott to move forward with the paving projects. Unanimously approved.

Review of Winter/Spring Projects

Public Works Director Parks advised they also had striping done. He added that they plan to do Taylor Street this winter, and the materials need to be ordered which could take 23-24 weeks to receive. He feels they need to start selecting them in July for the spring projects. He advised that they plan to complete the Memorial Park pier by the spring.

There was brief discussion about the spring projects and the Amrien Gym floor replacement project and costs.

Consider Street Sweeper Proposal

Public Works Director Parks reviewed the quote for a Regen X Regenerative Air Sweeper. He advised that he reached out to VDOT and received information. He stated that this is solely what is used statewide, and they had very good luck with these. They watched a demo and was very impressed. The cost is what the Town will receive for the replacement value of the other street sweeper. Included in the price is a 2-year extended warranty. He added that the sweeper they demoed is available. He advised that if they don't purchase the demo, they will be 6 months before they will get one.

Town Manager Tolbert advised that if this is approved tonight, they can send a letter of intent of purchase, which does not bind the Town. It tells them the Town has the intent to purchase it if Council approves it. He added that when he attended the VML conference he spoke with a representative from VRSA who advised they will hand deliver the check.

There were brief comments about the cost and the differences between street sweepers.

Mayor Leonard asked about the cost of the additional options.

Public Works Director Parks advised that the additional options are included in the price.

Mayor Leonard motioned, seconded by Vice Mayor Bott to enter into an agreement to purchase the proposed street sweeper as presented. Unanimously approved.

Town Manager Tolbert advised they will prepare a letter of intent tomorrow and bring this matter to Council at the workshop meeting. He will verify with VRSA when they will bring the check from the other street sweeper.

There was discussion regarding delivery.

Committee Member Comments

Councilwoman Richardson asked if the Town could paint in the bike lane to stop and look.

Vice Mayor Bott feels they should look into this over the winter as well as magnifying the crosswalks downtown.

Town Manager Tolbert feels the crosswalks need to be repainted.

Public Works Director Parks suggested putting in the glass beads to give it reflection.

Town Manager Tolbert feels if they touch them up it will set them off. He also asked Mr. Thornton to trim the crape myrtles up higher to give more visibility.

There was discussion regarding site triangle problems at Bunting and Willow, and overgrown trees in the road on north Main Street near Misty Meadows. They feel the Post Office sign with an overgrown bush is also a problem.

Town Manager Tolbert advised that Chief Greenley has had the officers make a list of the streetlights that are out.

Adjournment

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

MINUTES OF THE NOVEMBER 7, 2024
CURTIS MERRITT HARBOR COMMITTEE MEETING
Council Chambers

Committee Members Present:

J. Arthur Leonard, Chairman
 Chris Bott, Vice Mayor
 Danny Bowden
 George Garner

Committee Members Absent:

Other Council Members Present:

Jay Savage, Councilman

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

Mayor Leonard opened the floor for public comment.

Agenda Adoption

Vice Mayor Bott motioned, seconded by Mr. Bowden, to adopt the agenda as presented. Unanimously approved.

Consider Contract for Fuel Tank Painting

Mayor Leonard commented on the importance of taking care of equipment.

Town Manager Tolbert advised they have 2 prices for painting the fuel tank: Stewart Parks Painting from Onancock, and Handy House, LLC, from Chincoteague. He added that the prices are within \$300 of each other.

Harbormaster Merritt asked what the difference was between soda blasting and sand blasting.

Mayor Leonard advised that soda is not as harsh, and this is what they use on fiberglass pools.

There was further discussion.

Town Manager Tolbert replied that it should take the tank down to bare metal. He stated that the prices were \$434 apart. They have more information on one contractor than the other. He read the scope of work. It has been put on the Public Works schedule but not to begin the job until the Committee decides. He feels it should then go to Council.

There was discussion regarding the company from Onancock.

Mayor Leonard recommended Stewart Parks Painting form Onancock due to his experience.

Town Manager Tolbert advised that Mr. Parks' schedule will allow him to begin in 2 weeks.

Mr. Bowden also asked around and agreed that Mr. Parks should do the work.

Mr. Bowden motioned, seconded by Vice Mayor Bott, to accept the bid from Stewart Parks Painting. Unanimously approved.

Town Manager Tolbert advised he would contact Mr. Parks in the morning. He added that he will refer this matter to the Council workshop meeting for approval.

Review Schedule for Hill Cleanup

Harbormaster Merritt stated they've set a date, and he doesn't feel it'll be that bad. He has a couple of people scheduling to get their property. He stated that they'll start January 6th.

Mayor Leonard asked what the plan was for the unclaimed boats.

Harbormaster Merritt advised that if they aren't claimed and removed the Town will auction them.

There was further discussion.

Harbormaster Merritt advised he would notify the owners of the boats, trailers, and equipment for removal.

Review Application for No Wake Zones

Mayor Leonard advised that the application for a No Wake Zone for Eastside didn't go through. They need to resubmit that one and a new No Wake Zone from Waterside Motor Inn to Lewis Creek.

