



TOWN COUNCIL REGULAR MEETING

October 04, 2021 at 7:00 PM

Council Chambers – Town Municipal Center

AGENDA

CALL TO ORDER – *Mayor Leonard*

INVOCATION – *Councilman Taylor*

PLEDGE OF ALLEGIANCE – *Mayor Leonard*

PUBLIC COMMENT – *Mayor Leonard*

AGENDA ADOPTION – *Mayor Leonard*

STAFF REPORTS

1. [General Government September Report](#)
2. [Building and Zoning September Report](#)
3. [CPD September Report](#)
4. [Public Works September Report](#)
5. [ES September Report](#)

COMMITTEE REPORTS – *Council*

6. [Harbor Committee Meeting Minutes 09/02/2021](#)
7. [Budget and Personnel Committee Meeting Minutes 09/14/2021](#)

ADOPTION OF MINUTES

8. [Regular Council Meeting Minutes 09/07/2021](#)
9. [Council Workshop Meeting Minutes 09/16/2021](#)

INTRODUCTION OF MUNICODE MEETING APPLICATION - *Mr. Tolbert*

CONSIDER TRANSIENT OCCUPANCY TAX RESOLUITON - *Vice Mayor Bott*

10. [Memo to Council: TOT Resolution](#)

CONSIDER CPD SALARY CHANGES - *Vice Mayor Bott*

CONSIDER PLANNING COMMISSION RECOMMENDATION - *Mr. Tolbert*

11. [Council Memo: Planning Commission](#)

MAYOR AND COUNCIL COMMENTS – *Mayor Leonard*

CLOSED MEETING

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

ADJOURN

Old Fire House

In September, Mr. Mike Brizak rented the old pool room on the second floor of the old firehouse where he intends to open his barber shop. The stair chair was repaired by Public Works to provide ADA access to the second floor in response to this rental. This is the 4th space in that building that has been rented and there is still interest in some of the others.

VDOT

VDOT has approved the signage requested by the council for the causeway and recently completed the installation of all the new signs to include “No Passing Zone” “Maintain Safe Speed” and “Emergency Pull Off Ahead”. Chris Isdell reports that of the other items under review, edge line reflectors are no longer authorized and will likely not be approved by traffic engineers however as of Wednesday September 29, an exemption has been approved for centerline rumble strips in the no passing zones. These will be installed between the pump house turn and the Western approach to the drawl bridge. I do not yet have a schedule for their installation.



Trolley

As you all know, our Trolley Director Larry Welsh is retiring as of this November. We have advertised for Larry’s replacement and our anxiously awaiting applications. To date there has been no response to the opening of this position. Larry will be with us through Oyster Festival Weekend.

Harbor.

The new fuel system for the Harbor has been ordered and we expect it to be installed within the next 2 months. This should provide a measure of increased reliability to the fuel system at the harbor as well as new chip reading terminals so that we are in compliance with industry standards.

Our Kayak launching platform is currently in the fabrication shop and should be delivered in the next few weeks. The floating dock for the Harbor that we were awarded by VPA is due to be delivered by November after which it will be installed by the public works department as with past projects.

BZA

Mr. Eddie Moran was sworn in as a member of the Board of Zoning Appeals last Thursday the 23rd. The Town again has a full appeals board.

Brianna’s Kindness Park

On Wednesday, the Mason began laying blocks for the restroom’s foundation. The Town’s public works crew will pour the floor for the restroom at BKP early next week and the mason will begin to lay blocks for the walls shortly thereafter. We will be aiming for a formal opening in November.



Financial Report:

The high percentages of expense and revenue for the Harbor are related to the higher-than-expected fuel sales this early in the fiscal year as well as the purchase of the new fuel management system which is a capital item. The high general fund revenues are attributed to the strong Meals and TOT. The other line items are about where they should be for the month of September.

Overall expenses are lower year-to-date over last year while revenues continue to be higher for the same time period.

Period Ending 09/28/2021	BUDGET vs. ACTUAL						
10 GENERAL FUND	Budget	FY 21 MTD	FY 22 MTD	FY 21 YTD	FY 22 YTD	Variance	Percent
General Fund Revenues	\$ 6,208,806.00	\$ 1,026,219.39	\$ 788,457.84	\$ 2,220,903.96	\$ 2,462,437.85	\$ (3,746,368.15)	40%
General Fund Expenses	\$ 6,208,806.00	\$ 380,041.01	\$ 382,280.45	\$ 1,562,075.89	\$ 1,456,209.58	\$ 4,752,596.42	23%
General Government Expenses	\$ 1,391,430.00	\$ 126,737.13	\$ 88,185.56	\$ 678,091.81	\$ 442,783.26	\$ 948,646.74	32%
EMS Expenses	\$ 1,088,206.00	\$ 60,353.74	\$ 81,272.19	\$ 179,664.91	\$ 230,781.04	\$ 857,424.96	21%
Public Works Expenses	\$ 123,762.00	\$ 5,564.75	\$ 5,947.30	\$ 38,989.08	\$ 42,395.65	\$ 81,366.35	34%
Roads Expenses	\$ 710,158.00	\$ 16,150.01	\$ 12,732.54	\$ 94,750.95	\$ 108,670.86	\$ 601,487.14	15%
Police Expenses	\$ 1,032,219.00	\$ 56,028.53	\$ 74,650.60	\$ 192,930.93	\$ 240,561.52	\$ 791,657.48	23%
Dispatchers Expenses	\$ 288,739.00	\$ 25,219.84	\$ 24,786.52	\$ 73,921.33	\$ 79,055.70	\$ 209,683.30	27%
30 CURTIS MERRITT HARBOR							
Curtis Merritt Harbor Revenues	\$ 635,495.00	\$ 55,654.75	\$ 93,420.02	\$ 174,560.21	\$ 304,209.37	\$ (331,285.63)	48%
Curtis Merritt Harbor Expenses	\$ 635,495.00	\$ 28,766.76	\$ 84,452.52	\$ 138,930.28	\$ 260,854.13	\$ 374,640.87	41%
70 TROLLEY							
Trolley Revenues	\$ 86,014.00	\$ 8,242.00	\$ 4,498.06	\$ 20,912.00	\$ 27,244.57	\$ (58,769.43)	32%
Trolley Expenses	\$ 86,014.00	\$ 6,360.70	\$ 6,689.68	\$ 20,916.40	\$ 25,078.07	\$ 60,935.93	29%
80 WATER							
Water Revenues	\$ 1,023,500.00	\$ 106,354.86	\$ 104,778.25	\$ 266,501.52	\$ 289,679.16	\$ (733,820.84)	28%
Water Expenses	\$ 1,023,500.00	\$ 62,273.06	\$ 27,311.05	\$ 160,893.99	\$ 133,597.72	\$ 889,902.28	13%
REVENUE TOTALS	\$ 7,953,815.00	\$ 1,196,471.00	\$ 991,154.17	\$ 2,682,877.69	\$ 3,083,570.95	\$ (4,870,244.05)	39%
EXPENSE TOTALS	\$ 7,953,815.00	\$ 477,441.53	\$ 500,733.70	\$ 1,882,816.56	\$ 1,875,739.50	\$ 6,078,075.50	24%
Differences					\$ 1,207,831.45	\$ (1,207,831.45)	

