



TOWN COUNCIL REGULAR MEETING

October 07, 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 for Public Comment](#)

AGENDA ADOPTION – *Mayor Leonard*

STAFF REPORTS - *Mr. Tolbert*

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

COMMITTEE REPORTS – *Council*

6. [Public Works Committee Minutes 9-4-24](#)
7. [Harbor Committee Minutes 9-6-24](#)
8. [Ordinance Committee Meeting Minutes 9-12-24](#)

ADOPTION OF MINUTES - *Mayor Leonard*

9. [Council Meeting Minutes 9-3-24](#)
10. [Council Workshop Minutes 9-19-24](#)

CONSIDER DOWNTOWN SPEED LIMIT CHANGE - *Mr. Tolbert*

11. [Speed Limit Change Memo](#)
12. [Speed Limit Change Ordinance](#)

MAYOR AND COUNCIL COMMENTS – *Mayor Leonard*

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

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

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.

Sewer Collection System

Construction documents for the 2.1-mile commercial sewer collection system are complete and the project was advertised for bid last Friday. A prebid meeting will be held on October 10 with bid day being November 12. We intend to recommend a contractor to Council at the November 21 workshop meeting. The solicitation list

contains 26 contractors that will be notified that the project is now on the street for bid.

Once the project has bid and a contract is signed, we will have a better understanding of the actual cost of this project and will be able to work swiftly toward a connection cost and maintenance fees for potential customers.

CONTRACT DOCUMENTS

CONTRACT NO. 2598A001

WASTEWATER COLLECTION SYSTEM
FOR THE
TOWN OF CHINCOTEAGUE
ACCOMACK COUNTY, VIRGINIA

09/27/2024 - ISSUED FOR BIDDING

Professional Certification. I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of Virginia, License No. 0402063660, Expiration Date: June 30, 2025.

Prepared by:

DAVIS, BOWEN & FRIEDEL, INC.
601 E. Main St., Suite 100
Salisbury, MD 21804
(410) 543-9091

September, 2024

Bryan has been requested to serve a second term as the Virginia Municipal League's representative to the Governor's advisory board on Emergency Medical Services. Terms are for 3 years each. Bryan has done an excellent job as VML's representative during his initial term prompting the request for his continued service. As Bryan is still interested in serving, I am fully supporting his reappointment.

Traffic Signals

Last week the traffic signals on Maddox Blvd. at Deep Hole Rd. and at Chicken City Rd. were returned to their off-season settings which will allow traffic to move North and South more easily. VDOT will not change the programming on the Main and Maddox signal due to safety concerns.

**South Main Sidewalk**

Design of a sidewalk connecting Beebe Road to the Curtis Merritt Harbor continues to progress with VDOT now considering a boardwalk over sections containing wetlands in an effort to eliminate the need to mitigate existing wetlands. The project must also be coordinated with the replacement of the 2 Fallon Gut box culverts.



Chincoteague Center:

Item 2.

September started with the Plein Air art show event on September 14th. There were 62 exhibitors this year and the event was very well attended by the public.





September 21st was the Upshur wedding reception with 120 attendees. They were married on one side of the center and had the reception on the other.

Item 2.



The Center had a fall craft night with Skylar of Sandy Sky's on Monday the 23rd. Eight ladies were in attendance, and they painted and assembled these door hangers.

The Center finished up the month with the Village Neighbors' BINGO which happens on the last Monday in the month, every month excluding July.

Looking ahead in the coming months, we have planned an indoor yard sale, a fall craft day with Island Roots on the 14th, Kiwanis Blood Drive on the 21st, meet the candidates on the 22nd, 2 weddings, and Island Community House sponsored BINGO on the 28th. We are also planning the 1st annual center holiday craft show on November 23rd and are looking for local vendors! The tables will be \$50 each. Please call Mary Esther for more information or to reserve your table. (757)-336-6519 ext. 5.

Trolley:

Trolley ridership for September was only 158 now that we are running weekends only. We will be running on Saturday and Sunday through Columbus Day weekend and of course we will provide service in support of the Oyster festival.

Billy has received a quote on a new trolley to replace Stormy and we will be listing that in the equipment in the upcoming revision of the Capital Improvement plan.

**Cigarette Tax:**

FY2024	Packs Sold	Payment
Jul	22,750	\$8,472.11
Aug	25,630	\$9,544.64
Sep	16,950	\$6,312.21
Oct	13,970	\$5,202.46
Nov	14,920	\$5,556.22
Dec	12,290	\$4,576.82
Jan	12,700	\$4,729.50
Feb	11,810	\$4,398.08
Mar	14,320	\$5,332.79
Apr	15,960	\$5,943.53
May	17,460	\$6,502.13
Jun	15,390	\$6,893.15
Total	194,150	\$73,463.64

The first full year of cigarette tax collections netted the Town \$73,463.64 in revenue for FY24. This sum is the total collected by the 7 outlets on the Island that sell retail cigarettes. The Chesapeake Bay Regional Cigarette Tax Board, operated by the Northern Neck Planning District Commission collects and administers the tax for a 5% fee. The board now has 16 members including Accomack County and the Town of Chincoteague. Council voted to allocate all Cigarette Tax revenues to EMS salaries last year.

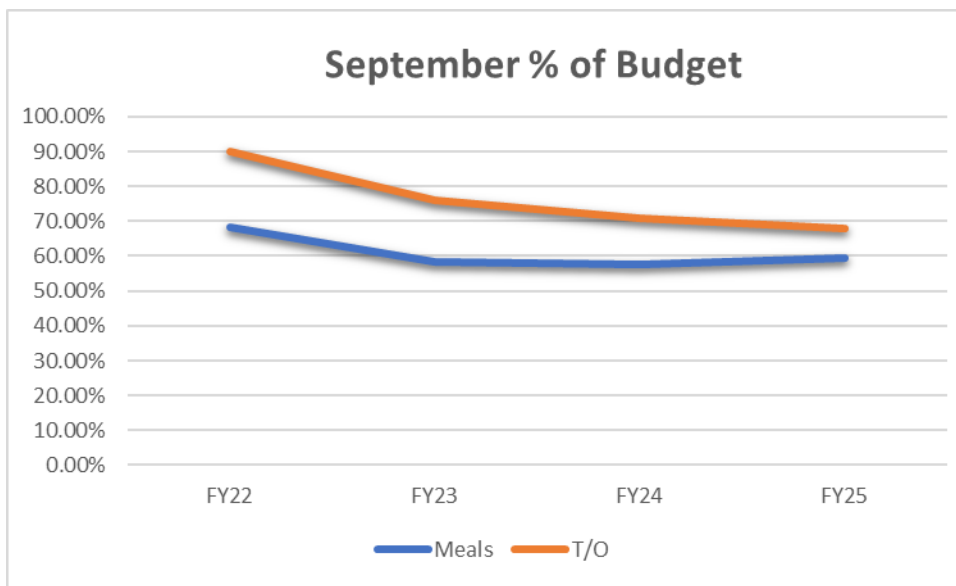
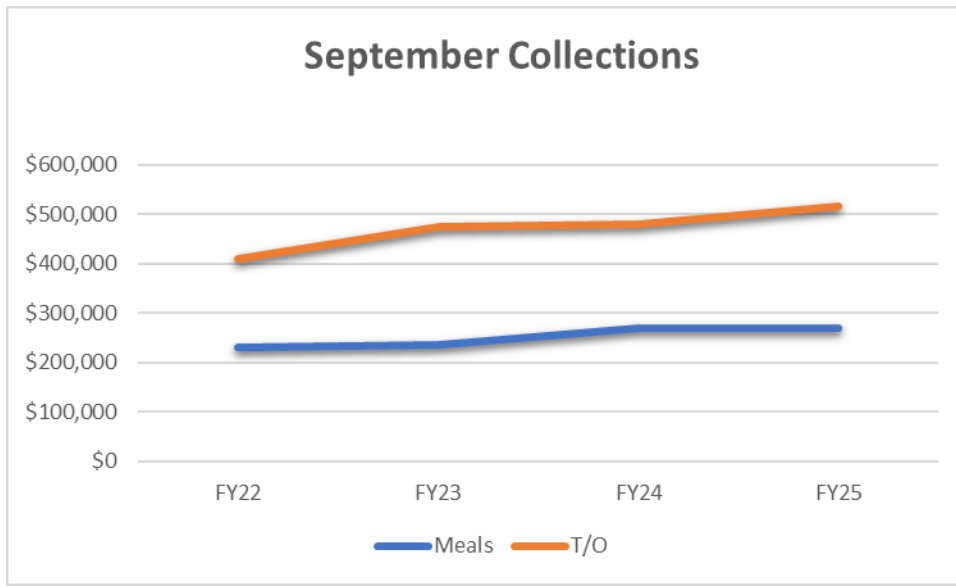
Meals and TOT:

Item 2.

The data in the table below represent excise tax collections for the month of September which reflect the level of business by food and lodging establishments in Town for the month of August. Meals taxes for the month exceeded August of 2023 by only 0.1% and TOT was up by nearly 8%. As expected with the limited restaurant offerings in Town, meals taxes collections year over year were level while TOT continues to see an increase as a result of the opening of additional lodging establishments.

Meals and TOT September (August Activity)					
September Collections			Fiscal Year		
Meals Tax	Tax Collected	2 year average	Budget	YTD	% of Budget
FY22	\$230,720	\$253,023	\$1,000,000	\$680,840	68.08%
FY23	\$236,182		\$1,200,000	\$699,445	58.29%
FY24	\$269,864		\$1,300,000	\$748,781	57.60%
FY25	\$270,197		\$1,300,000	\$774,673	59.59%
Deviation from 2 yr. Meals Tax Avg.		\$17,174			
T/O Tax	Tax Collected	2 year average	Annual Budget	YTD	% of Budget
FY22	\$410,210	\$477,522	\$1,400,000	\$1,261,959	90.14%
FY23	\$475,098		\$1,700,000	\$1,293,295	76.08%
FY24	\$479,945		\$2,000,000	\$1,417,905	70.90%
FY25	\$517,560		\$2,200,000	\$1,490,389	67.74%
Deviation from 2 yr. T/O Tax Avg.		\$40,039			

Figures shown are for accounts posted by 09-30-24.



The summary below reflects the Town's overall budget picture as of September 30, 2024. The large decrease, year over year in General Fund Revenues can mostly be attributed to the quarterly allocation of our U-1 Grant from VDOT arriving 1 day after the compilation of this report. The larger expenditures in General Government are a result of the mid-year salary increases granted last spring to EMS and CPD employees.

BUDGET vs. ACTUAL - Ending Date 09/30/2024							
10 GENERAL FUND	FY 25 BUDGET	FY 24 MTD	FY 25 MTD	FY 24 YTD	FY 25 YTD	VARIANCE	%
GENERAL FUND REVENUE TOTAL	\$ 9,586,140.00	\$ 1,175,893.03	\$ 991,073.20	\$ 3,071,208.77	\$ 2,956,020.89	\$ (6,630,119.11)	31%
GENERAL FUND EXPENSE TOTAL	\$ 9,586,140.00	\$ 485,602.95	\$ 597,573.03	\$ 1,695,577.53	\$ 1,970,557.10	\$ 7,615,582.90	21%
GENERAL GOVERNMENT EXPENSE TOTAL	\$ 2,794,880.00	\$ 134,599.14	\$ 154,906.05	\$ 531,654.77	\$ 613,528.56	\$ 2,181,351.44	22%
EMS EXPENSE TOTAL	\$ 1,454,458.00	\$ 102,391.48	\$ 114,001.09	\$ 248,350.65	\$ 358,177.32	\$ 1,096,280.68	25%
PUBLIC WORKS EXPENSE TOTAL	\$ 2,453,895.00	\$ 99,332.38	\$ 102,737.31	\$ 397,749.31	\$ 264,908.62	\$ 2,188,986.38	11%
MOSQUITO CONTROL EXPENSE TOTAL	\$ 172,498.00	\$ 2,004.51	\$ 3,381.90	\$ 73,165.83	\$ 27,273.90	\$ 145,224.10	16%
ROADS EXPENSE TOTAL	\$ 928,500.00	\$ 16,827.71	\$ 84,357.76	\$ 92,809.47	\$ 278,965.87	\$ 649,534.13	30%
POLICE EXPENSE TOTAL	\$ 1,445,335.00	\$ 99,464.31	\$ 115,620.92	\$ 271,203.65	\$ 345,351.01	\$ 1,099,983.99	24%
DISPATCHERS EXPENSE TOTAL	\$ 336,574.00	\$ 30,983.42	\$ 22,568.00	\$ 80,643.85	\$ 82,351.82	\$ 254,222.18	24%
30 CURTIS MERRITT HARBOR	FY 25 BUDGET	FY 24 MTD	FY 25 MTD	FY 24 YTD	FY 25 YTD	VARIANCE	%
HARBOR REVENUE TOTAL	\$ 822,269.00	\$ 116,106.54	\$ 96,861.56	\$ 409,021.56	\$ 286,853.82	\$ (535,415.18)	35%
HARBOR EXPENSE TOTAL	\$ 822,269.00	\$ 55,530.59	\$ 45,156.22	\$ 251,744.77	\$ 269,621.91	\$ 552,647.09	33%
70 TROLLEY	FY 25 BUDGET	FY 24 MTD	FY 25 MTD	FY 24 YTD	FY 25 YTD	VARIANCE	%
TROLLEY REVENUE TOTAL	\$ 92,803.00	\$ 181,804.97	\$ 8,209.36	\$ 200,775.10	\$ 21,878.20	\$ (70,924.80)	24%
TROLLEY EXPENSE TOTAL	\$ 92,803.00	\$ 8,460.55	\$ 6,540.54	\$ 29,351.37	\$ 41,630.68	\$ 51,172.32	45%
80 WATER	FY 25 BUDGET	FY 24 MTD	FY 25 MTD	FY 24 YTD	FY 25 YTD	VARIANCE	%
WATER REVENUE TOTAL	\$ 1,028,000.00	\$ 100,845.90	\$ 136,537.50	\$ 307,821.29	\$ 310,221.23	\$ (717,778.77)	30%
WATER EXPENSE TOTAL	\$ 1,028,000.00	\$ 70,536.85	\$ 52,738.19	\$ 164,327.67	\$ 197,756.14	\$ 830,243.86	19%
85 CENTER	FY 25 BUDGET	FY 24 MTD	FY 25 MTD	FY 24 YTD	FY 25 YTD	VARIANCE	%
CENTER REVENUE TOTAL	\$ 218,400.00	\$ 28,621.83	\$ 28,763.64	\$ 57,132.15	\$ 77,786.20	\$ (140,613.80)	36%
CENTER EXPENSE TOTAL	\$ 218,400.00	\$ 92,564.67	\$ 15,869.52	\$ 204,648.24	\$ 42,330.14	\$ 176,069.86	19%
REVENUE TOTAL	\$ 11,747,612.00	\$ 1,603,272.27	\$ 1,261,445.26	\$ 4,045,958.87	\$ 3,652,760.34	\$ (8,094,851.66)	31%
EXPENSE TOTAL	\$ 11,747,612.00	\$ 712,695.61	\$ 717,877.50	\$ 2,345,649.58	\$ 2,521,895.97	\$ 9,225,716.03	21%
Difference					\$ (1,130,864.37)	\$ 1,130,864.37	