There was discussion regarding buoy placement and replacement.

Town Manager Tolbert suggested signage at the southern end of Lewis Creek and Marsh Island.

Harbormaster Merritt advised they have someone who has purchased a sign and was willing to give it to the Town.

Discussion continued with size of signs, buoys, and placement.

Town Manager Tolbert stated that he'll have this advertised next Friday and the following Friday with a public hearing on December 2nd. The comments will be put in with the application. He hopes to have this in place by spring.

Mayor Leonard stated that enforcement is the hardest part.

There were further comments.

Comments

Harbormaster Merritt stated that he would like to finish the boards for the loading dock.

Town Manager Tolbert stated they are getting ready to order lumber for Memorial Park fishing pier and they can order enough to finish the Harbor's loading dock.

Discussion continued.

Harbormaster Merritt asked about the revenue for Reed Park and other Harbor related revenue going into the Harbor budget.

There was further discussion regarding the budget.

Harbormaster Merritt thanked Mayor Leonard for serving on the Harbor Committee.

Mayor Leonard stated that this is one Committee he's served on that has done the most. They have made the Harbor into an attraction.

Discussion continued regarding fuel at the Harbor.

Adjournment

**Mr. Garner motioned, seconded by Harbormaster Merritt to adjourn the meeting.
Unanimously approved.**

**MINUTES OF THE
PLANNING COMMISSION MEETING
TOWN OF CHINCOTEAGUE, VIRGINIA
NOVEMBER 12, 2024 - 7:00 P.M. – Council Chambers**

Commission Members Present:

Mr. Ray Rosenberger, Chairman
Mrs. Mollie Cherrix, Vice Chairperson
Mr. David Britton
Mr. Michael Dendler
Mr. Steve Katsetos
Mr. K. Savage, Councilman
Mr. Robert Shendock

Commission Members Absent:**Staff Present:**

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

Call to Order

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

Invocation

Councilman Savage offered the invocation.

Pledge of Allegiance

Chairman Rosenberger led in the Pledge of Allegiance.

Public Participation

Chairman Rosenberger opened the floor for public participation. There was none.

Adoption of Agenda Mr. Katsetos motioned, seconded by Mr. Briton to adopt the agenda as presented. Unanimously approved.

Approval of the Minutes

Mr. Savage motioned, seconded by Mr. Katetosto approve the minutes of the October 8th, 2024 meeting as presented. Unanimously approved.

Review of Subdivision Lot Requirements

Mr. Bowden explained the issue with subdivision of lots using flag lots and the fact that access to such lots is hampered by the practice of granting easements to all lot holders across all other lot holder's lots. Mr. Tolbert explained the issue with the inadequate width of flag lots being less than 10' to assign a 911 address since each 911 number changes on 10' intervals.

A discussion ensued as to the issues with flag lots which include the aforementioned inadequacies and the requirements for water line routing through the flag stems requiring access

by vehicles across installed water meters degrading water lines and increasing the risk of damage to water lines and thus costs to the town through water department repairs.

The commission directed Town Manager Tolbert to research and recommend proper routing of water lines through utility easements for subdivisions and also directed Administrator Bowden to research and recommend both the proper number of lots approved for subdivisions using flag lots and also to recommend the proper width of any access road to access these lots.

Announcements or Comments

Mr. Bob Shendock announced his resignation from the commission and expressed his thanks for the work of all commissioners. All commissioners expressed thanks to Mr. Shendock for his dedication and hard work on behalf of the commission.

Adjourn

Mr. Savage motioned, seconded by Mr. Britton to adjourn. Unanimously approved.

Chairman, Ray Rosenberger

**MINUTES OF THE NOVEMBER 4, 2024
CHINCOTEAGUE TOWN COUNCIL MEETING
Council Chambers
7:00 p.m.**

Council Members Present:

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

Council Members Absent:**Staff Present:**

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

Call to Order

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

Invocation

Councilman Taylor offered the invocation.

Pledge of Allegiance

Mayor Leonard led in the Pledge of Allegiance.

Public Comment

Mayor Leonard opened the floor for public comment

- Mrs. Nancy Cunningham, Chincoteague Island Library, came before Council reviewing the programs, events, and fundraisers over the past year. She reported on the building maintenance and projects which included exterior paint, and the addition of a security system for safety. She advised that the Library is open 6 days a week to serve the Community and Library Cards are free. She thanked the Town for their continued support and hopes the overview reminds everyone of the gem on Main Street.

- Ms. Kathy Michaelian, Island Pickleball Group, thanked Council for their continued support. She reported on a donation they made which helped build the outdoor courts. She explained “drop-in play” verses “open play”. She also advised that there were 700 individuals signed up for “drop-in play” which were 47% from the Island, 34% tourist, and 19% from the Eastern Shore of Virginia. She reported on the coaches, and levels of players, along with their fundraisers. She thanked the Town for their support.