Meals and TOT:

Meals and transient occupancy tax collections continue to be strong. The data in the table below are from collections for the month of September which reflect the business in Town from the month of August. Transient Occupancy Taxes are expected to be higher due to last January’s increase in the tax however correcting for the increase still produces a 7% increase over September 2020 collections.

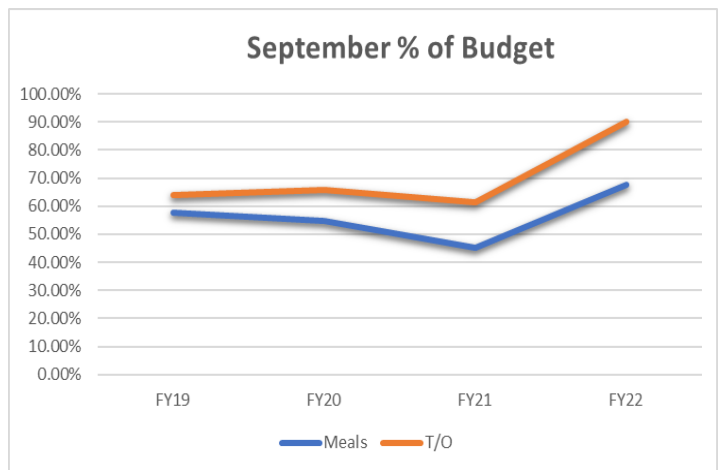
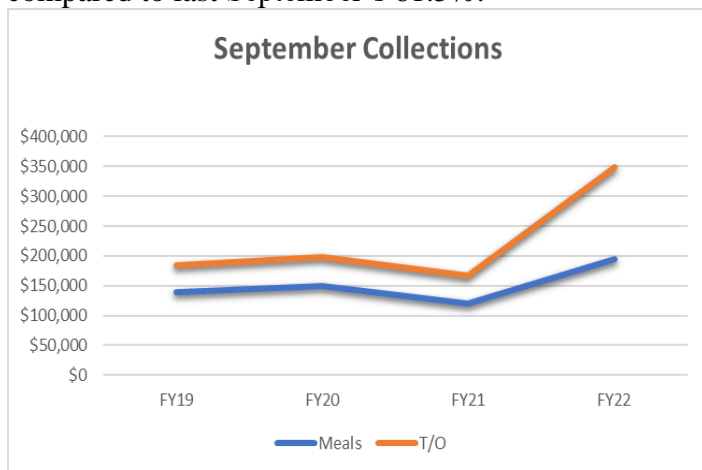
Meals and TOT September (August Activity)					
September Collections			Fiscal Year		
Meals Tax	Tax Collected	3 year average	Budget	YTD	% of Budget
FY19	\$180,348	\$182,791	\$915,000	\$527,653	57.67%
FY20	\$187,933		\$1,000,000	\$547,256	54.73%
FY21	\$180,093		\$1,100,000	\$496,281	45.12%
FY22	\$227,807		\$1,000,000	\$677,927	67.79%
Deviation from 3 yr. Meals Tax Avg.		\$45,016			

T/O Tax	Tax Collected	3 year average	Annual Budget	YTD	% of Budget
FY19	\$273,262	\$288,605	\$1,200,000	\$768,194	64.02%
FY20	\$285,915		\$1,210,000	\$797,426	65.90%
FY21	\$306,637		\$1,290,000	\$793,933	61.55%
FY22*	\$410,133		\$1,400,000	\$1,261,119	90.08%
Deviation from 3 yr. T/O Tax Avg.		\$121,528			

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

Figures shown are for accounts posted by 9-29-21.

The more telling comparison is in the “percentage of budget” where this year we are at 90% of budget compared to last September’s 61.5%.



Building and Zoning

From August 27, 2021, to September 27, 2021, the Building and zoning Department issued 46 building permits and conducted 48 inspections.



5 Business License site visits.

10 plans reviews.

31 office walk- ins for building and zoning questions.

Attended one Planning commission meeting, and one Board of Zoning appeals case

8 tall grass complaints.

1 derelict structure notice issued Peterson Street.

Sea Bird Street Demolition 90% completed.

1 site visit meetings on proposed construction.

1 meeting with contractor and engineer on construction project.