From August 27,2024 to September 28, 2024, the Building and Zoning Department issued **61 permits** and conducted **45 inspections** and 7 case activity cases inspections.

5 Business License site visits.

7 Code case violations.

8 Zoning site visits.

41 Permit plans' reviews.

27 Walk- ins for building and zoning questions.

Work without a permit fees. \$ 120,00

The total value for the building cost of construction. \$1,889,591.38

The total building permit fees collected were \$ 6,739.98



Permit Fee Report

08/27/2024 - 09/28/2024

Permit Date	permit type	LOCATION ADDRESS	Permit Issuance Date	Estimated Cost of Construction	Primary Contractor
9/26/2024	FOUNDATION REPAIR	7691 East Side Road	9/26/2024	10,400.00	JES CONSTRUCTION
9/26/2024	DECK	6195 Poplar Street	9/26/2024	3,900.00	OWNER
9/26/2024	REPAIR	6145 Taylor Street	9/26/2024	7,800.00	JES CONSTRUCTION
9/25/2024	Fence	3588 Ridge Road	9/25/2024	1,800.00	OWNER
9/25/2024	Reroof	6316 Cleveland St Chincoteague Island, VA 23336	9/25/2024	17,420.00	SPICER BROS CONSTRUCTION
9/25/2024	DECK	6329 Teal Lane	9/25/2024	14,452.00	PAUL DAVIS
9/25/2024	ADDITION	5180 DEEP HOLE RD	9/25/2024	126.00	OWNER
9/24/2024	MANUFACTURE HOME	7234 Mason Drive		103,932.00	CLAYTON HOMES
9/23/2024	Fence	3822 Main Street Chincoteague Island, VA	9/24/2024	10,000.00	OWNER
9/20/2024	Reroof	6276 Cleveland Street	9/20/2024	3,000.00	OWNER
9/18/2024	New Residential Construction	lot 11E Ridge Road Parcel: 030A4A000001100	9/18/2024	318,740.00	MATTHEW REED
9/17/2024	ACCESSORY BUILDING	3571 Willow Street	9/17/2024	10,000.00	OWNER
9/17/2024	Fence	6258 Clark Street	9/17/2024	17,565.00	ANDERSON FENCE
9/17/2024	Fence	8092 Zed Ayers Lane, Chincoteague, VA 23336	9/24/2024	5,526.00	ANDERSON FENCE
9/16/2024	ADDITION	3556 Main Street	9/27/2024	50,000.00	SHORE LINE BUILDING
9/16/2024	ACCESSORY BUILDING	3556 Main Street	9/24/2024	13,000.00	BACKYARD ESCAPES

9/16/2024	ACCESSORY BUILDING	8221 Seahorse Drive	9/16/2024	5,809.00	BACKYARD ESCAPES	Item 2.
9/16/2024	Reroof	8265 Sea Breeze Drive	9/16/2024	8,500.00	FOX CONSTRUCTION	
9/14/2024	PIER	8164 Seabreeze Drive Chincoteague	9/24/2024	5,000.00	MARK ROSS	
9/14/2024	BULKHEAD	5295 Hibiscus Drive	9/24/2024	30,000.00	FISHER MARINE CONSTRUCTION INC	
9/14/2024	BULKHEAD	Amrien Circle Drive Lot 31B1-2-33	9/24/2024	13,000.00	MARK ROSS	
9/14/2024	BOAT LIFT	4043 Main Street Chincoteague VA Tax Map Parcel 30A5-A-493	9/24/2024	15,000.00	FISHER MARINE CONSTRUCTION INC	
9/13/2024	ADDITION	4128 Sunnywood Drive	9/20/2024	5,000.00	OWNER	
9/13/2024	New Residential Construction	DWELLING Parcel: 030A1A0000002A0 Legal: BOWDEN SHORE	9/13/2024	723,770.00	SPANGLER CONSTRUCTION	
9/12/2024	Reroof	4402 Main St.	9/12/2024	6,900.00	TIGER ROOFING	
9/12/2024	Reroof	6230 Poplar St.	9/12/2024	8,400.00	TIGER ROOFING	
9/12/2024	Reroof	6703 Megan Ln Chincoteague, VA 23336	9/13/2024	15,300.00	SPICER BROS CONSTRUCTION	
9/11/2024	Reroof	5492 Amrien Circle Dr	9/12/2024	18,500.00	SPICER BROS CONSTRUCTION	
9/10/2024	ACCESSORY BUILDING	3111 Ridge Road	9/10/2024	6,000.00	OWNER	
9/10/2024	Demolition	3111 Ridge Road	9/10/2024	500.00	OWNER	
9/10/2024	DECK	3111 Ridge Road	9/10/2024	5,000.00	OWNER	
9/10/2024	Reroof	3434 Willow St Chincoteague Island, VA 23336 - 1850	9/10/2024	13,833.00	SPICER BROS CONSTRUCTION	
9/10/2024	Demolition	2409 Sea Mist Dr	9/24/2024	3,000.00	OWNER	
9/9/2024	Reroof	6311 Teal Lane	9/12/2024	4,000.00	TIGER ROOFING	
9/9/2024	Reroof	6313 Teal Lane	9/12/2024	4,000.00	TIGER ROOFING	
9/9/2024	Reroof	6315 Teal Lane	9/12/2024	4,000.00	TIGER ROOFING	
9/9/2024	Reroof	6317 Teal Lane	9/12/2024	4,000.00	TIGER ROOFING	

9/9/2024	Reroof	6325 Teal Lane	9/12/2024	4,000.00	TIGER ROOFING	Item 2.
9/9/2024	Reroof	6327 Teal Lane	9/12/2024	4,000.00	TIGER ROOFING	
9/9/2024	Reroof	6329 Teal Lane	9/12/2024	4,000.00	TIGER ROOFING	
9/9/2024	Reroof	3621 MAIN ST	9/10/2024	9,000.00	OWNER	
9/9/2024	SIDING	3621 MAIN ST	9/11/2024	10,000.00	owner	
9/9/2024	ADDITION	8128 Beebe Road site # T-4	9/9/2024	16,000.00	BEAUTIFUL FLOORS AND MORE	
9/9/2024	ADDITION	8128 Beebe Road SITE F-8	9/9/2024	16,000.00	BEAUTIFUL FLOORS AND MORE	
9/9/2024	ADDITION	6022 Collins Street	9/9/2024	9,372.00	BRUCE SHARP	
9/9/2024	ACCESSORY BUILDING	7144 Sheepshead Lane	9/9/2024	7,000.00	BACKYARD ESCAPES	
9/6/2024	ACCESSORY BUILDING	6482 Holly Drive	9/6/2024	6,500.00	LEWIS HOME SOULTIONS	
9/6/2024	Reroof	7144 Sheepshead Lane	9/6/2024	4,000.00	ALLEN CLARK JR	
9/5/2024	ACCESSORY BUILDING	3350 Willow Street	9/5/2024	750.00	BRELAND & SONS	
9/5/2024	ACCESSORY BUILDING	4232 Sunrise Drive Circle	9/12/2024	600.00	OWNER	
9/5/2024	Fence	8128 Beebe Rd SITE F-25	9/5/2024	2,500.00	BEAUTIFUL FLOORS AND MORE	
9/4/2024	Renovations	3639 Main Street	9/4/2024	40,000.00	BIC INC	
9/3/2024	ACCESSORY BUILDING	4255 Pension Street	9/3/2024	10,000.00	OWNER	
9/3/2024	Fence	5516 Main Street	9/3/2024	3,957.38	OWNER	
9/3/2024	ADDITION	5052 Bay Colony	9/3/2024	7,000.00	OWNER	
9/3/2024	Fence	5347 Main Street	9/3/2024	20,400.00	DAVID FRAWLEY	
8/28/2024	ACCESSORY BUILDING	3634 Willow Street	8/28/2024	500.00	OWNER	
8/28/2024	ADDITION	3270 Main Street	8/28/2024	91,500.00	SHORE LINE BUILDING	
8/28/2024	Reroof	4206 Main St	8/28/2024	143,339.00	SPICER BROS CONSTRUCTION	
8/27/2024	Sign	6743 1 Maddox Boulevard	8/27/2024	1,000.00	SIGN PRO, LLC	
8/27/2024	DECK	8275 Sea Breeze Drive	8/27/2024	1,000.00	OWNER	
				1,899,591.38		

Total Records: 61

10/1/2024

CHINCOTEAGUE POLICE DEPARTMENT
MONTHLY REPORT TO COUNCIL
SEPTEMBER 2024

The Chincoteague Police Department received 333 calls for service, resulting in 6 investigations of criminal offenses including: 1 petit larceny, 1 brandish of a firearm, 1 DUI and 3 other offenses.

The Department responded to 7 accidents, 9 alarms, 17 assist another agency, 4 destroy property/vandalism, 5 harassment/threats, 3 missing persons, 9 suspicious activity, 9 welfare checks, 3 juvenile problems and 4 domestics.

In addition, 142 security checks and 20 public service calls were conducted.

The department issued 2 citations and 9 warning tickets.

In support of the Fish and Wildlife Services in Virginia (Assateague) the department received 6 CFS including: 1 911 hang up, 1 accident, 2 assist other agency, 1 disabled motorist and 1 fight in progress.