- Mr. David Landsberger, YMCA, gave a brief update on the gym construction. He reminded Council of the funds that was raised by the Community for the Brianna's Kindness Park that hasn't been spent yet and asked for sun shading.

Agenda Adoption

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

Staff Reports

General Government

Town Manager Tolbert stated that there was a modification in the fall of 2023 to the Solid Waste Collection Ordinance. He stated that among other requirements, these include placing all dumpsters on a cleanable pad and screening them from view from public right of ways or adjacent properties. He added that the Town office will begin enforcing this ordinance in January of 2025. He reported that all business owners were notified of the changes to this ordinance in January of 2024 in their business license renewal notice and again by mail last month. Town Manager Tolbert also advised that the Town has two positions in the Town office, the Town Planner and Finance Director. He stated that the Planner position has been vacant for several years and our current Finance Director will be retiring in April. Both vacancies have been advertised on an internet hiring site as well as the VML website. He added that he is currently reviewing multiple applications for both jobs.

Town Manager Tolbert advised that tax time is here. The bills were mailed today with a due date of December 5th. He advised that there was a small error on some of the Personal Property tax bills. He explained that there was a charge on the utility and boat trailers for the vehicle tax in error. He stated that the Finance Department is investigating the source, and staff is in the process of correcting the error. He then gave the monthly report for the Chincoteague Center. They held an indoor rummage sale, the Candidate Forum, 2 weddings, a blood drive, and Bingo. He reviewed November's upcoming events as well. He also gave the upcoming scheduled events as well. He reviewed the Meals and Transient Occupancy Report for October along with the Financial Report.

Town Manager Tolbert also reviewed the Building and Zoning Report for October, with 6 Code violations, 4 zoning site visits, 31 permit plans reviews. Building and Zoning Administrator Bowden attended training this month. There were 37 walk-ins. The total value for the building cost of construction was \$1,228,899.10, and the total building permit fees collected for the month were \$2,273.73.

Councilwoman Bowden asked if people were utilizing the online building permit application site.

Town Manager Tolbert advised this allows someone to complete and submit the building permit application online. He added that it is being utilized but would like to move more people to use it. He commented further.

Vice Mayor Bott stated that he is perplexed with the Transient and Meals Tax Report.

Town Manager Tolbert advised he will investigate this further.

Councilman McComb stated that there is a correlation between Meals and Transient Occupancy Taxes and both are down significantly.

Police Department

Chief Greenley reviewed the monthly Police report advising that on October 1st – 4th he, Sgt. Stevens, and Cpl. Butler attended the annual VALEAC conference for accreditation training. October 2nd – 4th Investigator Barnes attended the Pre-Employment Background Investigations for police applicants at Newport News Police Training Academy. October 4th the CPD completed traffic control and escort for the Homecoming Parade. October 7th – 11th Lt. Gladding attended in-service training at the Chesapeake Bay Bridge Tunnel. October 8th, he attended a recertification course for Intox EC/IR II. October 12th the CPD completed traffic and foot patrol for the Oyster Festival. October 16th, he and Inv. Barnes provided extra staffing at CHS for multiple threats. October 24th SRO Geminiani completed a community outreach program at the Island Library, reading to kids and show-and-tell of the police cruiser. October 24th all officers completed requalification with firearms. October 29th all officers attended Axon training for body worn cameras and in-car videos systems. On October 30th all officers completed annual physical fitness testing. October 31st the CPD completed traffic and foot patrol for Halloween Trick-or-Treating downtown and in Sunnywood Manor.

Public Works Department

Public Works Director Parks reported that the Public Works Department conducted drainage maintenance in Ocean Breeze and Misty Meadows. He explained what they found and repaired or corrected. The trees and shrubbery were groomed at the Dog Park. Drip-inlets were made in preparation for storm drain and collapsed pipe replacement on Poplar Street t. He also advised that they permanently patched where cuts were made in the roads for maintenance. He reported that the Road Scholars worked for 3 afternoons painting street signs, trash enclosures, and miscellaneous improvements. They rebuild benches and fence at the Robert Reed Park. They also had a street sweeper demo. They power washed at the Center along with putting in mulch and completed some road grading. He advised of planned work for November, which included Wildcat waterline, Christmas decorations, along with projects that the RCEC approved.

Councilwoman Richardson commented on the Eastside Road patchwork.

Mayor Leonard asked if they had cut back the roots at the Dog Park.

Public Works Director Parks advised they have not.

Emergency Services

Director of Emergency Services Rush reported that they had 89 calls in October which was 11 more than last year. EMS Staff went with the Fire Department to the Elementary School for Fire Prevention where they allowed the children to check out the ambulance. He reported on the 911 Center phone app. “What 3 Words”. He explained how it worked which would help locate a caller within a 10’ grid. This is done by a link on a cellphone. He stated they are monitoring the weather. Hurricane Season ends November 30th but could have other events. The Regional

Catastrophic Planning Workgroup met in October and addressed electric vehicle evacuation routes. They planned and oversaw Trick-or Treating. He attended the Eastern Shore District Preparedness held the quarterly meeting in October and Rocket Lab is planning another launch on the 19th. He reminded everyone to prepare now. He gave a brief update on the med kits which have been extended to April.