Attended two days building code training.

The total value for the building cost of construction \$ 956,587.00

The total building permit fees collected \$ 3,235.46

TOWN OF CHINCOTEAGUE, INC.



To: Mike Tolbert

From: Mark Bowden

SUBJECT: September 2021 Monthly Report

Date: September 29, 2021.

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CHINCOTEAGUE POLICE DEPARTMENT

MONTHLY REPORT TO COUNCIL

September 2021

The Chincoteague Police Department received 310 calls for service which resulted in 15 investigations of criminal offenses that included: 2 assault and battery, 1 destruction of property, 1 driving under the influence, 1 refusal to take a breath test, 1 possession of a control substance, 1 give false information to a police officer, 1 forge a public record, 1 capias, 4 hit and run and 1 shoplifting. There were 5 arrests with 7 charges as a result of these investigations.

The Department also responded to 10 animal complaints, 7 alarms, 4 suspicious activities, 3 civil problems, 3 control burn checks, 14 assisting other agencies, 5 welfare checks and 2 noise complaints.

In addition, 113 security checks and 13 public service calls were conducted.

The Department issued 35 summonses for traffic offenses and 12 warning tickets.

In support of the Fish and Wildlife Service in Virginia (Assateague) the department dispatched 2 assist other agency, 1 visitor contacts, 1 animal complaint and 3 traffic stops.

The Chincoteague Police Department held it 17th annual Poker Run for the Kids.

SRO John Carmody attended a CIT training.

Chief Fisher and Capt. Greenley attended the FBI Citizens Academy Symposium. Various topics were discussed such as employee retention, leadership and regional domestic terrorism.

Cpl. Butler and Pfc. Geminiani attended a virtual Trauma in Law Enforcement Conference.

Chief Fisher attended a ESVA 911 Commission Meeting at the request of 911 Director Jeff Flournoy.

The Department has started preparations for the 2nd annual Chincoteague P. D. Flag Football Tournament.

October 2021 Public Works Update

- Continued Brianna’s Kindness Park construction.

Installed benches;



Constructed footers for restroom structure;



Completed parking lot striping using pre-cut thermo plastic



Completed installation of parking lot stormwater management system gravel

Item 4.



- Replaced pump/motor and installed a VFD for Well 6. VFD will allow the well to be throttled to facilitate GAC operations in the off season. Video inspection indicates the well, constructed in 1977, is in excellent condition. Payback period (energy savings) for a VFD purchase can be as little as two years;



- Completed several minor modifications/repairs at the old firehouse to accommodate tenants requirements;
- Graded/filled Ocean Breeze roads;
- Performed routine equipment, park and office complex maintenance;
- Performed routine pavement repair, weed control and traffic control device maintenance;
- Performed routine mosquito control operations;
- Performed routine cemetery maintenance;
- Performed routine water supply, distribution and repair.
- Performed vehicle service and repair.

Upcoming Projects

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

TOWN OF CHINCOTEAGUE EMERGENCY SERVICES MONTHLY REPORT

EMERGENCY MEDICAL SERVICES DIVISION

Reporting Period: 09/01/2021 – 09/28/2021

TOTAL EMS RESPONSES: 91

(15 MORE THAN IN SAME PERIOD 2020): 76

ADVANCED LIFE SUPPORT: **36**

BASIC LIFE SUPPORT: **43**

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

HAZMAT: **0**

COMMUNITY SERVICE

BP SCREENINGS

Seven BP screenings were conducted at the station this month.

FOOTBALL STANDBY

The second ambulance and crew conducted a standby at the CHS home football games on September 10 and 18. The second ambulance will be detailed to each home game but will be available for second calls within our district as necessary.

PLANNING

H4H LAUNCH

The sounding rocket has a launch window of 10/20 – 10/24/2021 from 5P – 11P daily during that time frame with only a minor impact to the hook area.

HELIOS LASER TARGET ENGAGEMENT

An internal planning discussion was held and a phone discussion with our USFW partners concerning the operation. A closure of the Assateague parking lot #2 south would occur most of the month of October from noon on most days until 10PM. The discussion centered around the unacceptable closure for that extended period of time. A letter was drafted and signed by USFW, NPS and the Town of Chincoteague asking for an alternative solution. At this time, no answer has yet to be given.

LOGISTICS

PPE

PPE remains well stocked and we are obtaining shipments regularly.

EMS SUPERVISOR POSITION

The EMS Supervisor position recommended by the Budget and Personnel Committee and approved by Council was advertised to current EMS staff with a closing date of September 24. Two employees applied for the position and were deemed eligible for the

process which involved an oral panel interview and a writing assignment. The process was conducted on September 29 and as of this report a candidate had not been selected.

OAK HALL AMBULANCE

Oak Hall Volunteer Ambulance Service, generously loaned their Ambulance 201, while Ambulance 3-1 and 3-2 went out of service for regularly scheduled maintenance and tires, enabling us to continue our service delivery as planned.

TRAINING

CONTINUING EDUCATION

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

- 2021 Protocol and Skills Review

EMERGENCY MANAGEMENT DIVISION

- Daily weather and Covid-19 monitoring are ongoing.
- Continued bi-monthly Covid-19 conference calls with VDEM and VDH.
- HELIOS Laser Target Engagement planning.
- Submitted an addendum to the 2022 Department of Homeland Security Data sheets on our scheduled large local events for intelligence monitoring. (Pony Swim/Auction, Blueberry Festival, Seafood Festival, July 4th Fireworks, Oyster Festival, November Elections and Christmas Parade) July 30th was added as the CVFC informed the Town that they would be wanting to hold a second fireworks event on the last night of the 2022 carnival.
- Completed and filed final after-action report (AAR) for the NG-16 launch.
- Maintained weekly situational awareness with Accomack County, Northampton County, VDH, VDEM, FEMA and Joint Information Center.