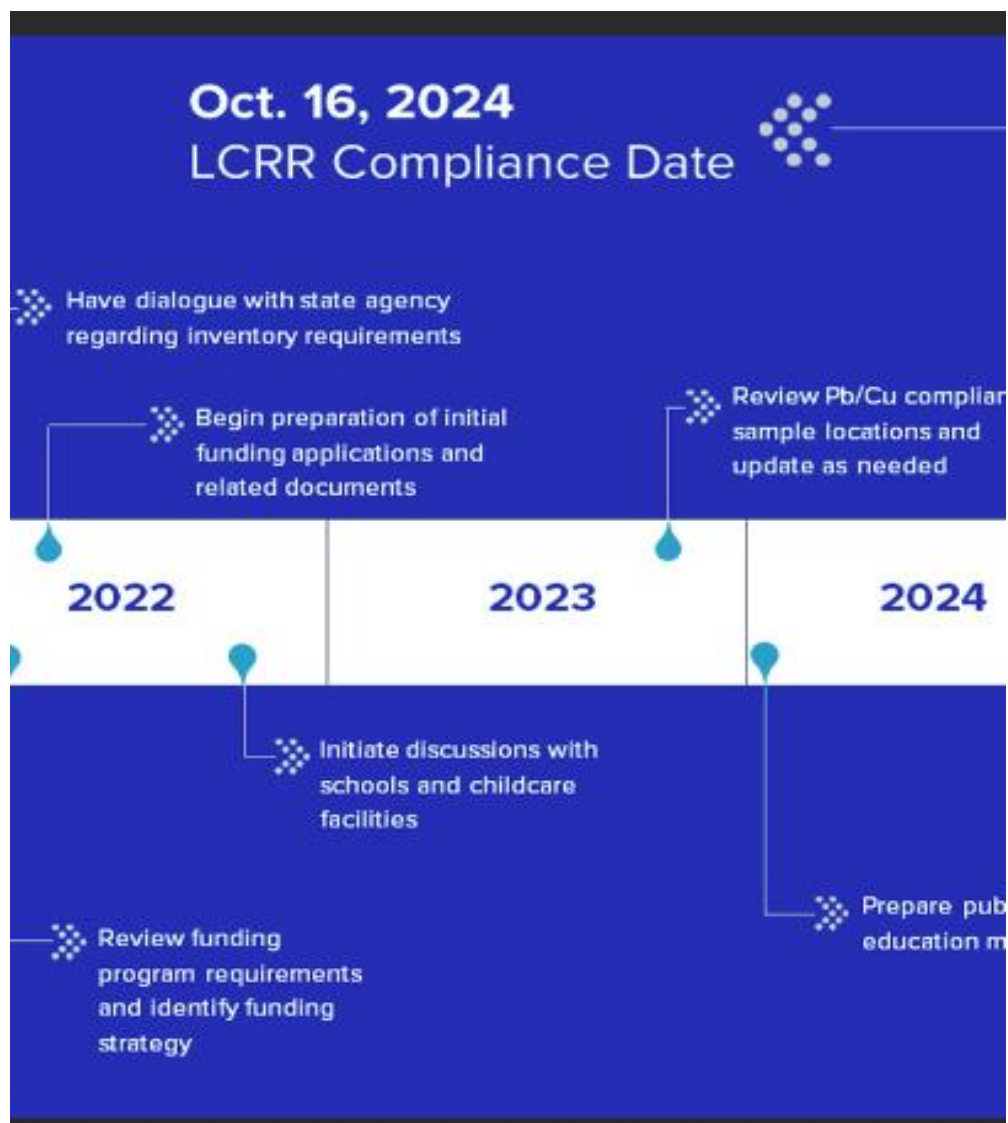
On September 14th the department held its 20th annual Poker Run for the Kids.

On September 16th Dispatcher Rebecca McJilton Graduated Basic Dispatch Academy.

On September 19th Chief Greenley and Inv Barnes attended a liaison with the US Coast Guard.

On September 30th till October 3rd Chief Greenley, Sgt. Stevens and Cpl. Butler are be attending the VLEPSC.

A large focus this month was on the lead and copper inventory. The due date is Oct. 16th and will be met. “Unknown” is an acceptable entry but increases sampling.



Water tank was pressure washed.

Item 4.





Broom attachment for backhoe, Brush cutter for Skid Steer Loader.



Fabricated a new grate for the storm sewer tank at the traffic circle.



Downtown parking lot fence was cleared of vines, debris, and bushes.



Harbor fishing pier deck was replaced.

Items Planned to be completed in September.

- **Connect new water line on Wildcat Road.**
- **Existing conditions survey on Taylor Street.**
- **Storm drain improvements on Poplar Street.**
- **Continue routine maintenance of equipment and vehicles.**

TOWN OF CHINCOTEAGUE EMERGENCY SERVICES MONTHLY REPORT

EMERGENCY MEDICAL SERVICES DIVISION

Reporting Period: 09/01/2024 – 09/30/2024

TOTAL EMS RESPONSES: 111 (Busiest September of record)

(31 MORE THAN IN SAME PERIOD 2023): 80

ADVANCED LIFE SUPPORT: **42**

BASIC LIFE SUPPORT: **37**

OTHER: **32** (Fire Stand-by, Public Assist Calls, etc.)

HAZMAT: **0**

COMMUNITY SERVICE

BP SCREENINGS

Three BP screenings were conducted at the station this month.

CHS FOOTBALL STANDBY

Provided standby EMS at the CHS football game, September 14th.

NARCAN LEAVE BEHIND

In September's report, we discussed the training of providers and the implementation of a Narcan leave behind program during overdose responses. A crew fortunately was able to do so this month giving peace of mind to a family member and providing life saving medication in the event of another overdose.

PLANNING

PULSARA

Continuing with the training to implement the Pulsara program November 6, 2024. Pulsara is a device app that will allow the providers to send real time information/video to Virginia hospitals concerning patients that are stroke and trauma alerts. The program was initially designed to track patients during mass casualty events. The Hampton Roads Planning District is paying the fees for the program. The Hampton Roads Metropolitan Medical Response System will be paying for the wrist bands that will be unique patient identifiers. CEMS provider training will commence in early October.

EMS ADVISORY BOARD

A special meeting of the State EMS Advisory Board occurred September 18. Board members were given the Office of Internal Affairs report concerning the severe shortfalls in the Office of EMS. The report also was accompanied by recommended corrective actions. Also, the Firm of Fitch and Associates did a complete look at the Office of EMS and is working with the board in determining a path forward for OEMS. Much discussion is being had to move it from under the Department of Health and putting it under Public Safety.

LOGISTICS

DRUG KIT TRANSITION

There has been a backlog within the DEA with regards to processing applications and we are still awaiting our DEA registration. Our target to start the program by October 1, has now been moved to October 15 but still well ahead of the November 27, 2024, deadline.

TRAINING

CONTINUING EDUCATION

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

- Protocol Updates

CONTINUOUS QUALITY IMPROVEMENT

We have spread our Quality Assurance/Quality Improvement reviews from two QI Officers to one on each shift and have implemented a new program within our data vendor called Continuous Quality Improvement (CQI) so that each officer reviews 100% of our reports the same way each time. Each shift CQI officer will review the opposite shift's reports. (Example: B reviews D and D reviews B, where A reviews C and vice versa). We also have set parameters on high-risk procedures to require two reviews such as trauma alerts, myocardial infarctions, strokes and paralytics for airway control. This will make us much more efficient but more importantly making sure that we deliver the best care possible and implement training where needed.

EMERGENCY MANAGEMENT DIVISION

- Weather and situational awareness monitoring.
- Medical waste liaison and briefings to staff and Council.
- Participated in numerous conference calls with VDEM, DETF (Delmarva Emergency Task Force), USFW, NPS, Maryland Emergency Management, DEQ and VDH concerning the medical waste incident.
- Staff member identified as PIO for the medical waste incident participated in the informational meetings and disseminated information drafted by the Joint Information Team
- Participated in a mock EOC activation and Closed Pod in conjunction with Virginia Department of Health and Eastern Shore Rural Health's annual exercise.
- Attended Wallops Monthly Range Schedule Briefing

**Public Works Committee Meeting
September 4, 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

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 Current projects

Public Works Director Parks advised that this week, the Public Works staff began replacing the fishing pier at the Harbor. The goal is to complete this project prior to the Kids Fishing Day with Harbormaster Merritt in October. They are currently playing catchup, starting on some drainage projects. They're also identifying neighborhoods do work on from start to finish. He advised that the Water Department is beginning to power wash the ground storage tank, they're doing annual lead and copper samples, and lead and copper inventory due by October 15th. This is a major undertaking by identifying every line type for every service on the Town's side and the homeowner's side.

Town Manager Tolbert interjected that this is a nationwide push to identify all lead in public drinking water systems. The inventory is detailed on the Town's side, but they came back adding the customer's side as well.

There was brief discussion.

Consider Spring Paving / Water Line Projects

Public Works Director Parks came up with options for paving projects. He reviewed the options: Taylor Street – the existing water line is an AC pipe, and drainage is collapsing at the Main Street end of Taylor Street. The scope would be to replace the water line, storm drain, mill, pave the road, and redo the sidewalks.

Town Manager Tolbert commented on costs.

Councilwoman Richardson asked if they could connect where there isn't sidewalk and what it would cost. She feels they need at least one side down Taylor Street..

Town Manager Tolbert advised that normally it's only if the property owner wants to adjoin the sidewalk, then they are responsible for half.

Public Works Director Parks advised that the storm drain doesn't run from one end to the other on Taylor Street, it is only on the Main Street end.

There was discussion regarding drainage on Taylor Street and adjoining areas.

Public Works Director Parks continued with another option: Poplar Street – water line, storm drain, and sidewalk. He advised that if they don't do Poplar Street, he has to bandaid it. They will have to do about 100' of storm drain and sidewalk.

There was discussion.

Public Works Director Parks feels the most beneficial Project would be Taylor Street and bandaid Poplar Street.

Vice Mayor Bott motioned, seconded by Mayor Leonard to approve the Taylor Street Project, and band aid Poplar Street. Unanimously approved.

They further discussed contacting the property owners about installing sidewalks where there are none on Taylor Street. They also discussed other projects.

Adjournment

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

MINUTES OF THE SEPTEMBER 5, 2024
CURTIS MERRITT HARBOR COMMITTEE MEETING
Council Chambers

Committee Members Present:

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

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.

Harbor Master's Report

Harbormaster Merritt reported that they've had a good summer. The fuel sales are up. He advised that the campers are parking trucks and trailers at the Harbor because there's no overflow for boats and trailers at the Bluefin. Parking was tight for a couple of weekends but was the most eventless Pony Penning. They started working on the replacing boards on the fishing dock. He added that the 6th Annual Kids Fishing Day is October 20th. He stated that it has been a busy summer.

There was discussion regarding the fuel pumps, internet, additional cameras and placement.

Town Manager Tolbert advised that the pump isn't working at pump-out station at the Downtown Park. He added they are adding more cameras in the downtown area. He reviewed the Harbor revenues and expenditures for FY24 which included the VMRC Grant for the abandoned vessel project, the VPA Grant that the Town didn't receive, along with fuel revenue and expenses.

They discussed the fuel system chip reader.

Consider No Wake Zone – West Side of Channel

Town Manager Tolbert stated that in July, Mr. Chris Walker advised he was packing fish at the fish dock and was unable to due to the wake of the jet skis. He was advised that it would be addressed at the Harbor Committee meeting.

Town Manager Tolbert advised this goes through the DWR, Department of Wildlife Reserve.

There was discussion and Harbormaster Merritt advised that there is a law on the books that states there is a “No Wake” zone 50’ from the shoreline.

Mayor Leonard asked if this would cover the whole channel.

There was lengthy discussion regarding the proposed no wake zone area, and minimum speeds.

Mr. Bowden motioned, seconded by Vice Mayor Bott to take steps to designate a “No Wake” zone from Waterside Motor Inn to the north through Lewis Creek. Unanimously approved.

There were further comments.

VMRC Officer Alex Tucker advised that with this, the VMRC officers would have to witness it or if someone sees it, can get the boat numbers, and can identify the captain, they would be able to enforce this. He added that the Town officers can also police this if they witness it.

Consider New Buoys for East Side Channel

Town Manager Tolbert advised that currently there are pencil buoys on Eastside. He feels there should be something more substantial to be seen.

There was further discussion.

Discuss Future Projects

Mayor Leonard advised there have been good comments on the new ramp at Memorial Park. He feels it would be a good idea to redo the ramp at the Harbor as well. He suggested widening it with a floating dock in the middle.

There was discussion about design, size, funding, the possibility of applying for another VPA Grant, redecking the pier at Memorial Park, and expanding parking at the Harbor.

They further discussed the erosion at Mariner’s Point with possible solutions.

Adjournment

Vice Mayor Bott motioned, seconded by Mr. Bowden to adjourn the meeting. Unanimously approved.

**MINUTES OF THE SEPTEMBER 12TH, 2024
ORDINANCE COMMITTEE MEETING
Council Chambers**

Members Present:

Jay Savage, Councilman/Chairman
Denise Bowden, Councilwoman

Members Absent:

William T. McComb, Councilman

Others Present:

Michael T. Tolbert, Town Manager

Call to Order

Councilman Savage called the meeting to order at 6:00 p.m.

Public Comment

There were none.

Consider Temporary Sign Limitation

The Committee reviewed and discussed the proposed ordinance.

Town Manager Tolbert gave an example of the verbiage: “Political signs may be placed legally a minimum of 30 days prior to the 1st day a vote may be legally cast.”

The Committee concurred.

Town Manager Tolbert advised that he received a call to set up as early as possible to get 1st position. He stated that most of the time the parties who are erecting tents call and ask when they can put a tent up. He allows them to put the tents up the day before. He feels there will be controversy this year with the local and Presidential elections. He stated that he will have to create rules to allow setup no earlier than 5:00 p.m. the day prior to the election day. He commented further suggesting they do a lottery for position.

There was further discussion.

Consider Metal Detector Ordinance

Councilwoman Bowden advised that Mr. Clark Scheeley who is an avid metal detector enthusiast. He asked her if the Town could get a monthly or yearly permit, plug the holes, no dirt digging during dry time, no disturbing weed barriers, no digging below 6”, and no shovels, only hand diggers.

There was further discussion and the Committee agreed to recommend this to Council.