Councilwoman Bowden asked if the “What 3 Words” app. was implemented.

Director of Emergency Services Rush advised it is.

Committee Report

Cemetery Committee

Councilwoman Richardson reported they met on October 3rd and decided that this week, November 4th – 9th is Cemetery Cleanup Week. She asked citizens to check the cemeteries and pickup and cleanup where it needed. She reported that she, Town Manager Tolbert, and Mrs. Mandy Betts walked 5 cemeteries on Saturday to see what needed to be done.

Budget and Personnel Committee

Vice Mayor Bott reported that they met in October and continued discussion to find ways to increase revenue and encourage permanent residency. They also talked about the Employee Handbook and reviewed the proposed salary schedule.

RCEC

Councilman Taylor reported that they met on October 10th. He advised Mr. Landsberger that they approved the sunshade structures, benches, hangouts and charging stations, and wheelchair access at the Brianna’s Kindness Park. He expressed his appreciation for everything everyone did to raise money. He commented on the pickleball courts. He also reported they approved fencing at Memorial Park, to replace dugouts with fencing, and decking for the fishing pier. He added that a lot of the work will be done in-house and will save a lot of money. They have also approved platform for the benches at the Dog Park. He added that the shade structure will be installed in the spring.

Councilwoman Bowden asked about the timeline for replacement of the decking at Memorial Park.

Town Manager Tolbert advised that it would be after the 1st of the year but will be done for the spring.

Councilwoman Bowden showed pictures that need immediate attention.

Adoption of Minutes of October 7th and October 17th Council Meetings

Councilman Taylor motioned, seconded by Councilwoman Bowden and Councilman McComb to adopt the minutes of the October 7th and October 17th Council meetings as presented. Unanimously approved.

Public Hearing - Murals

Town Manager Tolbert read the rules for the public hearing.

Mayor Leonard opened the public hearing at 7:46 p.m.

- Mrs. Patricia Farley, 3243 Lisa's Lane, advised that she spoke at the last Planning Commission meeting and she also spoke with Town Manager Tolbert asking for an ordinance regarding murals. She feels that most of what is proposed makes sense. She suggested that murals be differentiated from signs. She read a section of the ordinance stating that this section eliminates most future murals. She commented further and referred to the mural downtown which is an enhancement. She also read another section and commented further about allowing words, such as the name of an old building, a business, or the name of a ship. She feels that the two sections are not necessary. She stated that 2 bodies are wise enough to understand that the placement of the mural is a distraction rather than an enhancement. She feels that with the way it reads the Town of Chincoteague, the Mayor and Councilmembers do not want murals, or to be easily seen. She hopes it's not true and doesn't think that it's true. She urges the modification of the ordinance for enhancement of the Town.

Mayor Leonard closed the public hearing at 7:52 p.m.

Councilwoman Bowden commented that when she read this, she was under the impression that "murals must not contain wording of any kind" was related to advertising. She explained further.

Councilman Taylor stated that it states, "words of any kind". He stated that this needs to be changed.

Councilman McComb suggested that maybe it can state slogans or something to that effect.

Councilwoman Bowden interjected that it could be "not to contain any advertisement".

Councilman McComb asked, with the way this is written, where could murals be placed.

Town Manager Tolbert responded that it's not allowed on the primary façade of the building. He stated that the mural downtown conforms to this. He also advised that he researched other municipalities and used the exact words from 3 communities. He stated that you can also have a commercial message without words. He added that Council has the right to bypass that under the Conditional Use Permit and allow it as accepted conditions. These are guidelines to use. He explained further.

Councilwoman Bowden asked if this would go to the Planning Commission first.

Town Manager Tolbert advised it would, adding that it would be reviewed and approved by the Planning Commission just as a sign would.

Vice Mayor Bott asked about the cost of the Conditional Use Permit.

Town Manager Tolbert stated that he believes it is \$475.

Vice Mayor Bott stated that there's a \$500 charge for the Conditional Use Permit and design fees. He feels it isn't fair to add the constrictions. He doesn't like the 2 primary façades. He believes this goes against the Building Code which states one primary façade.

Town Manager Tolbert added that the Code defines the front of the building which is the narrowest part of a lot, and if it's a corner lot the front of the building is considered the shortest width.

Vice Mayor Bott likes the primary entrance and feels that in most cases you won't have one on the entrance. He doesn't like the primary façade and wording restriction. He added that when someone puts an investment with time, money, and effort of design taking a risk that they may not know if it will be approved or not. He thinks the wording is covered in all other restrictions.

Councilwoman Bowden referred to Taylor Bank with the primary façades. This limits and is being very restrictive. The Planning Commission may strike it down and Council won't get the chance to review it.