**MINUTES OF THE SEPTEMBER 2, 2021
CURTIS MERRITT HARBOR COMMITTEE MEETING**

Committee Members Present:

J. Arthur Leonard, Chairman
Vice Mayor Bott, via phone
Danny Bowden
Mike Handforth

Committee Members Absent:

Staff Members Present:

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

1. Call to Order

Mayor Leonard called the meeting to order at 5:00 p.m.

2. Public Comment

There were none.

3. Harbor Master's Report/Updates

Harbormaster Merritt reported that it has been a good summer. He advised the fuel sales are up. He stated that they have sold roughly 65,000 gallons more this fiscal year than last fiscal year. He reviewed the financial report for the Harbor. The 3rd Annual Kids Fishing Day is October 16th. He also added that they would like to add approximately 10' to the Harbor's parking lot. They plan to do the work in-house along with replacing catwalks this winter. The Virginia Beach swordfish tournament is the month of October, and they want to send those on the Shore to the weigh station at the Harbor.

There were brief comments.

4. Update on New Kayak Launch Facility

Town Manager Tolbert advised the Committee approved the purchase of a new floating kayak dock. He described the dock which is to be placed at the bank of Memorial Park. It was ordered in July, but the vendor was having problems getting the materials. Depending on when it arrives, they may prepare it during the winter months and install it in the spring.

There was discussion.

5. CMH Fuel Pump Upgrade Update

Town Manager Tolbert explained how the fuel pump operates. He stated that because of the potential for large sales of fuel, the pumps are set up to require an authorization prior to pumping. He was advised that one of the things that breaks is one of the hose reels. The internet service is also unreliable, and they have 2 Wi-Fi antennas. They will be required, at some point, to add a chip reading machine. He was advised that they have recently created an upgrade to the

current fuel system to include a chip reader, however it will cost approximately \$30,000 to replace it.

Town Manager Tolbert advised that they have an alternative fuel system which has communication with the cell tower. He added that it doesn't have a chip reader but plans to have one by March of 2022, which is a free upgrade. Staff recommended to go with this Fuel Master System for \$26,754 and once the chip reader is available it will be upgraded for free in March.

Harbormaster Merritt advised that with the new system, if it goes down, he can fix it from his smartphone.

Mr. Bowden commented on the funding.

Vice Mayor Bott motioned, seconded by Mr. Bowden to go with the Fuel Master System. Unanimously approved.

6. FY22 VPA Project Selection

Town Manager Tolbert advised the VPA grant will be coming due soon. The current year award is to replace a pier at the Harbor. This should be installed before next boating season. He advised they have 2 projects for this year's presentation. The 1st project is to replace the last wooden finger pier at the Harbor. The 2nd is to replace the boat ramp at the Harbor. He showed a picture of the boat ramp that was recently replace in the County at Foley Creek. He stated that the idea is to replace the boat ramp at Memorial Park with something similar with enough space to launch 2 boats and a floating pier down the center. Town Manager Tolbert advised that the ramp replacement could cost \$460,000. He stated that they would like to investigate this and get some engineering work done for one of these 2 projects to be presented in February.

There was discussion about funding along with the grant.

Mayor Leonard stated that when they get the engineering work done, they can determine the price. He added that the VPA wants to give money to a project that would generate revenue. He added that the boat ramp may not generate revenue, he feels they should get the last pier replaced.

There was discussion about the cost to replace the boat ramp at Memorial Park. They feel that they could get this done locally and in-house. They discussed ramp length, depth, and additional parking plans.

Vice Mayor Bott agrees and feels they should do the last pier at the Harbor for the VPA grant. He also would like to proceed with the new ramp at Memorial Park. He feels they owe the citizens a good ramp there. He wants to continue with the VPA grant and the floating dock.

Mr. Bowden discussed increasing slips with the new pier.

Vice Mayor Bott motioned, seconded by Mr. Bowden to present the wooden finger pier project for this year's VPA grant.

Mayor Leonard directed Town Manager Tolbert to proceed with the engineering of a replacement boat ramp at Memorial Park.

7. Committee Member Comments/Other Discussion

There was a question from the audience about the floating pier with explanation.

Harbormaster Merritt offered for anyone to see the plans for the new pier. He commented further about an increase in slips and extending parking. He also stated that he will apply for a no wake zone for the Town dock. He stated that the problem is having someone enforce it.

Comments continued.

Vice Mayor Bott suggested tabling the no wake zones matter. He would like to look at all the areas over the winter and formulate a strategy.

Mayor Leonard agreed to put it on the next agenda letting the public know for input.

8. Adjournment

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

**MINUTES OF THE SEPTEMBER 14, 2021
BUDGET AND PERSONNEL COMMITTEE MEETING
Council Chambers**

Members Present:

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

Others Present:

Ellen Richardson, Councilwoman
Jay Savage, Councilman

Staff Present:

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

1. Call to Order

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

2. Public Comment

There was none.

3. Agenda Adoption

Mayor Leonard motioned, seconded by Councilwoman Bowden to adopt the agenda removing items #9 & #10. Unanimously approved.

4. Discussion of EMS Supervisor Position

Town Manager Tolbert explained that they approved to increase the part-time hours and for an increase for a supervisor position. The part-time hours were increased to fully staff 2 ambulances 300 days a year 8:00 a.m. – 8:00 p.m. The current part-time staff will fill the increase of the hours which comes up to an additional 2,988 part-time hours. The new supervisor will fulfill 964 of those hours. The projected cost overall is \$117,464.00 for the fiscal year. This is not budgeted, and there will have to be a budget amendment.

Councilwoman Bowden clarified that the supervisor will be available to run calls.