Article VII Metal Detectors and Geocaching:

Sec. 38-210 Metal Detectors

- (a) *Definitions.* As used in this section, the following terms shall have the meanings indicated:
- Metal detectors:* Any device that gives an audible, visual or other signal when it is close to metal, typically used to search for lost or buried items.
- (b) *Use:* Except as provided in subsection (c) it shall be unlawful for any person, while located on Town property, to:
- (1) Posses or use a metal detector or any other device or probe to search for objects in, on or below the surface of the soil;
 - (2) Dig, excavate or in any other way disturb the surface of the soil;
 - (3) Remove any object found in, on or below the surface of the soil.
- (c) *Exception.* Notwithstanding the prohibitions in subsections (b) (1-3), permission may be obtained from the Town Manager, or his designee, to use a metal detector on Town property to locate and recover a specific item of personal property which has been lost by the person requesting such permission.
- (d) *Penalties.* Any person violating this section shall, upon conviction, be guilty of a class three misdemeanor. Each day that a violation continues or occurs shall constitute a separate offense.

Sec. 38-211 Geocaching

- (a) It shall be unlawful to place and leave caches or other containers for the purpose of geocaching or treasure hunting without a permit on Town property.

Consider Mural Ordinance

Town Manager Tolbert advised that the new mural (downtown) falls under the definition of a sign and reviewed the definition. He explained the sign ordinance further. He feels that if you want to put up a mural of this size, the governing body should have the opportunity to see and approve what is being proposed. He stated that he has reviewed many mural standards and recommended this with a Conditional Use Permit. The first approval is by the Planning Commission, then by Council with specific guidelines. Both are done with a public hearing on the Conditional Use Permit.

There was further discussion, and the Committee agreed that the Conditional Use Permit gives Council control over what is being put up.

Town Manager Tolbert stated that the proposed code is not ready for Council. He asked them to review it.

There was further discussion.

Review Scooter / Electric Bike Ordinance

There was lengthy discussion about the safety issues of scooters, codes, the different classes of electric bikes and regulations.

Consider Speed Limit Reduction Ordinance

Councilwoman Bowden stated that they discussed reducing the speed limit some time ago. She stated that VDOT advised they had to have a study to list reduce speed limits in areas.

Councilman Savage advised he is in favor of reduced speed limits to 15 mph downtown with 7 crosswalks, 4 eating establishments, Robert Reed Park, the Medical Center, and shops.

Councilwoman Bowden mentioned that Mrs. Conser asked about the crosswalk at the library and the theatre. She advised you have, to just about, stand in the road to be seen. She feels that the only way this will work is painting it on the road as well as signage.

Councilman Savage asked how far this extends and suggested from Smith Street to Jester Street. He feels they should let people know ahead of time with signage.

Town Manager Tolbert advised that the new law states that the governing body of a municipality can reduce the speed in a speed zone up to 25 mph. He explained that if it is only 25 mph the governing body has the right to reduce it.

There was further discussion.

Town Manager Tolbert advised he will check into this further and then have the signage and road stencils ordered.

Comments

Town Manager Tolber advised they have the Metal Detector Ordinance and the Political Sign Ordinance, with approved changes, ready for Council for Thursday night. The others will be looked into a little further.

Adjournment

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

**MINUTES OF THE SEPTEMBER 3, 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. Glenda Gatchell, 5070 Bay Colony Lane, advised she is representing a group of users at the Dog Park. She addressed the issues at the Dog Park which include drainage and erosion. She added that the dogs are now digging in that area. She advised of the steps taken to remedy the issues by installing stony ground covers but have now become sink holes causing a fall hazard. The request a cement pad to prevent erosion. She added that the entrance gate is damaged and off the hinge as well. They also requested a shade sail in the large dog area. She commented further and showed pictures showing the gate off the hinge, bench seating with no grass, the erosion, and added that it's an eyesore and danger.

- Mrs. Toni Cox, 6050 Tarr Street, advised she retired here in 2017. She addressed the parking lot at Donald Leonard Park. She stated that Ms. Leonard voiced her opinion to an enclosed lot back in the fall but especially since February 2024. She stated that Councilwoman Bowden stated that no comments about the parking lot were transferred to the minutes. She stated that at the last Council meeting Town Manager Tolbert was asked questions there were not

answered. She asked about the cost, who approved it, and the purchasing threshold. She asked if proper procurement was followed and how the money was spent. She read excerpts and commented further on the minutes of the RCEC and Council meetings. She then asked about the bumpers being there versus the plan to put parking bumpers there.

Mayor Leonard commented about the bumpers his father put in.

Mrs. Cox continued to read excerpts adding that the cost was \$15,000. She stated that Town Manager Tolbert didn't answer all of Councilwoman Bowden's questions. She asked Mayor Leonard, why Council wasn't told about the parking lot and who authorized it, if there were purchase orders used to buy materials for the parking lot, and where did the millings come from.

Mayor Leonard advised it was done in-house, the millings were from the Town's road repairs in the fall and spring stored in the Public Works area. The \$15,000 was for the labor and the purchase of millings, through normal operating procedures. He didn't see that the project as excessive.

Mrs. Cox asked why Mayor Leonard was the only one who knew this was going on.

Mayor Leonard advised that it was brought up to the RCEC that this was a problem and was discussed in many Committee meetings. It was not a secret.

Mrs. Cox stated that a lot of people were surprised by this and made their feelings known.

Mayor Leonard stated that it is a public park owned and operated by the Town of Chincoteague and the Town will manage the parks as the Town sees fit. He also commented about putting a parking lot back there where there was an existing parking lot. He added that the best practice was to put millings there. He understands that the public is upset that it's not grass, but this is an issue that they're not going to bring up again.

Mrs. Cox stated that the issue is not done, and asked if they can bring up the fencing. She expressed her objection to the plans for a fence.

Mayor Leonard referred her objection to the RCEC.

- Mrs. Isabel Kaldenbach, 3524 Ridge Road, agreed with Mrs. Gatchell and added that it isn't about the dogs, it's about the people. She added that they have a group of about 50 regulars, and they do activities throughout the year together. Studies show it is important to have social connections of all ages. She thanked Council adding that the Dog Park is fabulous.

- Ms. Jody Hoffman and Mr. Colie Bennett, 7149 Margaret's Lane, explained an issue with another property owner that has an easement, right-of-way to her property who has connected her property to Lisa's Lane. They've done the title search and surveys. The title company referred them to Council. They feel she has taken advantage of the easement. He stated they can install barriers as long as she has access to her property to cut down on the traffic. They maintain Margaret's Lane, which is a dead-end road, with money from other residents to help

with maintenance costs. He added that the owner of the property does not contribute. He asked for understanding. He also informed Council he was assaulted with a vehicle a couple Fridays ago. Mr. Bennett added he was also verbally assaulted trying to protect his property. He stated that a 10-wheeled truck can't make the turn. He advised that every time there is an incident they've been in the wrong and they are the property owners. They were advised that it is perfectly legal to put up gates or barriers as long as she had access to her property.

Mayor Leonard advised that because this is a civil matter, the Town can't get involved.

Mr. Bennet stated that he understood and wanted this to be part of the record as they are pursuing legal action to close the easement off. He thanked Council.

- Mr. Larry Conser, 5171 Main Street, advised that the pump-out at the Town dock doesn't always work and feels there should be more than 1 pump. He stated that Harbormaster Merritt is super busy and doesn't have time to take care of everything.

Mayor Leonard advised that if it isn't working, he should call Harbormaster Merritt, or the Town office and it would be addressed.

- Mr. David Landsberger, 5611 Amrien Circle Drive, thanked Council advising that the trail is finished at the Brianna's Kindness Park. He advised of 2 missing signs and asked if the Town could buy and put the 2 signs up. He also asked about the donated funds for the sunshades at the Dog Park and Brianna's Kindness Park and a hard trail for the disabled people to get to the workout equipment. He reported on the progress of the YMCA's new gym, adding that it should be completed by the end of the year.

Agenda Adoption

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

District 2 Supervisor Report

Supervisor Tarr discussed the Inlet Study funding in depth. He urged Council to contact Mr. Keith Lockwood, Chief Water Resources Division of the Norfolk District with the Army Corps of Engineers. He explained in length about the Inlet Study funds to be in the President's budget in 2026 with no specific line item in regarding the Town's Inlet Study. Congresswoman Kiggans gave authority to start the study, and the Army Corps has a non-specific available fund in the amount of \$500,000. They are supposed to fund \$1.5 million, and \$1.5 million is supposed to be from non-federal money. He added that nothing has been said about the mysterious \$27 million that came into play for Eastern Shore waterways 2 years ago. They couldn't give any information on this. The Army Corps advised that they ask for it every year, and nothing has been authorized or appropriated, except for the \$500,000 for other projects as well. If they get it approved, it will take up to 3 years to get it. He suggested sending letters to Mr. Lockwood about the importance of this project. He stated that Delegate Bloxom should be contacted. He suggested asking the Army Corps what their intentions are and for a timeline of commencement and completion. He stated that they should invite Mr. Lockwood to come to the Island. He reminded them of what they do for the Island with dredging, adding that this is big.

Councilwoman Bowden feels this is unrealistic to think that \$3 million 8 years ago will still be \$3 million now, she feels that there's just no way. She stated that this is the biggest issue facing them. She feels they should get Mr. Lockwood here and take him to the Inlet.

Supervisor Tarr also advised of NASA's decision to take the P3 planes out of Wallops, adding that this is 23 jobs. He stated that Mr. Dave Pierce assured them that they would have other jobs at Wallops. He also stated that the County and the state has \$8 million in the Wallops Research Park and a selling point was the runway. He advised that the County wrote a letter to NASA, and Mr. Pierce will be at the Supervisor's September meeting. He also reported that Rocket Lab wants to use Queen Sound ramp to bring big rockets in on a barge and take to Wallops on a trailer. The County doesn't own the Queen Sound ramp, VDOT does. He added that by 2028 they'll have at least 12 launches and 12 landings at Queen Sound with a lot of holdups on a 2-lane Causeway. He reported that the DWR, Department of Wildlife Resources, has this now. He is unsure if that ramp will hold a barge and rocket.

Councilwoman Richardson asked what happened to the project of digging out and putting in a new pier bringing rockets in from the ocean to the Inlet.

Supervisor Tarr advised they've moved the sand from one end of Wallops to the other, and did work on the pier but the dredging is the Army Corps of Engineers. He commented about the jetties off of Wallops beach.

Councilwoman Bowden feels this is unrealistic to think they can bring something like that to Queen Sound with 1 way on and 1 way off the Island. She stated that they won't get an ambulance off the Island.

Supervisor Tarr suggested they contact the DWR.

Staff Reports

General Government

Town Manager Tolbert reported that Cockrell's Marine Railway, Inc. has completed the Derelict Vessel Removal Project. They removed 5 vessels along with the abandoned steel rigging in the marsh. He also reported on the street sweeper fire which has been declared a total loss. The Town will receive replacement costs for the sweeper as opposed to the salvage value. Public Works Director Parks is currently looking for a replacement. He gave the August Report for the Chincoteague Center events which included a family reunion, Virginia Spaceport intern presentations, Wrestling, the Kiwanis bi-monthly blood drive, and a wedding. Center Director Leonard applied for and received a grant for new trash cans. There will be a Chincoteague Candidate Forum, October 22nd at 7:00 p.m. which will be moderated by former Accomack County Circuit Court Clerk, Mr. Sammy Cooper. Town Manager Tolbert announced that the Town office has a new phone system which went live Thursday, August 29th. The new service will provide the same desirable features of the existing system as well as an auto attendant that will greet callers, allowing them to connect directly to the employee or subject of their choice.

Town Manager Tolbert gave the Trolley Report for August advising that the ridership has fallen off and they decided to revert back to weekends through the Oyster Festival on October 12th. He

added that the Center booked a wedding in October, and they have rented the recently acquired trolley to transport attendees from their hotels to the event at the Center. He gave the Meals and Transient Occupancy Tax Report for August, which is the July activity along with the Financial Report. He then reported on Building and Zoning with 60 permits, 51 inspections, with a total value for the building cost of construction was \$1,257,234 with \$4,595.90 in building permit fees.

Councilwoman Bowden, referring to the trolley the Town purchased, asked what the charge is.

Town Manager Tolbert advised that they offered this to them at \$100 per hour which was discounted as they rented the center. He added that if you're just renting it, there would be a different rate.

Police Department

Chief Greenley reviewed the monthly Police report advising that on August 3rd, PFC. Turlington completed his FTO program with SGT. Stevens and now on patrol by himself. He introduced Officer Turlington who came from Accomack County Sheriff's office as a jailer and completed the Police Academy on June 11th. On August 15th – 16th SROS Carmody and Geminiani completed an AAIR (Active Attack Integrated Response) class, similar to the Active Shooter Class integrating with EMS. On August 21st, he attended the DMV grant workshop to receive grant funding for Selective Enforcement. He added that the Dispatcher room received a major cleaning and removal of old wires to prepare for the new consoles to be installed this week.