Town Manager Tolbert explained that the BZA appeal for a variance is the same amount of money. He also stated that in a lot of cases they don't meet the definition of a hardship but still get approved. He added that the fee is for advertisements.

Councilman McComb would like changes in the façade and terms of no wording.

Councilwoman Bowden agreed.

Councilman McComb motioned, seconded by Councilwoman Bowden to approve the proposed Mural Ordinance with the suggested changes to the façade, and eliminating "no wording". Unanimously approved.



An Ordinance Regulating the Creation and Display of Murals.

WHEREAS: The display of any mural is often significantly larger than commercial signs as allowed by current zoning regulations and is likewise viewed by proportionally more people; and,

WHEREAS: Any mural, by virtue of its difficulty and expense, would be intended to be displayed for multiple years and decades: and,

WHEREAS: The display of a mural would signal a community's character and values and likewise leave a lasting impression on visitors to the community and inappropriate or distasteful displays can adversely affect levels of business and property values; and,

WHEREAS: The Town Council desires to maintain the upstanding character of the community and relate its puritan values by allowing only appropriate and tasteful public displays within its jurisdiction; now

THEREFORE BE IT ORDAINED by the Town Council of Chincoteague on this 4th day of November, 2024 that:

Appendix A, Article VI of The Code of the Town of Chincoteague, Virginia shall be amended to add section H. "Murals", Section 6.17-6.18 which said sections read as follows:

ARTICLE VI – GENERAL PROVISION

SECTION H . Murals

Sec. 6.17 Standards.

Sec 6.17.1 – Definition.

Mural shall mean a hand produced or machined graphic applied or affixed to the exterior of a building wall through the application of paint, canvas, tile, metal panels, applied sheet graphic or other medium generally so that the wall becomes the background surface or platform for the graphic generally for the purpose of decoration or artistic expression, including but not limited to, painting, fresco, or mosaic. Murals shall not be considered as signs as defined by Sec. 7.2.47.

Sec 6.17.2 – Mural Placement.

- a. Mural shall be allowed in all Commercial zones on structures with a current commercial use. Murals shall not be allowed on structures used as residences regardless of zone.
- b. ~~Mural shall not be permitted on the primary façade of a structure. A primary façade is defined, for purposes of this section, as the building elevation that faces the adjacent street right of way and/or is the primary pedestrian entrance. A building located on a corner street shall be considered to have two (2) primary façades.~~
- c. Mural shall be prohibited on the backs of buildings that back onto residential districts.

Sec 6.17.3 - Prohibited Mural Types (this list is not all inclusive).

- a. Murals or other representations which imitate or appear to imitate any official traffic sign or device which appears to regulate or direct the movement of traffic, or which interferes with the proposed operation of any traffic sign or signal, or which obstructs

- or physically interferes with a motor vehicle operator's view of approaching, merging, or intersecting traffic.
- b. Murals that project from the wall surface, except for the minimum necessary protrusion to mount the mural to the wall or structure.
 - c. Murals which contain material that when taken as a whole (i) applying contemporary community standards, its predominant appeal is to prurient interest in sex; and (ii) the average person, applying contemporary community standards, would find the material depicts or describes sexual conduct in a patently offensive way; and (iii) a reasonable person would find the material lacks serious literary, artistic or scientific value.
 - d. Murals that are directed to incite or produce imminent lawless action and are likely to incite or produce such action.
 - e. Murals that convey threats of violence that are directed at a person or group of persons that have the intent of placing the target at risk of bodily harm.
 - f. ~~Murals that contain a commercial message or represent a commercial product or service which can be reasonably inferred as an advertisement.~~

Sec 6.17.4 - Surface Preparation.

Sand and high-pressure water blasting are not permitted as a cleaning process for either surface preparation or for mural maintenance purposes in any historic district or any building listed or eligible for listing on the Local, State, or National Register of Historic Buildings. Treatments that cause damage to historic materials shall not be used, which may include painting directly onto brick or other building materials that contribute to the historic integrity of the building.

Sec. 6.17.5 - Maintenance.

- a. The mural shall be kept in good condition for the life of the mural according to the maintenance schedule and responsibilities approved by the Director of Public Works and incorporated into the Conditional Use Permit (CUP). A mural exhibit shall be deemed to be in a state of disrepair when twenty-five (25) percent or more of the display surface area contains peeling, fading or flaking paint or is otherwise not preserved in the way it was originally created be it by natural degradation or damage.
- b. The display surface shall be kept clean and neatly painted and free from corrosion.
- c. Any mural that is not maintained according to the maintenance schedule incorporated into the mural permit or that falls into a state of disrepair may be ordered removed or covered with opaque paint, similar to the primary building materials/colors or other appropriate material by the Director of Public Works, or his/her designee, all in the manner provided for in the Conditional Use Permit. Murals subject to removal shall be provided a time limit of thirty (30) days from the date of the written notice for such removal or covering. Additional time may be authorized by the Director of Public Works for good cause.

Sec. 6.17.6 - Design Standards.