Emergency Management Coordinator Rush advised the supervisor will be a working supervisor position.

5. Discussion of CPD Salary and Staffing Levels

Vice Mayor Bott explained that with the discrepancy in the Police Department salary levels, staff has conducted a study that has been included in the packet.

Town Manager Tolbert advised that Captain Greenley and Chief Fisher have looked at the surrounding agencies that the Town would be in competition with. He stated that the Town's starting salary for Police Officers is the lowest. He recommends that they immediately raise the starting salary for the officers from \$31,408 to \$40,081, which is for an untrained officer prior to going to the academy. When they complete the academy, the salary will be raised to \$41,288 per year. He added that currently the Town's overall police salaries are average. He stated that the issue with doing this is that it will force compression within the department. He explained this is when they leave existing salaries as they currently are pushing the new starting salaries up against those employees who have been here awhile. He suggested increasing those salaries of the officers who have been with the Town awhile to adequately separate them from the beginner starting salary. He recommended approval of the increases. The budget impact is less than \$20,000 for the remainder of this fiscal year.

There were comments.

Vice Mayor Bott stated that they were looking at doing this now and to continue discussion during budget time.

Councilwoman Bowden motioned, seconded by Mayor Leonard to adopt the Town Manager's recommendation to approve the increase of starting officer salaries as well as the 4 officers identified in the notes. Unanimously approved.

There was discussion about the budget prep and schedule along with discussions about the pay scales for all departments.

6. Review of Transient Occupancy Tax Resolution

Vice Mayor Bott stated that this is to allocate 1% to Public Safety. He added that this will be completed and passed then forwarded to Council.

Councilwoman Bowden stated that she does not agree with adding Public Works. She understood the discussions and the intent was for Public Safety.

They discussed the resolution.

Mayor Leonard advised that the reason for this was because when the 1% Transient Occupancy Tax increase was instituted, the intent wasn't clearly voted on. This clarifies the use of the increase.

They discussed the use of the funds.

Mayor Leonard motioned, seconded by Vice Mayor Bott to approve the resolution. The motion was carried.

Ayes: Leonard, Bott

Nays: Bowden

RESOLUTION

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

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

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

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

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

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

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

Recorded Vote:

Moved By: _____

Seconded By: _____

Yeas: _____

Nays: _____

TOWN COUNCIL of the
TOWN OF CHINCOTEAGUE, VIRGINIA

By:_____

John Arthur Leonard, Mayor

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

Michael T. Tolbert, Clerk

7. Consider FY2021 Budget Amendment

Vice Mayor Bott stated that this was due to the fact that ARPA funding came in just prior to the end of the last fiscal year.

Town Manager Tolbert explained that there are a handful of items that need to be cleaned up. He stated that June 30th was the day they received the 1st half of the ARPA funds, which causes a budget amendment. He also added that there were a few additional things that didn't make it in the previous budget amendment. He advised of a donation done late in the year to the Chamber along with a correction of a typo in the Harbor fund transfers. He also explained that the trolley purchase was not budgeted, and this includes the deposit. He recommended approval to take to Council.

Councilwoman Bowden motioned, seconded by Mayor Leonard to forward the FY2021 Budget Amendment to Council for approval. Unanimously approved.

8. Committee Member Comments/Other Discussion

Emergency Management Coordinator Rush asked if his department was clear to move forward with additional hours of scheduling for part-time and the increase in salary for a supervisor.

Town Manager Tolbert advised Council voted and approved this, he was only reporting on the costs.

Vice Mayor Bott stated that they are reviewing salaries to match the market in all departments. He asked them to keep in mind the fixed revenue. He doesn't want to get into fix salaries on the variable revenues. He asked Town Manager Tolbert to watch this closely. He doesn't want to take the revenue away from the capital projects. He added that if they are going to continue to raise the salaries and benefits, they will have to do something.

~~**9. Closed Meeting in Accordance with §2.2-3711 (A) (1) of the Code of Virginia to discuss evaluation of senior staff.**~~

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

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

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

~~(1) only public business matters lawfully exempted from opening meeting requirements under this chapter and~~

~~(2) only such public business matters were identified in the motion by which the closed meeting was convened, were heard, discussed, or considered. Unanimously approved.~~

11. Adjournment

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

**MINUTES OF THE SEPTEMBER 7, 2021
CHINCOTEAGUE TOWN COUNCIL MEETING
Council Chambers**

Council Members Present:

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

Council Members Absent:

None

Staff Present:

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

1. Call to Order

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

2. Invocation

Councilman Taylor offered the invocation.

3. Pledge of Allegiance

Mayor Leonard led in the Pledge of Allegiance.

Councilman McComb motioned, seconded by Councilwoman Bowden to allow Vice Mayor Bott to join the meeting by phone. Unanimously approved.

4. Public Comment

Mayor Leonard opened the floor for Public Comment.

- Mrs. Julie Brommer, Chincoteague Island Cats, advised they will hold a fall catch and release at the old fire house from Thursday, October 14 through Sunday, October 17th. She thanked the Town for allowing them to use one of the firehouse bays so they can hold the cats and monitor their recovery. They have an online registration so they can get a plan together.

5. Agenda Adoption

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

6. Council Recognition

Mayor Leonard read and presented a Certificate of Recognition for Mrs. Lillie Mae Birch on the occasion of her 100th birthday.



CERTIFICATE OF RECOGNITION

PRESENTED TO

Mrs. Lillie Mae Birch

WHEREAS, Mrs. Lillie Mae Birch will be honored by relatives and friends on the occasion of her 100th birthday; and

WHEREAS, Mrs. Birch was born on September 11, 1921, has been a long-time member of this Chincoteague community and is now its oldest living Citizen; and

WHEREAS, Mrs. Birch married Arthur Birch and this union produced two children, 3 grandchildren, 3 great grandchildren and 2 great-great grandchildren;

WHEREAS, during a long and productive lifetime, she has enjoyed being a member of Union Baptist Church and Island Baptist Church and worked in the churches at numerous jobs as well as received numerous awards for perfect attendance and still enjoys shopping, traveling and reading her Bible.