Public Works Department

Public Works Director Parks reported that in addition to repairing 5 water leaks, the Water Department installed 2 new services, and 1,200 feet of new watermain on Bayberry Lane. The Public Works Department installed exercise equipment around the walking trail at Brianna's Kindness Park. They acquired an equipment trailer. They also installed fencing at Memorial Park Drive. Pavement markings were installed on the new asphalt on Willow Street, North Main Street, Ridge Road, and the "S" turn on Deep Hole Road. The Public Works crew also painted 20 stop bars around Town. Public Works Director Parks explained that the current chlorine provider sold the company and the service was poor. The Town has decided to change providers. Accomack County Public Works was kind enough to loan the Town chlorine. He also advised that in September they plan to hook-up the waterline on Wildcat Lane and are currently in the process of looking for a new street sweeper. They will also continue with storm drain improvements.

Councilman Taylor directed Public Works Director Parks to fix the gate at the Dog Park and put concrete in. He suggested talking and working with the people there. He added that they have a good crew.

Councilwoman Bowden asked if the money charged for the Dog Park was going into the General Fund.

Town Manager Tolbert advised it was.

Councilwoman Bowden asked is anyone was looking at some of this at times.

Town Manager Tolbert advised that they do, and suggested regrading, planting grass, adding wood shavings or pouring concrete, bolting the benches down for safety purposes, and installing the sail shade.

Emergency Services

Director of Emergency Services Rush reported they ended August with 130 calls. He reviewed the statistics from August 2011 calls, response and on-scene times giving kudos to the EMS staff. He talked about REVIVE Training which teaches EMS staff how to teach family and patients how to administer Narcan. He added that they can also leave Narcan with the patient and/or family members. This could reduce responses making the County safer. He commented on the status of the Drug Kit Program, adding that the goal to go live is mid-October. He reported on weather monitoring from tropical storm Debby. He also advised that they hosted the Regional Catastrophic Planning Exercise Workgroup with a workshop at the Center with representatives from Virginia, Maryland, and Delaware. He reported that Finance Director Lewis helped close out the VDEM Local Emergency Planning Grant for the upgrades to the EOC. The Pony Penning After Action Report has also been completed. He reviewed the tropics for potential storms adding that September is National Preparedness Month. He urged everyone to be prepared.

Committee Report

RCEC

Councilman Taylor reported they met on August 8th and discussed repairing the roofs on the Memorial Park pavilion and restrooms and decided to remove the dugouts using fence-type dugouts to save money. They discussed the Amrien gym floor, shade for the Brianna's Kindness Park along with the hard surface to the exercise equipment. He also advised of the decision for a new volleyball court at Memorial Park and adding another member to the RCEC in the near future.

Public Safety

Councilwoman Bowden stated they met on August 12th. Chief Greenley proposed that they needed in-car and body worn camera systems. The current system has failed. The Committee voted to send it to Council for approval.

Budget and Personnel

Vice Mayor Bott advised that they are looking at additional new revenue sources and programs. They spoke with the legal team in Richmond. He added that Town Manager Tolbert has more items for Council to discuss in October. They will reinvent the wheel like other localities have done.

Councilman Taylor commented on the water availability fee.

Councilwoman Bowden commented further about thinking about getting more families to the Island. She feels that Council needs to get proactive to get these families here. She hopes they can continue to work on getting legislation done for the community.

Adoption of Minutes of August 5th and August 15th Council Meetings
Councilwoman Bowden motioned, seconded by Councilman McComb to adopt the minutes of the August 5th and August 15th Council meetings as presented. Unanimously approved.

Holiday Decoration Presentation

Councilman McComb advised that after the end of FY24 budget closure, they had surplus that was designated for the holiday decorations. He stated that they put together a committee comprised of citizens who have worked to develop recommendations for Council for the enhancement of the community's holiday decorations. Some of the decorations are not in good condition. They worked with Public Works Director Parks and staff, took inventory and decided what they have to work with. Mr. Krome and Mr. Potts have a long-standing relationship with Mosca Design of Youngsville, NC through their work over the last several years with Christmas by the Sea and Christmas Manor. This relationship was a huge benefit in enabling savings and recommendations quickly and involve local businesses and community organizations through donations to expand the project's scope. The Committee is recommending to Council for the purchase of 42-LED pole-mount decorations that are an average of 5' x 5' and will line Main Street from the Waterside Inn to the Island Motor Inn and from the bridge down Maddox Boulevard to the Chincoteague Museum with enhancements to existing pieces on Willow and Church Streets. Decorations are a mix of holiday nautical items and large snowflakes that expand and support the ongoing Christmas by the Sea theme.

Councilman McComb also added that in discussion with our Public Works personnel, it may also be feasible to take the best of the lantern decorations that in years past lined Main Street and light a portion of Deep Hole Road past the Fire House. The Committee has also recommended the purchase of the following enhancements to other public areas, and showed pictures:

- A new Christmas by the Sea custom marquee with alternating LED lighting in the colors of red, green, and warm white. The marquee will be a great addition to the Robert Reed Park measuring 41' x 18'.
- 12' LED tree lights for the foot of the bridge also in red, green, and warm white alternating strands of lights.
- 10' holiday wreath with bow and ornaments and 160 LED lights for the Town Office.
- 5-3' building wreaths for the old fire house of similar design of the wreath for the Town Office above. This will be reminiscent of how the building was decorated when the CVFC occupied the space.

Councilman McComb advised that the Committee continues to work with the Downtown Merchants Association and add to the holiday décor of Robert Reed Park through a potential donation of a large Christmas by the Sea sign all with the new LED technologies. They are also discussing the addition of a sound system for the Downtown that could be used not only for music during the holidays but year-round. They ordered the new decorations and equipment in August so that they will arrive in October and Public Works can start getting them up in time for this holiday season. He thanked the Committee for a job well done; Mr. Krome, Mr. Potts, Mrs. Robbins, Mrs. Conklin, and Ms. Faith.

Consider FY25 Donations

Island Museum

Ms. Cindy Faith with the Island Museum stated that this is a great opportunity and thanked Council for all they do for the Town. She added that it goes unnoticed. She advised that the Museum is in the 52nd year. She reported that the exhibits change each year, the Beebe Ranch is in the process of being repaired, renovated, with the addition of a handicap ramp along with exhibits in the home. They purchased a new bus to help with the Road Scholar Program, and they are planning the 100th Pony Penning Celebration. She added they are also wrapping up the year with events, fundraising, and activities.

Mayor Leonard advised that historically the Town has donated \$5,000 to the Museum which is what they're requesting.

Councilman McComb motioned, seconded by Councilman Taylor to approve a donation for the Island Museum in the amount of \$5,000. Unanimously approved.

Island Library

Mayor Leonard advised there was no one present to represent the Island Library and advised this is another organization that the Town helps annually. He added that they sent, along with the application, their Profit Loss Statement and plans for the donation.

Councilman Savage motioned, seconded by, Councilman McComb to approve a donation for the Island Library in the amount of \$5,000. Unanimously approved.

Village Neighbors

Ms. Catherine Shappell with the Village Neighbors thanked Council and advised they appreciate anything the Town can do to support the Village Neighbors.

Mayor Leonard advised the Village Neighbors requested \$5,000.

Councilman Taylor motioned, seconded by Councilwoman Richardson to approve a donation for the Village Neighbors in the amount of \$5,000. Unanimously approved.

North Accomack Little League

Mr. Lee Jester with the North Accomack Little League stated that everyone has had kids coming up through the Little League. He stated that they do a lot to keep the kids out of trouble, teaches good sportsmanship, teamwork, respectful conduct, and it draws young families to the Island. He reported that enrollment has increased significantly, and they have upgraded their facilities to accommodate the increase. He stated that they have hosted multiple District All-Star games bringing in more than local people. He added that the Town gave a donation for the 40' x 80' x 14' building for indoor pitching and hitting for year-round practice. They have raised the money for the building but need money to finish the inside. He commented on the cost of the rollup doors, concrete floors, and turf. Mr. Jester stated that payment for either item would be greatly appreciated.

Vice Mayor Bott motioned, seconded by Councilman McComb to approve a donation for the North Accomack Little League in the amount of \$5,000. Unanimously approved.

Council directed Town Manager to review the budget for additional funds

Chincoteague Combined Schools - PTSA

Ms. Melissa Barret with the Chincoteague Combined Schools PTSA explained that the PTSA hosts free dances and activities, a welcome back breakfast for teachers and staff, teacher's appreciation, and scholarships.

Mayor Leonard stated that many members of Council have enjoyed things at the schools. He feels they should support them and are fortunate to have them.

Councilwoman Richardson motioned, seconded by Councilwoman Bowden to approve a donation for the CCS PTSA in the amount of \$5,000. Unanimously approved.

Accomack County Sheriff's Department – DARE Program

Deputy Campbell with the Accomack County DARE Program stated that the Program is for all Accomack County 5th graders and funded by the Accomack County Sheriff's Department. The donation he is asking for is for DARE Day where all the 5th grade students from Northampton and Accomack County go to Nandua High School for a full day of celebration to ensure they're on the same track and mission.

Councilwoman Richardson motioned, seconded by Councilman McComb to approve a donation for the DARE Program in the amount of \$1,000. Unanimously approved.

Consider 911 System Tower MOU

Town Manager Tolbert explained that the County of Accomack is getting a new 911 system, and the Town was included. He described all the equipment that is included; 2 consoles, installation, antennas, wire, server, and everything needed to operate the system. He stated that they needed a space on the Town's cell tower that is leased to American Tower. Because it is new equipment on the tower the Town will need to pay for another space and the ESVA 911 Center will reimburse the Town for the rent in the amount of \$966.03 per month. The MOU memorializes the arrangement as part of the inner workings. As a part of this agreement, the Town had to amend the Tower Lease. He explained that the Town will pay ESVA 911 \$4,328 at the beginning of each year for support and maintenance costs associated with the dispatch radio consoles. The Town's only cost of participating in this program is \$4,328. He added that the Town currently pays approximately \$12,000 each year for a cloud-based server. This service will be canceled, and the Town will pay the \$4,328 each year which is a savings of nearly \$8,000 a year in dispatch revenue. He advised that the agreement is good and accounted for.

Councilwoman Bowden asked if the \$4,328 and MOU was good for 20 years.

Town Manager Tolbert advised it is unless they say differently. There is no provision to accelerate this.

Vice Mayor Bott motioned, seconded by Councilwoman Bowden to adopt the 911 System Tower MOU as presented. Unanimously approved.

**MEMORANDUM OF AGREEMENT
BETWEEN THE ESVA 9-1-1 COMMISSION
AND THE TOWN OF CHINCOTEAGUE, VIRGINIA.**

THIS Memorandum of Agreement (MOA) is made and entered into on this 3rd day of September, 2024, by and between the Eastern Shore of Virginia 9-1-1 Commission, a separate entity formed under Virginia Code § 15.2-1300 by adoption of a joint resolution by the Counties of Accomack and Northampton on July 18, 1990 (“ESVA 9-1-1”), having a principal office located at 23201 Front Street, Accomack, Virginia 23301 and the Town of Chincoteague, a political subdivision of the Commonwealth of Virginia, with mailing address at 6150 Community Drive, Chincoteague Island, Virginia 23336 (“TOC”).

WITNESSETH:

WHEREAS, ESVA 9-1-1 is upgrading its Eastern Shore of Virginia Regional Radio System ("ESVARRS"), which will require the installation of antennas on the Tower and the construction or placement of associated infrastructure, improvements, fixtures, and equipment on a tower located at 6097 Community Drive, Chincoteague, VA 23336-2701; and

WHEREAS, **TOC has an existing agreement with American Towers, LLC**; dated March 20, 2024 for the use of a certain portion of the Tower Facility (“Tower”) to accommodate the ESVARRS infrastructure, improvements, fixtures, and equipment; and

WHEREAS, the **existing** Lease between TOC and **American Towers, LLC** sets forth the terms and conditions on which Lessee shall lease sufficient space on the Tower to install, maintain and operate antennas on the Tower and to install, maintain and operate infrastructure, improvements, fixtures and equipment on the Site.

NOW, THEREFORE, ESVA 9-1-1, and TOC, in consideration of the mutual obligations and mutual benefits accruing to their respective entities from this MOU, have agreed upon the terms herein among themselves as follows:

1. Through and in compliance with the existing lease between the TOC and American Towers, LLC, TOC agrees to grant ESVA 9-1-1 usage and access to the Tower for the placement of antennas systems and related equipment as identified in Exhibit A.
2. TOC agrees to grant usage and access to TOC land around the Tower site and the TOC Public Works **Building for construction and** use equipment shelter and related needs; as identified in Exhibit B.

3. TOC agrees to grant usage and access to the Police Department Building (Town of Chincoteague facility) as part of the needed connectivity (microwave) network of the ESVARRS; as identified in Exhibit C.
4. ESVA 9-1-1 shall pay TOC \$966.03 at the beginning of each month for usage and access to the Tower, with an escalation not exceeding the Annual Escalator pursuant to Section IV of the Agreement between TOC and American Towers, LLC .
5. TOC shall pay ESVA 9-1-1 \$4,328 at the beginning of each year for support/maintenance costs associated with the dispatch radio consoles located and used at the Chincoteague Police Department as part of ESVARRS.
6. The Term, for the use of the Tower, shall be in accordance with the Agreement between TOC and American Towers, LLC. The Term for the use of the TOC land around the tower and at the Police Department Building (Town of Chincoteague facility) shall be Twenty (20) years commencing on the effective date of this MOA.
7. Either entity wishing to withdraw from this Memorandum of agreement must provide at least twelve-month's notice to the other entity, prior to such withdrawal.