- a. ~~Murals must not contain wording of any kind.~~ Artist signatures shall be allowed and shall be sized as appropriate to the mural's overall scale with a maximum limit two (2) square feet. Proposed size of the signature shall be included in the initial application.
- b. The proposed mural will not have an adverse impact on the safe and efficient movement of vehicular or pedestrian traffic.
- c. The location and scale of the proposed mural shall enhance the commercial district and the building or structure on which it is located.
- d. The proposed mural will be well integrated with the building's wall and other elements of the property and enhance the architecture or aesthetics of a building.
- e. The proposed mural, by its design, construction, and location, will not have an adverse effect on any adjoining property or the permitted use thereof.
- f. The proposed mural shall not be detrimental to the public health, safety, or welfare.
- g. The mural will not have a detrimental effect on the structural integrity of the wall on which it is applied or affixed. An analysis by a licensed Engineer may be appropriate in some cases and will be as required by the Building Code official.
- h. The maintenance schedule shall be reasonable for the mural and the building on which it is applied or affixed.

Sec 6.18 Mural Permit.

Sec. 6.18.1 – Conditional Use Permit Required

The installation of any mural shall require a Conditional Use Permit issued by the Town Council with such conditions as are appropriate for each application. No permit shall be considered without written permission from the owner of the building upon which the mural is proposed.

Sec. 6.18.2 - Application Requirements.

Each application shall contain, as a minimum, the following information:

- a. Site plan showing the lot and building dimensions and indicating the proposed location of the mural.
- b. Pictures of the building elevations.
- c. A scale drawing and color photo of the building elevation showing the proposed size and placement of the mural.
- d. A color drawing, minimum 11" X 17" of the proposed mural.
- e. A proposed maintenance schedule that includes a definite service life of the mural along with the description of required maintenance and the intervals at which maintenance is required.
- f. Specifications for any paint or coating used in the preparation of the mural. Paint and coatings shall be reviewed for appropriateness of use by the Public Works Director.
- g. Written confirmation by the mural provider/installer that no damage or negative impact will occur to the wall surface that the mural is to be applied to affixed to.

- h. Written permission from the owner of the building to which the mural is intended to be applied if the applicant is not the building owner.
- i. An acknowledgement that the mural must be removed or covered if so ordered by the Town Council for failure to maintain the mural as provided herein, for reaching a state of dilapidation as described in subsection 5.c above or for violating any condition included in the original Conditional Use Permit.

Sec 6.18.3 - Mural Permit Review.

Applications for a mural conditional use permit shall be distributed to the Planning Commission for comments regarding consistency between the application and the requirements herein. The Planning Commission shall review the application and make a recommendation to the Council who shall, after the appropriate public hearing, issue or deny the Conditional Use Permit. The Planning Commission and/or Town Council may, at their discretion, include conditions not specifically listed here as appropriate for individual applications.

Yeas:

Nays:

Adopted by the Town Council of Chincoteague on November 4, 2024.

By: _____

John Arthur Leonard, Mayor

ATTEST: _____

Michael T Tolbert, Town Manager

Mayor and Council Comments

Councilwoman Richardson stated that the people here love their children, but a lot of people don't respect buses. They're either not paying attention or don't care. She gave information on a couple of bus incidents where a child nearly lost their life. She advised that the County Transportation Department is currently putting cameras on the stop arms of the buses. She hopes people are listening. She stated that these little people are our tomorrow, they need to be more

careful in driving. She added that this also goes for bicyclists. She suggested signage on bike paths.

Councilwoman Bowden stated that tomorrow is a big day for our Country, State, and Town. She believes there is still a lot of good in the County. She believes that there are a lot of good people and good things happening. She also believes that we live in the greatest Nation on the whole planet. She wished everyone luck tomorrow and that everyone plays nice, fair, and civil. She asked that they remember that they're all there for the greater good. She thanked everyone in the Town and Police that goes above and beyond. She concluded that she is extremely proud to live here.

Councilman McComb advised that he volunteered at the Manna Café today with a group from work. He heard comments about the forum and suggestions to have an annual or biannual event. He heard good comments on how it was hosted and conducted. He congratulated everyone who had a part in undertaking that. He wished everyone good luck tomorrow and concluded with "get out and vote".

Councilman Taylor agreed with Councilwoman Bowden and stated that we do pray for our Country. He feels if everyone would get out and work with each other they would start respecting each other and become friends. He urged everyone to love people because friendships mean more than political divides. He hopes and prays the Country will get through this.

Councilman Savage commended Chief Greenley, adding they were fortunate with the incident at the high school. He appreciated the response and gave kudos to the Police Department and all of the Town staff. He wished everyone luck tomorrow and added that "God's will be done".

Mayor Leonard stated that it starts with the man in the mirror. He added that you see how you would like to be treated, and you treat other people that way. He congratulated those who are running for election tomorrow, and for running a good clean fair election. He added that no one got out of the way or did anything to embarrass themselves. He concluded with "Roll Tide".