WHEREAS, her dedication to the welfare of others has earned the respect and affection of people from all walks of life and all ages;

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. Lillie Mae Birch on the occasion of her 100th birthday, with sincere congratulations and best wishes for many more happy and productive years.

DATED this 7th day of September 2021.

Mayor John A. Leonard**Attest:**

Michael T. Tolbert, Town Manager**7. Introduction of New Employees**

Emergency Management Coordinator Rush introduced the new EMS staff: Full-time Paramedic Duane Reade, Part-time EMT Josh Medina, Part-time Paramedic Chris Barrs, Part-time EMT Madison Savage, Part-time Paramedic Shelby Northam, Part-time Paramedic Sam Richardson, Part-time Paramedic Mike Rydberg, Part-time EMT Seth Jonczak, Part-time EMT Chris Cefaro, and Full-time Paramedic Tom Copenhaver.

Chief Fisher introduced his new staff: Dispatcher Michelle Adams, Dispatcher Savannah Stubbs, and Pfc. Luke Arnold.

8. Presentation of Awards

Chief Fisher advised on June 9th dispatch received a call from a brother requesting a welfare check on his sister. When officers arrived, they found a horrific scene. They provided 1st aid immediately and contacted EMS who responded. The EMS advised that the officers saved her life because they acted so quickly. He introduced Ms. Theresa Spedmin.

Ms. Theresa Spedmin expressed her sincere gratitude for the officers and EMS who instrumental in saving her life. She thanked her brother, being 2 hours away from home called to have someone check on her. Had he not made the call she would not have survived her injuries. Her deepest gratitude goes out to every person directly and indirectly as she was determined to die that day. She added that the responders and God had another plan. She stated that by them coming through locked doors and to her aid it was evident they cared about her wellbeing. They were at a pinpoint focus on a stressful situation, all the while helping and rendering medical aid that saved her life. She stated that there are no words she could say to adequately say to thank them for what they did for her. She came through this with a sense of self and started her life over. She advised that if it wasn't for the grace of God and the selflessness of those who helped she wouldn't be here today. She advised she is much better and with all her heart thanked everyone for saving her.

Chief Fisher read and presented the awards to: Cpl. Thomas Adams, Cpl. Cody Butler, Cpl. David Gladding, Pfc. Geno Geminiani, Pfc. Jeff Stevens and Dispatcher Benjy Holloway.

Emergency Management Coordinator Rush read and presented awards to: Paramedic Sam Richardson, EMT Joshua Madina and Paramedic Duane Reade.

9. Staff Reports

General Government

Town Manager Tolbert congratulated the Police and EMS staff, he is proud of them. He reported that they have rented another space in the old firehouse with another possible rental. The compressor has been ordered for the Fire Company and will be here within 45 days. He stated that the forensic accident unit has been ordered and should be here in 30 days. He advised that the Northampton Board of Supervisors have approved to pay for 1/3 along with Accomack County and the Town of Chincoteague. He reported on the 2020 Census adding that the Town population increased about 400 residents. NASA's filtration plant is operating nominally with testing protocol.

Town Manager Tolbert also reported they installed No Wake buoys which makes it 3 within the Memorial Park area. He reported that the finances are on schedule and should meet the budgeted revenues and expenditures. He reviewed the Meals and Transient Occupancy tax revenue. He reported that the Building and Zoning Department has been busy with 42 permits in August along with calls, CRS Rating requirements, office visits, etc. He added that the Town is thankful for Building and Zoning Administrator Bowden.

Town Manager Tolbert commented on the Brianna's Kindness Park advising that he took his grandsons there who liked this park the best. He thanked the Public Works Department adding that they should feel a sense of satisfaction for the work they've done and people will enjoy it for years. He added they have done an excellent job. He thanked the Public Works Department.

Police Department

Chief Fisher advised that in August they assisted the USF&W for traffic control and clearing the Refuge and beach for the ANTARES launch. He feels this was a good exercise as they were able to clear the beach in 2 – 2.5 hours. He also reported that Pfc. Stevens attended the Field Sobriety Test Instructor School. He stated that he wants 2 of his officers trained as Drug Recognition Experts as there are none on the Shore. Pfc. Carmody is training for the SRO position and is looking forward to working with the new principal at the High School. Cpl. Adams attended a DMV Selective Enforcement Grant workshop. He reminded everyone of the Poker Run this Saturday. They are getting auction items and he added that if anyone has anything to donate to stop them by. He gave the route of the Poker Run and stated there will be an auction at 3:00 p.m. and block party with the Front Page News band. They also plan to have a fire truck with the American flag in remembrance of 9/11.

Councilman Taylor asked if the officers were trained in Narcan.

Chief Fisher advised they have been trained but will make sure their certifications are current.

Public Works Department

Public Works Director Spurlock reported they have been cutting grass, pumping millions of gallons of water and they have completed Brianna's Kindness Park playground. He stated that the small children's favorite piece of equipment is the adult exercise equipment. They still have to stripe the parking lot and they will be digging footers for the restrooms tomorrow. There is a holdup on materials which could delay completion. Public Works Director Spurlock also

advised they have installed a southern gateway for the radio read water meters and it is picking up 1,000 meters. He advised that there are roughly 200 meters not being read with most of them in the northern end of the Island and he gave a suggestion for a solution.

Councilwoman Bowden mentioned the swing set with a bent bar at the Memorial Park.