IN WITNESS WHEREOF, the parties hereto have set their signatures :

Eastern Shore of Virginia 9-1-1
Commission

Town of Chincoteague, Virginia

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

Consider SLPP Awardees Recommendation

Mayor Leonard advised that the Septic Local Partners Project Committee met on August 14th to review and consider applications for assistance from residents for the replacement of failing septic systems. The Committee reviewed all 10 applications and approved them.

Town Manager Tolbert advised that according to the agreement with the DEQ the Committee is required to make a recommendation, and Council is required to approve the recommendation. There are other things that must be done during the process as well.

Mayor Leonard asked how much funding is left.

Town Manager Tolbert reported there is approximately \$800,000 left.

Councilwoman Bowden motioned, seconded by Vice Mayor Bott to approve the award for the first round as presented. Unanimously approved.

Council Comments

Councilwoman Bowden stated that they have a wonderful Town, Parks, and visitors and live here and do a fantastic job. She continued that Public Works does a great job maintaining and doing what they do. She added that there's always ways to improve on a couple of things. She doesn't like it when a citizen spends their own money to make something better. She feels the Town should be on top of things that need to get done. She wants the Town to do better to get the projects done. She appreciates every one of them and what they do. She concluded with "Go Yankees"!

Councilman McComb referred to Supervisor Tarr's topic regarding the loss of planes at NASA. He feels it would behoove the Town to write a letter concerning the loss of jobs. He added that it is also about the amount of folks that are bring here for testing of the planes and there is a good amount of money going into lodging and restaurants. He stated they need better assurances. He concluded that he knows for certain if the Town doesn't slow down or prevent it from happening there will be a loss of jobs and also in Transient Occupancy and Meals Taxes.

Councilman Taylor stated that the amount of money given out tonight isn't a drop in the bucket to all that they do in money and effort. He added that they have the Town's blessing, and he urged them to keep doing what they're doing. He also thanked them.

Councilman Savage agreed with Councilman Taylor adding that volunteers make up the community and doing a great job. He gave kudos to them. He mentioned the EMS and Police Department for a fine job adding that it's hard to match their job, he also gave kudos to them.

Mayor Leonard stated that he is thankful for where we live and the people that live here. He concluded with, "Roll Tide"!

Closed Meeting – In accordance with §2.2-3711(A) (3) of the Code of Virginia that the Council convene a closed session for the discussion and consideration of the purchase of real property for a public purpose.

Councilman Savage motioned, seconded by Councilwoman Bowden to go into a closed meeting in accordance with §2.2-3712 (A) (3) of the Code of Virginia that the Council convene a closed session for the discussion and consideration of the purchase of real property for a public purpose.

All present were in favor and the motion was carried.

Ayes: Bott, Bowden, McComb, Richardson, Savage, Taylor
Nays: None
Absent: None

Certification of Closed Meeting in Accordance with §2.2-3712 (D) of the Code of Virginia
Councilman Savage motioned, seconded by Councilwoman Bowden to certify that to the best of each member's knowledge:

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

All present were in favor and the motion was carried.

Ayes: Bott, Bowden, McComb, Richardson, Savage, Taylor
Nays: None
Absent: None

Adjourn

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

J. Arthur Leonard, Mayor

Michael T. Tolbert, Town Manager

**MINUTES OF THE SEPTEMBER 19, 2024
CHINCOTEAGUE TOWN COUNCIL MEETING
Council Chambers**

Council Members Present:

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

Council Members Absent:

Staff Present:

Mr. Michael T. Tolbert, Town Manager

Call to Order

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

Invocation

Councilman Savage offered the invocation.

Pledge of Allegiance

Mayor Leonard led in the Pledge of Allegiance.

Public Comment

Mayor Leonard opened the floor for public comment and there was none.

Agenda Adoption

Councilwoman Richardson, seconded by Councilwoman Bowden to adopt the agenda as presented. Unanimously approved.

Adopt Update of Title VI

Town Manager Tolbert advised this is a requirement for the Trolley Grant and is updated and approved each year.

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

**Title VI Plan and Procedures
Title VI of the Civil Rights Act of 1964**

The Pony Express

The Town of Chincoteague, Inc.



September 19, 2024

Table of Contents

I.	INTRODUCTION	3
II.	OVERVIEW OF SERVICES	3
III.	POLICY STATEMENT AND AUTHORITIES	3
IV.	NONDISCRIMINATION ASSURANCE TO DRPT	4
V.	PLAN APPROVAL DOCUMENT	5
VI.	ORGANIZATION AND TITLE VI PROGRAM RESPONSIBILITIES	5
VII.	PROCEDURES FOR NOTIFYING THE PUBLIC OF TITLE VI RIGHTS AND HOW TO FILE A COMPLAINT	8
VIII.	TITLE VI COMPLAINT PROCEDURES	9
IX.	PUBLIC OUTREACH AND INVOLVEMENT	14
X.	LANGUAGE ASSISTANCE PLAN FOR PERSONS WITH LIMITED ENGLISH PROFICIENCY (LEP)	15
XI.	MINORITY REPRESENTATION ON PLANNING AND ADVISORY BODIES	22
XII.	MONITORING TITLE VI COMPLAINTS	23
	Appendix A - Title VI Notice to the Public	24
	Appendix B - Title VI Notice to the Public List of Locations	24
	Appendix C - Title VI Complaint Form	24
	Appendix D - Investigations, Lawsuits and Complaints Document	24
	Appendix E - Summary of Outreach Efforts	24
	Appendix F - Table Minority Representation on Committees by Race	24

I. INTRODUCTION

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that "no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." (42 U.S.C. Section 2000d).

The Civil Rights Restoration Act of 1987 clarified the intent of Title VI to include all programs and activities of Federal-aid recipients, sub-recipients, and contractors whether those programs and activities are federally funded or not.

The Federal Transit Administration (FTA) has placed renewed emphasis on Title VI issues, including providing meaningful access to persons with Limited English Proficiency.

Recipients of public transportation funding from FTA and the Virginia Department of Rail and Public Transportation (DRPT) are required to develop policies, programs, and practices that ensure that federal and state transit dollars are used in a manner that is nondiscriminatory as required under Title VI.

This document details how The Town of Chincoteague incorporates nondiscrimination policies and practices in providing services to the public. The Town of Chincoteague's Title VI policies and procedures are documented in this plan and its appendices and attachments. This plan will be updated periodically (at least every three years) to incorporate changes and additional responsibilities that arise.

OVERVIEW OF SERVICES

The Pony Express is a seasonal trolley service provided by the Town of Chincoteague, Virginia. This service is open to the public and follows fixed routes covering most of the island including many of the motels, restaurants, shops, parks, recreational areas, ice cream parlors, and campgrounds. Americans with Disabilities Act (ADA) public transportation option is available. All of our trolleys are equipped with wheelchair lifts.

POLICY STATEMENT AND AUTHORITIES

Title VI Policy Statement

The Town of Chincoteague **is** committed to ensuring that no person shall, on the grounds of race, color, national origin, as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (PL 100.259), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, whether those programs and activities are federally funded or not.

The Town of Chincoteague Title VI Manager is responsible for initiating and monitoring Title VI activities, preparing required reports, and other responsibilities as required by Title 23 Code of Federal Regulations (CFR) Part 200, and Title 49 CFR Part 21.

 Michael T. Tolbert, Town Manager
 Signature of Authorizing Official

 Date

Authorities

Title VI of the 1964 Civil Rights Act provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance (refer to 49 CFR Part 21). The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of the terms “programs or activities” to include all programs or activities of Federal Aid recipients, sub recipients, and contractors, whether such programs and activities are federally assisted or not.

Additional authorities and citations include: Title VI of the Civil Rights Act of 1964 (42 U.S.C. Section 2000d); Federal Transit Laws, as amended (49 U.S.C. Chapter 53 et seq.); Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601, et seq.); Department of Justice regulation, 28 CFR part 42, Subpart F, “Coordination of Enforcement of Nondiscrimination in Federally-Assisted Programs” (December 1, 1976, unless otherwise noted); U.S. DOT regulation, 49 CFR part 21, “Nondiscrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964” (June 18, 1970, unless otherwise noted); Joint FTA/Federal Highway Administration (FHWA) regulation, 23 CFR part 771, “Environmental Impact and Related Procedures” (August 28, 1987); Joint FTA/FHWA regulation, 23 CFR part 450 and 49 CFR part 613, “Planning Assistance and Standards,” (October 28, 1993, unless otherwise noted); U.S. DOT Order 5610.2, “U.S. DOT Order on Environmental Justice to Address Environmental Justice in Minority Populations and Low-Income Populations,” (April 15, 1997); U.S. DOT Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient Persons, (December 14, 2005), and Section 12 of FTA’s Master Agreement, FTA MA 13 (October 1, 2006).

II. NONDISCRIMINATION ASSURANCE TO DRPT

In accordance with 49 CFR Section 21.7(a), every application for financial assistance from the Federal Transit Administration (FTA) must be accompanied by an assurance that the applicant will carry out the program in compliance with DOT’s Title VI regulations. This requirement is fulfilled when the Virginia Department of Rail and Public Transportation (DRPT) submits its annual certifications and assurances to FTA. DRPT shall collect Title VI assurances from sub-recipients prior to passing through FTA funds.

As part of the Certifications and Assurances submitted to DRPT with the Annual Grant Application and all Federal Transit Administration grants submitted to the DRPT, The Town of Chincoteague submits a Nondiscrimination Assurance which addresses compliance with Title VI as well as

nondiscrimination in hiring (EEO) and contracting (DBE), and nondiscrimination on the basis of disability (ADA).

In signing and submitting this assurance, The Town of Chincoteague confirms to DRPT the agency's commitment to nondiscrimination and compliance with federal and state requirements.

III. PLAN APPROVAL DOCUMENT

I hereby acknowledge the receipt of the Title VI Implementation Plan. I have reviewed and approve the Plan. I am committed to ensuring that no person is excluded from participation in or denied the benefits of transit services based on race, color, or national origin, as protected by Title VI according to Federal Transit Administration (FTA) Circular 4702.1B Title VI requirements and guidelines for FTA sub-recipients.

Signature of Authorizing Official

Date

Mr. Michael T. Tolbert PE, Town Manager

The Town of Chincoteague

Add meeting minutes from board/committee approval

IV. ORGANIZATION AND TITLE VI PROGRAM RESPONSIBILITIES

The Town of Chincoteague, Town Manager is responsible for ensuring implementation of the agency's Title VI program. Title VI program elements are interrelated, and responsibilities may overlap. The specific areas of responsibility have been delineated below for purposes of clarity.

Overall Organization for Title VI

The Title VI Manager and staff are responsible for coordinating the overall administration of the Title VI program, plan, and assurances, including complaint handling, data collection and reporting, annual review and updates, and internal education.

Detailed Responsibilities of the Title VI Manager

The Title VI Manager is charged with the responsibility for implementing, monitoring, and ensuring compliance with Title VI regulations. Title VI responsibilities are as follows:

1. Process the disposition of Title VI complaints received.
2. Collect statistical data (race, color or national origin) of participants in and beneficiaries of agency programs, (e.g., affected citizens, and impacted communities).

3. Conduct annual Title VI reviews of agency to determine the effectiveness of program activities at all levels.
4. Conduct Title VI reviews of construction contractors, consultant contractors, suppliers, and other recipients of federal-aid fund contracts administered through the agency.
5. Conduct training programs on Title VI and other related statutes for agency employees.
6. Prepare a yearly report of Title VI accomplishments and goals, as required.
7. Develop Title VI information for dissemination to the general public and, where appropriate, in languages other than English.
8. Identify and eliminate discrimination.
9. Establish procedures for promptly resolving deficiency status and writing the remedial action necessary, all within a period not to exceed 90 days.

General Title VI responsibilities of the agency

The Title VI Manager is responsible for substantiating that these elements of the plan are appropriately implemented and maintained, and for coordinating with those responsible for public outreach and involvement and service planning and delivery.

1. Data collection

To ensure that Title VI reporting requirements are met, The Town of Chincoteague will maintain:

- A database or log of Title VI complaints received. The investigation of and response to each complaint is tracked within the database or log.
- A log of the public outreach and involvement activities undertaken to ensure that minority and low-income people had a meaningful access to these activities.

2. Annual Report and Updates

As a sub-recipient of FTA funds, The Town of Chincoteague is required to submit a Quarterly Report Form to DRPT that documents any Title VI complaints received during the preceding quarter and for each year. The Town of Chincoteague will also maintain and provide to DRPT an annual basis, the log of public outreach and involvement activities undertaken to ensure that minority and low-income people had a meaningful access to these activities.