Adjourn

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

J. Arthur Leonard, Mayor

Michael T. Tolbert, Town Manager

MINUTES OF THE NOVEMBER 21, 2024
CHINCOTEAGUE TOWN COUNCIL WORKSHOP MEETING
Council Chambers

Council Members Present:

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

Council Members Absent:**Staff Present:**

Mr. Michael T. Tolbert, Town Manager

Call to Order

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

Invocation

Councilman Savage offered the invocation.

Pledge of Allegiance

Mayor Leonard led in the Pledge of Allegiance.

Presentation by Rocket Lab

Ms. Jennifer Goodrum, Director of State and Local Government Operations with Rocket Lab, gave a presentation about Rocket Lab. She discussed past launches and projects, what they are currently working on and plans for future launches and projects.

Mr. Aaron Kuipers, Director of the East Coast Test and Launch Operations with Rocket Lab, advised they are talking about possible beach landings. He stated that they've been invited to judge science fair projects at the schools as a part of the Space Flight Academy. Rocket Lab wants to be a part of the Island community and wants the Island community to be a part of Rocket Lab.

Councilwoman Bowden asked about the payload weight and how many launches they plan in a year.

Mr. Kuipers advised that it is 8,000 to 15,000 tons. He added that the number of launches will increase over the years, which depends on market and demand and ideally range up to 1 launch per month.

Ms. Goodrum advised how the rockets are made to be reused. She also added that they plan to launch larger rockets in Virginia.

Councilwoman Bowden feels this is awesome and the partnership between the Town and Rocket Lab will be good for all and the community.

Public Comment

Mayor Leonard opened the floor for public comment.

- Mr. Ben Nolan, Underground Connections, advised he was in attendance if they had any questions about the sewage project bid and installations.

Proclamations

Councilman Savage read the Certificates of Recognition.



CERTIFICATE OF RECOGNITION

PRESENTED TO

Mr. Terry Savage

WHEREAS, Mr. Savage was born on January 8, 1934, and is a lifelong and valued citizen of the Town of Chincoteague; and

WHEREAS, Mr. Savage was honored by relatives and friends on the occasion of his 90th birthday; and

WHEREAS, Mr. Savage married Betty Jean Daisey on March 30, 1956 and was blessed with a son, 2 grandchildren, 6 great grandchildren; and

WHEREAS, Mr. Savage served his country in the United States Coast Guard and enjoyed long careers as a Waterman and NASA Wallops Employee; and

WHEREAS, Mr. Savage is a 62-year life member of the Chincoteague Volunteer Fire Company and dedicated life member of the Union Baptist Church having served as Deacon, Campground Ministry Leader, Men's Choir Director, Nursing Home Visitation Leader, and Vacation Bible School Coordinator.

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 Mr. Terry Savage on the occasion of his 90th birthday, with sincere congratulations and best wishes for many more happy and productive years.

Presented this 21st day of November 2024.

Mayor John A. Leonard

Attest:

Michael T. Tolbert, Town Manager

Town Manager Tolbert read the Certificate of Recognition



CERTIFICATE OF RECOGNITION

PRESENTED TO

Mrs. Ruth Marion Tolbert

WHEREAS, Mrs. Tolbert was born on November 27th, 1934, and has been a lifelong and valued citizen of the Town of Chincoteague; and

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

WHEREAS, Mrs. Tolbert married Mr. Fred H. Tolbert on July 3, 1952 and has been blessed with 2 children, 4 grandchildren, 9 great grandchildren and 3 great-great grandchildren; and

WHEREAS, Mrs. Tolbert is a lifetime member of Christ United Methodist Church where she served in many capacities including Vacation Bible School Director, Teacher and Chancel Choir Director for over 40 years and was a founding member of the Opportunity Shop, an Island institution: and

WHEREAS, Mrs. Tolbert's experiences in her career, include administrative assistant, business owner and realtor attaining the one-time distinction of being top selling agent for Virginia's Eastern Shore;

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. Ruth

Marion Tolbert on the occasion of her 90th birthday, with sincere congratulations and best wishes for many more happy and productive years.

Presented this 21st day of November 2024.

Mayor John A. Leonard

Attest:

Michael T. Tolbert, Town Manager
Mayor Leonard read the Certificate of Recognition.



CERTIFICATE OF RECOGNITION

PRESENTED TO

Mr. John Graham

WHEREAS, Mr. Graham was born on October 29th, 1929, and has been a and valued citizen of the Town of Chincoteague for many years; and

WHEREAS, Mr. Graham was honored by relatives and friends on the occasion of his 95th birthday; and

WHEREAS, Mr. Graham was blessed with 6 children, 11 grandchildren, 4 great grandchildren; and

WHEREAS, Mr. Graham enlisted in the United States Navy in 1952 and served his country for 8 years as an Aviation Mechanic, is and honorary member of the Chincoteague Volunteer Fire Company and faithful member of St. Andrews Catholic Church; and

WHEREAS, For his service to his community Mr. Graham was awarded Chincoteague Citizen of the Year in 2002;

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 Mr. John Graham on the occasion of his 95th birthday, with sincere congratulations and best wishes for many more happy and productive years.