Public Works Director Spurlock responded that he has ordered a new swing set which is due to be delivered tomorrow.

Councilman Taylor asked about pirate ship safety regulations.

Public Works Director Spurlock advised that it does not comply with the safety regulations. He agrees that there is a void that needs to be filled there.

Emergency Services

Emergency Management Coordinator Rush advised of the monthly response numbers and compared them to prior years. He reported that they are always conducting shift training as staff wants to be ready. He advised that there is a temporary tide gauge at the Harbor. He explained they are working with the University Corporation of Atmospheric Research. The purpose is to test its ability with a good quality gauge. It is less expensive and could be used across the Caribbean in poor areas. He explained how it works. He reviewed the hurricane forecast and reported that September is Preparedness Month. The link to help prepare for emergencies is posted on the website and social media. He also gave COVID stats, vaccine stats and advised that masks are to be worn for indoor activities and events. He commented on the variants and boosters. He added that the peak hurricane season is September 10th and the season goes through November 30th. He reminded everyone to wash your hands, wear your masks, and watch your distance.

10. Committee Reports

Budget and Personnel

Vice Mayor Bott reported Council needs to vote for an increase in part-time hours and for a pay increase for a supervisor in the EMS Department. He added that they are working on Chief Fisher's request and will address it at the next Budget and Personnel Committee meeting.

Vice Mayor Bott motioned, seconded by Councilman Taylor to increase the part-time hours and increase in pay for a supervisor in the EMS Department. Unanimously approved.

Vice Mayor Bott also stated they discussed the allocation of the 1% Transient Occupancy Tax. They decided that the Public Safety Committee will control the expenditures of this fund.

RCEC

Councilman Taylor mentioned the soft opening of the Brianna's Kindness Park. He stated that it started with the Leonard family who saved the property and offered it to the Town. Mr. Landsberger purchased the property with the same intention, to give it to the Town. He stated that the Lord blessed the Town with a beautiful park. He commented on the specialty equipment

for special needs. He added that Mr. Donald Leonard lived with this on his heart. He also stated that Mrs. Joanne Moore brought the idea of Civil War Trails for the Island. He doesn't feel this would be hard to do. He also commented that Mrs. Kathy Michaelian came before the Committee asking for more outdoor pickleball courts at the Donald Amrien Recreation Center and upgrades to the tennis courts at Memorial Park. She offered to give money to help with the upgrades to the tennis courts. She was advised that the requests would be done with ARPA funds. Councilman Taylor also feels that they should try to do something for the youth of the Island.

11. Adoption of the Minutes for the August 2nd and August 19th, 2021, Council Meetings.

Councilman McComb motioned, seconded by Councilwoman Bowden to adopt the minutes of the August 2nd and August 19th, Council Meetings as presented. Unanimously approved.

12. Mayor and Council Comments

Councilman Savage that this has been a heartfelt evening with the recognition of responders both EMS and Police going above and beyond the call of duty to save a life. He stated that they have done a fantastic job and he could see the humility. He feels everyone should be humble. They have done an exceptional job and he gave kudos to those who built the Brianna's Kindness Park. He offered prayers for Vice Mayor Bott along with prayers for those who were affected by the storm. Councilman Savage stated that they are blessed that they survived on the Island. He added that God has truly blessed us. He appreciates the Town of Chincoteague and what is going on with Meals and Transient Occupancy Taxes. It shows that people are here, and it benefits the Town.

Councilman Taylor stated that when he meets with the youth in the activities building, they pray for everyone. He stated we are blessed and should pray for everyone.

Councilman McComb wished Mrs. Lillie Birch a happy 100th birthday. He stated that what happened with the Hurricane Ida could have easily happened here. He asked if it was possible to make a plaque for the Brianna's Kindness Park listing the Public Works employees who helped build it. He also congratulated all those who participated in the life saving event.

Town Manager Tolbert advised he would.

Councilwoman Bowden stated that 23-24 years ago she was standing on top of the World Trade Center. She thinks everyone can look back knowing where they were when the news broke of 9/11. She stated that you can't understand how massive the structures were unless you've been there. She stated that she can't help but think of those who lost their lives. She is also very grateful and thankful. She added what incredible officers and EMS for being there to save someone's life. She stated that it is an incredible feeling. She is grateful they were there and that the young lady was able to get help. She also commented on Mrs. Lillie Birch being 100 years old and what she's seen in her lifetime. She added that it is amazing that someone lives 100 years and reflect on life good and bad. Councilwoman Bowden also stated that this community lost a great human being, Mr. Gary Mason, "Mr. Kiwanis". She stated that her heart

goes out to his family and the Kiwanis family. She stated that he will be missed. She expressed her disappointment that the Yankees are in a slump.

Mayor Leonard expressed how blessed they are to live here, and tonight proved it. He stated that with everything going on in the country you find out you live in a special place. He thanked Mr. David Landsberger for his generosity adding that the Brianna's Kindness Park wouldn't have come to fruition without this donation and many other donations to the Town. He also commented on Mrs. Lillie Birch's 100th birthday adding that the toll road was new when she was coming up. Mayor Leonard advised that Public Works Director Spurlock and Harbormaster Merritt assisted a sailboat that was stranded in the Inlet. They couldn't raise the Coast Guard by radio or phone, so they assisted getting the Coast Guard to them.

Town Manager Tolbert interjected that the call came into the Town office where the ladies in the front office called Harbormaster Merritt.

Councilwoman Bowden stated that the Causeway was completed in 1922. She feels they should have a special recognition in 2022.

Mayor Leonard concluded with "Roll Tide".

13. Closed Meeting in Accordance with §2.2-3711 (A) (1,3,5) of the Code of Virginia to discuss prospective business opportunities, and evaluation of staff.