Further, we will submit to DRPT updates to any of the following items since the previous submission, or a statement to the effect that these items have not been changed since the previous submission, indicating date:

- A copy of any compliance review report for reviews conducted in the last three years, along with the purpose or reason for the review, the name of the organization that

performed the review, a summary of findings and recommendations, and a report on the status or disposition of the findings and recommendations

- Limited English Proficiency (LEP) plan
- procedures for tracking and investigating Title VI complaints
- A list of Title VI investigations, complaints or lawsuits filed with the agency since the last submission
- A copy of the agency notices to the public that it complies with Title VI and instructions on how to file a discrimination complaint

3. Annual review of Title VI program

Each year, in preparing for the Annual Report and Updates, the Title VI Manager will review the agency's Title VI program to assure implementation of the Title VI plan. In addition, they will review agency operational guidelines and publications, including those for contractors, to verify that Title VI language and provisions are incorporated, as appropriate.

4. Dissemination of information related to the Title VI program

Information on our Title VI program will be disseminated to agency employees, contractors, and beneficiaries, as well as to the public, as described in the "public outreach and involvement" section of this document, and in other languages when needed according to the LEP plan as well as federal and State laws/regulations.

5. Resolution of complaints

Any individual may exercise his or her right to file a complaint if that person believes that he, she or any other program beneficiaries have been subjected to unequal treatment or discrimination in the receipt of benefits/services or prohibited by non-discrimination requirements. The Town of Chincoteague will report the complaint to DRPT within three business days (per DRPT requirements), and make a concerted effort to resolve complaints locally, using the agency's Title VI Complaint Procedures. All Title VI complaints and their resolution will be logged as described under Section 1. Data collection and reported annually (in addition to immediately) to DRPT.

6. Written policies and procedures

Our Title VI policies and procedures are documented in this plan and its appendices and attachments. This plan will be updated periodically to incorporate changes and additional responsibilities that arise. During the course of the Annual Title VI Program Review (item 3 above), the Title VI Manager will determine whether or not an update is needed.

7. Internal education

Our employees will receive training on Title VI policies and procedures upon hiring and upon promotion. This training will include requirements of Title VI, our obligations under Title VI (LEP requirements included), and required data that must be gathered and maintained. In addition,

training will be provided when any Title VI-related policies or procedures change (agency-wide training), or when appropriate in resolving a complaint.

Title VI training is the responsibility of the Director of Transportation

8. Title VI clauses in contracts

In all federal procurements requiring a written contract or Purchase Order (PO), The Town of Chincoteague contract/PO will include appropriate non-discrimination clauses. The Title VI Manager will work with the Town of Chincoteague's Town Manager, Michael T Tolbert, who is responsible for procurement contracts and POs to ensure appropriate non-discrimination clauses are included.

V. PROCEDURES FOR NOTIFYING THE PUBLIC OF TITLE VI RIGHTS AND HOW TO FILE A COMPLAINT

Requirement to Provide a Title VI Public Notice

Title 49 CFR Section 21.9(d) requires recipients to provide information to the public regarding the recipient's obligations under DOT's Title VI regulations and apprise members of the public of the protections against discrimination afforded to them by Title VI. At a minimum, The Town of Chincoteague shall disseminate this information to the public by posting a Title VI notice on the agency's website and in public areas of the agency's office(s), including the reception desk, meeting rooms, in federally funded vehicles, etc. The following Sample Public Notice is to be included as APPENDIX A- Title VI Notice to the Public; List of locations and displayed in your vehicles and facilities. Place Notice on agency letterhead:

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that "no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance" (42 U.S.C. Section 2000d).

The Town of Chincoteague is committed to ensuring that no person is excluded from participation in and or denied the benefits of its transportation services on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1B. If you feel you are being denied participation in or being denied benefits of the transit services provided by The Town of Chincoteague or otherwise being discriminated against because of your race, color, national origin, gender, age, or disability, our contact information is:

Name:	Michael T. Tolbert
Title:	Town Manager
Agency Name:	Town of Chincoteague, Inc
Address:	6519 Community Dr.
City, State Zip code:	Chincoteague, VA 23336
Telephone Number:	(757) 336-6519
Email address:	mtolbert@chincoteague-va.gov

NOTE: As part of Title VI requirements, sub-recipients are also required to maintain a list of locations where their Title VI Notices have been posted or displayed.

SEE APPENDIX A-Title VI Notice to the Public
SEE APPENDIX B-Title VI Notice to the Public List of Locations

VI. Title VI Complaint Procedures

Requirement to Develop Title VI Complaint Procedures and Complaint Form.

In order to comply with the reporting requirements established in 49 CFR Section 21.9(b), all recipients shall develop procedures for investigating and tracking Title VI complaints filed against them and make their procedures for filing a complaint available to members of the public. Recipients must also develop a Title VI complaint form. The form and procedure for filing a complaint shall be available on the recipient's website and at their facilities.

Any individual may exercise his or her right to file a complaint with The Town of Chincoteague that person believes that he or she has been subjected to unequal treatment or discrimination in the receipt of benefits or services. We will report the complaint to DRPT within three business days (per DRPT requirements), and make a concerted effort to resolve complaints locally, using the agency's Nondiscrimination Complaint Procedures. All Title VI complaints and their resolution will be logged and reported annually (in addition to immediately) to DRPT.

The Town of Chincoteague includes the following language on all printed information materials, on the agency's website, in press releases, in public notices, in published documents, and on posters on the interior of each vehicle operated in passenger service:

The Town of Chincoteague is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transit services on the basis of race, color or national origin, as protected by Title VI of the Civil Rights Act of 1964.

For additional information on The Town of Chincoteague's nondiscrimination policies and procedures, or to file a complaint, please visit the website at chincoteague-va.gov or contact Michael T Tolbert, Town Manager, 6150 Community Drive, Chincoteague, Virginia, 23336 Instructions for filing Title VI complaints are posted on the agency's website and in posters on the interior of each vehicle operated in passenger service and agency's facilities, and are also included within The Town of Chincoteague's Pony express welcome to Chincoteague Island brochure.

C-Title VI Complaint Form

Section I:				
Name:				
Address:				
Telephone (Home):			Telephone (Work):	
Electronic Mail Address:				
Accessible Format Requirements?	Large Print		Audio Tape	
	TDD		Other	
Section II:				
Are you filing this complaint on your own behalf?			Yes*	No
*If you answered "yes" to this question, go to Section III.				
If not, please supply the name and relationship of the person for whom you are complaining:				
Please explain why you have filed for a third party: _____				
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.			Yes	No
Section III:				
I believe the discrimination I experienced was based on (check all that apply):				
<input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin				
Date of Alleged Discrimination (Month, Day, Year): _____				
Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form.				
_____ _____				
Section IV				
Have you previously filed a Title VI complaint with this agency?			Yes	No
Section V				
Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?				
<input type="checkbox"/> Yes <input type="checkbox"/> No				

If yes, check all that apply:	
<input type="checkbox"/> Federal Agency: _____	
<input type="checkbox"/> Federal Court _____	<input type="checkbox"/> State Agency _____
<input type="checkbox"/> State Court _____	<input type="checkbox"/> Local Agency _____
Please provide information about a contact person at the agency/court where the complaint was filed.	
Name: _____	
Title: _____	
Agency: _____	
Address: _____	
Telephone: _____	
Section VI	
Name of agency complaint is against: _____	
Contact person: _____	
Title: _____	
Telephone number: _____	

You may attach any written materials or other information that you think is relevant to your complaint.

Signature and date required below

Signature

Date

Procedures for Handling and Reporting Investigations/Complaints and Lawsuits

Should any Title VI investigations be initiated by FTA or DRPT, or any Title VI lawsuits are filed against The Town of Chincoteague the agency will follow these procedures:

Procedures

1. Any individual, group of individuals, or entity that believes they have been subjected to discrimination on the basis of race, color, or national origin may file a written complaint with the Title VI Manager. The complaint is to be filed in the following manner:
 - a. A formal complaint must be filed within 180 calendar days of the alleged occurrence.
 - b. The complaint shall be in writing and signed by the complainant(s).
 - c. The complaint should include:
 - the complainant's name, address, and contact information
 - (i.e., telephone number, email address, etc.)
 - the date(s) of the alleged act of discrimination (if multiple days, include the date when the complainant(s) became aware of the alleged discrimination and the date on which the alleged discrimination was discontinued or the latest instance).

- a description of the alleged act of discrimination
 - the location(s) of the alleged act of discrimination (include vehicle number if appropriate)
 - an explanation of why the complainant believes the act to have been discriminatory on the basis of race, color, and national origin
 - if known, the names and/or job titles of those individuals perceived as parties in the incident
 - contact information for any witnesses
 - indication of any related complaint activity (i.e., was the complaint also submitted to DRPT or FTA?)
- d. The complaint shall be submitted to The Town of Chincoteague Title VI Manager at 6150 Community Drive, Chincoteague Virginia 23336 or mtolbert@chincogeague-va.gov.
 - e. Complaints received by any other employee of The Town of Chincoteague will be immediately forwarded to the Title VI Manager.
 - f. In the case where a complainant is unable or incapable of providing a written statement, a verbal complaint of discrimination may be made to the Title VI Manager. Under these circumstances, the complainant will be interviewed, and the Director of Transportation will assist the complainant in converting the verbal allegations to writing.
2. Upon receipt of the complaint, the Title VI Manager will immediately:
 - a. notify DRPT (no later than 3 business days from receipt)
 - b. notify The Town of Chincoteague Authorizing Official
 - c. ensure that the complaint is entered in the complaint database
 3. Within 3 business days of receipt of the complaint, the Title VI Manager will contact the complainant by telephone to set up an interview.
 4. The complainant will be informed that they have a right to have a witness or representative present during the interview and can submit any documentation he/she perceives as relevant to proving his/her complaint.
 5. If DRPT has assigned staff to assist with the investigation, the Title VI Manager will offer an opportunity to participate in the interview.
 6. The alleged discriminatory service or program official will be given the opportunity to respond to all aspects of the complainant's allegations.
 7. The Title VI Manager will determine, based on relevancy or duplication of evidence, which witnesses will be contacted and questioned.
 8. The investigation may also include:
 - a. investigating contractor operating records, policies or procedures
 - b. reviewing routes, schedules, and fare policies
 - c. reviewing operating policies and procedures
 - d. reviewing scheduling and dispatch records
 - e. observing behavior of the individual whose actions were cited in the complaint
 9. All steps taken and findings in the investigation will be documented in writing and included in the complaint file.
 10. The Title VI Manager will contact the complainant at the conclusion of the investigation, but prior to writing the final report, and give the complainant an opportunity to give a rebuttal statement at the end of the investigation process.
 11. At the conclusion of the investigation and within 60 days of the interview with the complainant, the Title VI Manager will prepare a report that includes a narrative description of

the incident, identification of persons interviewed, findings, and recommendations for disposition. This report will be provided to the Authorizing Official, DRPT, and, if appropriate, The Town of Chincoteague's legal counsel.

12. The Title VI Manager will send a letter to the complainant notifying them of the outcome of the investigation. If the complaint was substantiated, the letter will indicate the course of action that will be followed to correct the situation. If the complaint is determined to be unfounded, the letter will explain the reasoning, and refer the complainant to DRPT in the event the complainant wishes to appeal the determination. This letter will be copied to DRPT.
13. A complaint may be dismissed for the following reasons:
 - a. The complainant requests the withdrawal of the complaint.
 - b. An interview cannot be scheduled with the complainant after reasonable attempts.
 - c. The complainant fails to respond to repeated requests for additional information needed to process the complaint.
14. DRPT will serve as the appealing forum to a complainant that is not satisfied with the outcome of an investigation conducted by The Town of Chincoteague and DRPT will analyze the facts of the case and will issue its conclusion to the appellant according to their procedures.

A person may also file a complaint directly with the Federal Transit Administration, Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor – TCR, 1200 New Jersey Avenue SE, Washington, DC 20590.

Transportation-Related Title VI Investigations, Complaints, and Lawsuits

Background

All recipients shall prepare and maintain a list of any of the following that allege discrimination on the basis of race, color, or national origin:

- Active investigations conducted by FTA and entities other than FTA;
- Lawsuits; and
- Complaints naming the recipient.

This list shall include the date that the transportation-related Title VI investigation, lawsuit, or complaint was filed; a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken by the recipient in response, or final findings related to the investigation, lawsuit, or complaint. This list shall be included in the Title VI Program submitted to DRPT every three years and information shall be provided to DRPT quarterly and annually.

List of Investigations, Lawsuits and Complaints

	Date (Month, Day, Year)	Summary (include basis of complaint: race, color or	Status	Action(s) taken

		national origin)		
Investigations				
1.				
Lawsuits				
1.				
Complaints				
1.				

VII. Public Outreach and Involvement

PUBLIC PARTICIPATION PLAN

Introduction

The Public Participation Plan (PPP) is a guide for ongoing public participation endeavors. Its purpose is to ensure that The Town of Chincoteague utilizes effective means of providing information and receiving public input on transportation decisions from low income, minority and limited English proficient (LEP) populations, as required by Title VI of the Civil Rights Act of 1964 and its implementing regulations.