Presented this 21st day of November 2024.

Mayor John A. Leonard

Attest:

Michael T. Tolbert, Town Manager

Agenda Adoption

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

Consider Harbor Painting Contract

Mayor Leonard advised that the Harbor Committee met to discuss painting the Harbor's fuel storage tank. They received 2 quotes and the quote submitted by Mr. Stewart Parks for \$16,125 was selected as the low bid. He added that Mr. Parks will complete the project in the next few weeks, weather permitting. If the weather becomes too cold during this time, the project will be done in the spring.

Councilwoman Richardson motioned, seconded by Councilwoman Bowden to award the Harbor painting contract to Mr. Stewart Parks in the amount of \$16,125. Unanimously approved.

Consider Purchase of Replacement Street Sweeper

Councilwoman Richardson advised that at the November 5th Public Works Committee meeting they reviewed staff recommendations for the purchase of a replacement street sweeper. The Public Works Committee voted to recommend its purchase to Council. The cost of the new unit is \$302,500 and the Town's insurance carrier has provided replacement costs for the damaged unit. She asked when the Town would expect the street sweeper.

Town Manager Tolbert advised it is a matter of the gentleman driving it here as it is currently in Charlotte. He anticipates it within the next several weeks and would like to get it here before the Christmas parade.

Councilwoman Bowden motioned, seconded by Councilman McComb to approve the purchase of a new Regen X Regenerative Air Sweeper in the amount of \$302,500. Unanimously approved.

Consider Contract Recommendation for Commercial Sewer Line

Town Manager Tolbert advised that the sewer collection system was bid on November 12th with 3 bids received and Underground Connections, LLC from Onancock, VA was the low bidder. Davis Bowen and Friedel made a recommendation as well as the Public Works Committee to award the contract to Underground Connections, LLC. Town Manager Tolbert explained that with the current bid the Town is able to do all 3 phases and pay for design fees. He added that this leaves a little money left to dedicate to be encumbered by December 31st, 2024. He stated that the Town can use the remainder with replacement revenue. This project will be assigned to ARPA funds as well as the design.

Mayor Leonard asked about the timeframe for the work.

Mr. Nolan advised they plan to begin in January and be done well before May.

There was brief discussion about how the work would be done and contacting business owners.

Councilman Savage motioned, seconded by Councilman McComb to award the Sewer Collection System project to Underground Connections, LLC. Unanimously approved.

Councilwoman Bowden motioned, seconded by Councilman McComb to apply \$2,531,811.17 of ARPA funds toward the total project cost of the Sewer Collection System. Unanimously approved.

Mayor and Council Comments

Councilwoman Richardson asked for an update on the Septic Partnership Project.

Town Manager Tolbert advised they have had 10 approvals to date. He has been in contact with the ANPDC who will get prices on the design and construction of the systems. They will go out and do the contract work for the Town. He submitted the 1st application for reimbursement today. Once the project is done the costs are applied to the ANPDC, once approved the DEQ will issue reimbursement per project/application. They have approved \$115,000 to date out of the total funding of \$912,000. He will advertise again for more applications. He added that the design is currently for residences and if they don't get enough applications, they may redesign for commercial.

Councilman Savage congratulated the Police Department for the Senior Luncheon. He thanked Mayor Leonard and the Town for his father's recognition. He offered prayers for Mrs. Ernestine Bowden.

Councilwoman Bowden agreed with Councilman Savage regarding the Senior Luncheon. She stated that it is nice to see everyone get together and to fellowship. She is glad to see the tradition continue. She stated that they lost a part-time Town employee, Mr. Eddie Moran, who was also a long-time member of the CVFC. She also hopes everyone has a good Thanksgiving.

Councilman Taylor wished everyone a Happy Thanksgiving as well.

Mayor Leonard concluded the meeting with “Roll Tide”.

Closed Meeting in accordance with §2.2-3711 (A) (3) for the discussion of the acquisition of real property for a public purpose.

Vice Mayor Bott motioned, seconded by Councilman McComb to go into a closed meeting in accordance with §2.2-3712 (A) (3) of the Code of Virginia for the discussion of the acquisition of real property for a public purpose. Unanimously approved.

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

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

Adjourn

Vice Mayor Bott motioned, seconded by Councilman McComb to adjourn. Unanimously approved.

J. Arthur Leonard, Mayor

Michael T. Tolbert, Town Manager

Town of Chincoteague, Inc.

Item 14.



December 2, 2024, Council Meeting:

CLOSED MEETING MOTION:

**In accordance with Section § 2.2-3711, A - 3 of the Code of Virginia,
I move that the Council convene a closed session for the discussion
and consideration of the purchase of real property for a public
purpose.**

Certification Motion:

In accordance with section 2.2-3712(D) of the Code of Virginia, I will entertain a motion that the Council certify that to the best of each members' knowledge:

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

Ask for a vote by show of hands.