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

14. 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**
- (2) only such public business matters were identified in the motion by which the closed meeting was convened, were heard, discussed, or considered. Unanimously approved.**

15. Adjourn

Councilwoman Bowden motioned, seconded by Councilman Savage to adjourn. Unanimously approved.

J. Arthur Leonard, Mayor

Michael T. Tolbert, Town Manager

**MINUTES OF THE SEPTEMBER 16, 2021
CHINCOTEAGUE TOWN COUNCIL MEETING
Council Chambers**

Council Members Present:

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

Council Members Absent:

Gene W. Taylor, Councilman

Staff Present:

Mr. Michael T. Tolbert, Town Manager
Mr. Robby K. Fisher, Chief of Police

1. Call to Order

Mayor Leonard called the meeting to order at 5:00 p.m.

2. Invocation

Councilman Taylor offered the invocation.

3. Pledge of Allegiance

Mayor Leonard led in the Pledge of Allegiance.

Councilwoman Bowden motioned, seconded by Councilwoman Richardson to allow Councilman McComb to attend remotely. All present were in favor and the motion was carried.

Ayes: Bott, Bowden, McComb, Savage, Richardson

Nays: None

Absent: Taylor

4. Public Comment

There was none.

5. Agenda Adoption

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

Ayes: Bott, Bowden, McComb, Savage, Richardson

Nays: None

Absent: Taylor

6. Matthews Property Lease

Mayor Leonard advised the same farmer wants to rent the property again.

Vice Mayor Bott motioned, seconded by Councilwoman Bowden to renew the lease of the Matthews property. All present were in favor and the motion was carried.

Ayes: Bott, Bowden, McComb, Savage, Richardson

Nays: None

Absent: Taylor

7. Inlet Study Review

Mr. Chris Hein stated that he came before Council in June 2019 regarding an Inlet Study. He gave an in-depth review of the Study reviewing updates and history. He advised that the Virginia Barrier system stated that all the islands within the system have either grown or eroded. He explained the history of changes to the islands and causes, such as hurricanes, nor'easters, etc. They discussed storms and what a storm does, the breaches, and growth. He stated that the Inlet has largely widened, and they all know the problems that it causes.

They also discussed the depth, dredging, along with how and why they track the changes. He reviewed the map of where they drilled in different parts of the Island and what they found. He reported that the beach has been there since 1930 and over by the lighthouse before that. He also reported on other areas giving the years that specific samples dated back to. He showed mapping of how the sand shifts from Wallops Island to Chincoteague. He explained how Assateague moved over 1,000 years. He also explained the predictions using collected data and comparisons.

They reviewed the sandbar, waves, tides, and conditions. Mr. Hein explained the different layers, barriers, samples, material, and currents. He also discussed the timelines and mentioned building grids by putting it together to accurately show the model. He continued with the seasonal factors, and experimental models. They further discussed core samples and some of the areas of the samples. They also talked about the shorelines north that are pumping sand onshore could change the type of sand here on the Island. The trend going from north to south is that the sand gets finer. He reviewed other areas as well. Mr. Hein offered to give a presentation of the history of the Island.

Council agreed that the citizens would enjoy this. They thanked Mr. Hein.

8. Mayor and Council Comments

There was none.

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

Councilwoman Bowden motioned, seconded by Councilwoman Richardson to go into a closed meeting in accordance with §2.2-3711 (A) (1,5) of the Code of Virginia to discuss specific personnel and perspective business opportunities. All present were in favor and the motion was carried.

Ayes: Bott, Bowden, McComb, Savage, Richardson

Nays: None

Absent: Taylor

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

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

(1) only public business matters lawfully exempted from opening meeting requirements under this chapter and 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, Savage, Richardson

Nays: None

Absent: Taylor

11. Adjourn

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

Ayes: Bott, Bowden, McComb, Savage, Richardson

Nays: None

Absent: Taylor

J. Arthur Leonard, Mayor

Michael T. Tolbert, Town Manager

Town of Chincoteague, Inc.



TO: Mayor Leonard and Town Council

FROM: Michael Tolbert, Town Manager

DATE: October 4, 2021

SUBJECT: Transient Occupancy Tax Resolution

At its regular meeting on November 4, 2019, Council approved a 1% increase in the Transient and Occupancy Tax. The new tax was to take effect on January 1, 2021. Although not defined by the motion in which it was approved, the debate prior to the vote centered on the dedication of additional funds to public safety and at different points considered EMS, CPD and parks.

This lack of clarity of the motion obviously presents a problem with respect to the expenditure of these funds.

On September 14, 2021 the Budget and Personnel Committee met and approved the accompanying resolution which creates an approval process and framework for the expenditure of all funds collected as a result of the additional 1% Transient Occupancy Tax.

To date in FY22, staff has been tracking and accounting for these additional funds in anticipation of the approval of a resolution governing their expenditure.

Council is asked to approve the accompanying Resolution.

Town of Chincoteague, Inc.



TO: Mayor Leonard and Town Council
FROM: Michael Tolbert, Town Manager
DATE: October 4, 2021
SUBJECT: Detached Quarters Review

The planning commission met on August 10 and again on September 14, to discuss a proposal put forth by Mr. David Landsberger to allow Detached Quarters in all four residential zones in Town. After hearing the proposal from Mr. Landsberger’s consultant and extensive questioning and debate on the proposal, the commission voted unanimously to recommend the following to Council

1. No changes to the current zoning code with respect to the Detached Quarters proposal.
2. To monitor applications for such uses for the purpose of possible inclusion in the next revision of the Town’s Comprehensive plan.
3. To waive any application fee associated with Conditional Use Permit in the case of a medical hardship.

Council is asked to approve the waiver of the Conditional Use Permit application fee in the case of medical hardship.

Because this action does not make changes to the current zoning ordinance, no public hearing is required.