Under federal regulations, transit operators must take reasonable steps to ensure that Limited English Proficient (LEP) persons have meaningful access to their programs and activities. This means that public participation opportunities, normally provided in English, should be accessible to persons who have a limited ability to speak, read, write, or understand English.

In addition to language access measures, other major components of the PPP include public participation design factors; a range of public participation methods to provide information, to invite participation and/or to seek input; examples to demonstrate how population-appropriate outreach methods can be and were identified and utilized; and performance measures and objectives to ensure accountability and a means for improving over time.

The Town of Chincoteague established a public participation plan or process that will determine how, when, and how often specific public participation activities should take place, and which specific measures are most appropriate.

The Town of Chincoteague will make these determinations based on a demographic analysis of the population(s) affected, the type of plan, program, and/or service under consideration, and the resources available. Efforts to involve minority and LEP populations in public participation activities

may include both comprehensive measures, such as placing public notices at all transit stations, stops, and vehicles, as well as targeted measures to address linguistic, institutional, cultural, economic, historical, or other barriers that may prevent minority and LEP persons from effectively participating in our decision-making process.

SOME OF THOSE EFFECTIVE PUBLIC OUTREACH PRACTICES INCLUDES:

- b. Scheduling meetings at times and locations that are convenient and accessible for minority and LEP communities.
- c. Employing different meeting sizes and formats.
- d. Coordinating with community and faith-based organizations, educational institutions, and other organizations to implement public engagement strategies that reach out specifically to members of affected minority and/or LEP communities.
- e. Considering radio, television, or newspaper ads on stations and in publications that serve LEP populations. Outreach to LEP populations could also include audio programming available on podcasts.
- f. Providing opportunities for public participation through means other than written communication, such as personal interviews or use of audio or video recording devices to capture oral comments.

VIII. LANGUAGE ASSISTANCE PLAN FOR PERSONS WITH LIMITED ENGLISH PROFICIENCY (LEP)

LANGUAGE ASSISTANCE PLAN FOR PERSONS WITH LIMITED ENGLISH PROFICIENCY (LEP)

Introduction and Legal Basis

LEP is a term that defines any individual not proficient in the use of the English language. The establishment and operation of an LEP program meets objectives set forth in Title VI of the Civil Rights Act and Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency (LEP). This Executive Order requires federal agencies receiving financial assistance to address the needs of non-English speaking persons. The Executive Order also establishes compliance standards to ensure that the programs and activities that are provided by a transportation provider in English are accessible to LEP communities. This includes providing

meaningful access to individuals who are limited in their use of English. The following LEP language implementation plan, developed by The Town of Chincoteague is based on FTA guidelines.

As required The Town of Chincoteague developed a written LEP Plan (below). Using American Community Survey (ACS) Census data, The Town of Chincoteague has evaluated data to determine the extent of need for translation services of its vital documents and materials.

LEP persons can be a significant market for public transit and reaching out to these individuals can help increase their utilization of transit. Therefore, it also makes good business sense to translate vital information into languages that the larger LEP populations in the community can understand.

Assessment of Needs and Resources

The need and resources for LEP language assistance were determined through a four-factor analysis as recommended by FTA guidance.

Factor 1: Assessment of the Number and Proportion of LEP Persons Likely to be Served or Encountered in the Eligible Service Population

The agency has reviewed census data on the number of individuals in its service area that have limited English Proficiency, as well as the languages they speak.

U.S. Census Data – American Community Survey Populations Demographics for Chincoteague, Virginia (2022-2026)

Data from the U.S. Census Bureau’s American Community Survey (ACS) were obtained through www.census.gov by The Town of Chincoteague service area. The agency’s service area includes a total of 1,758 persons with Limited English Proficiency (those persons who indicated that they spoke English “less than very well,” in the 2022-2026 ACS Census).

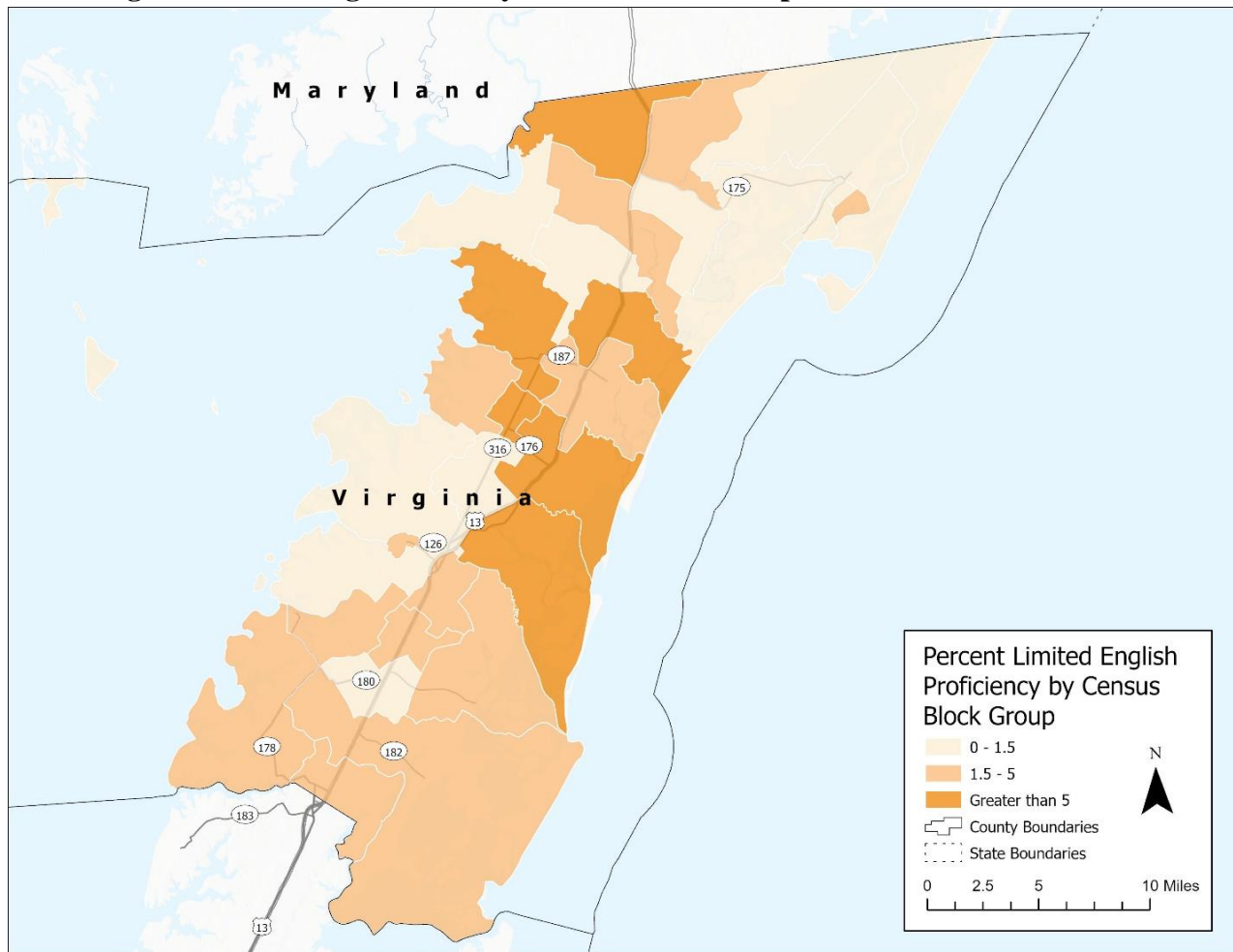
Information from the 2022-2026 Population Demographic for Chincoteague, Virginia ACS also provides more detail on the specific languages that are spoken by those who report that they speak English less than very well. Languages spoken at home by those with LEP are presented below. These data indicate the extent to which translations into other language are needed to meet the needs of LEP persons.

Town of Chincoteague Service Area			
Language	Number of LEP Population	Percent of Service Area Population Speaking Language	Percent of LEP Population Speaking Language
Spanish	1,250	3.96%	71.10%

French, Haitian, or Cajun	333	1.05%	18.94%
Chinese (incl. Mandarin, Cantonese)	100	0.32%	5.69%
Tagalog	1	0.00%	0.06%
Other Asian and Pacific Island languages	74	0.23%	4.21%
Total LEP Population	1,758	5.56%	
Total Service Area Population	31,593		

It is noted that there are relatively low number of LEP persons in the service area and Spanish (1,250) is the only language spoken by over 5% or a total of 1,000 persons in the LEP population. Figure 1 shows the percentage of LEP by Census Block Groups. There are large percentages of LEP throughout the entire county.

Figure 1: Percentage of LEP by Census Block Group



Factor 2: Assessment of Frequency with which LEP Individuals Come into Contact with the Transit Services or System

The Town of Chincoteague will continue to review the relevant benefits, services, and information provided by the agency and determined the extent to which LEP persons have come into contact with these functions through the following channels:

- Contact with transit vehicle operators.
- Contact with transit station managers.
- Calls to The Town of Chincoteague's customer service telephone line
- Access to the agency's website.
- Attendance at community meetings or public hearings hosted by The Town of Chincoteague

We will continue to identify emerging populations as updated Census and American Community Survey data become available for our service area. In addition, when LEP

persons contact our agency, we attempt to identify their language and keep records on contacts to accurately assess the frequency of contact.

Information from Community Organizations that Serve LEP Persons (Optional?)

To supplement the Census, education, and labor department data, The Town of Chincoteague has conducted community outreach to the following organizations that work with LEP populations

School systems.

Community organizations.

State and local governments.

Religious organizations.

Legal aid entities.

Factor 3: Assessment of the Nature and Importance of the Transit Services to the LEP Population

Based on past experience serving and communicating with LEP persons and interviews with community agencies, we learned that the following services/routes/programs are currently of particular importance LEP persons in the community.

The following are the most critical services provided by The Town of Chincoteague for all customers, including LEP persons.

- Safety and security awareness instructions
- Emergency evacuation procedures
- Public transit services, including reduced fare application process
- ADA paratransit services (if your agency operates fixed-route), including eligibility certification process
- Other paratransit services
- Services targeted at low-income persons
-

Factor 4: Assessment of the Resources Available to the Agency and Costs

Costs

The following language assistance measures are currently being reviewed and evaluated by The Town of Chincoteague

- *Translating documents, contracting with language interpreters, producing pictographs, installing multilingual technology, and other language assistance measures our agency is taking or plans to implement.* Based on the analysis of demographic data and contact with community organizations and LEP persons The Town of Chincoteague has determined that the following additional services are ideally needed to provide meaningful access:

- *Cost estimates can be based on price quotes from translating and interpreting firms or based on experiences of similar transit agencies that have implemented the assistance measures. Other potential cost saving measures may include telephonic and video conferencing interpretation services, translating vital documents posted on Web sites, pooling resources and standardizing documents to reduce translation needs, centralizing interpreter and translator services to achieve economies of scale*

Feasible and Appropriate Language Assistance Measures

Based on the available resources, the language assistance measures are feasible and appropriate for our agency at this time:

LEP Implementation Plan

Through the four-factor analysis, The Town of Chincoteague has determined that the following types of language assistance are most needed and feasible:

- *Translation of vital documents into Spanish. These documents include:*
 - *System Map and Ride Guide*
 - *Application for reduced fare*
 - *All printed materials on ADA Paratransit, including brochure, eligibility application package, and passenger policies and procedures*
 - *Emergency preparedness brochure*
- *Attempt to hire bilingual staff with competency in spoken and written (Spanish, Vietnamese, etc. as appropriate for your service area).*
- *Language Line Translation Services for telephone contacts.*
- *In-person translation for ADA eligibility assessments.]*

Staff Access to Language Assistance Services

Agency staff who come into contact with LEP persons can access language services by *[describe procedures, such as offering the individual a language identification flashcard, having a supply of translated documents on hand, transferring a call to bilingual staff, having a telephone menu allowing the customer to pre-select their language]*. All staff will be provided with a list of available language assistance services and additional information and referral resources (such as community organizations which can assist LEP persons). This list will be updated at least annually.

Responding to LEP Callers

Staff who answer calls from the public respond to LEP customers as follows: ***[describe, indicate language translation line if used, availability of bilingual staff. Include trip scheduling procedures for LEP persons].***

Responding to Written Communications from LEP Persons

The following procedures are followed when responding to written communications from LEP persons: ***[describe, indicate language translation services if used, availability of bilingual staff].***

Responding to LEP Individuals in Person

The following procedures are followed when an LEP person visits our customer service and administrative office: *[describe, indicate use of language identification flashcard if needed, availability of bilingual staff, use of language translation services if appropriate]*. The following procedures are followed by operators when an LEP person has a question on board a The Town of Chincoteague vehicle: *[describe, indicate use of language identification flashcard if needed, availability of bilingual operating staff, availability of translated information on board vehicles, referral to telephone assistance, volunteer translation assistance from fellow passengers, etc.]*.

Staff Training

As noted previously, all The Town of Chincoteague staff are provided with a list of available language assistance services and additional information and referral resources, updated annually.

All new hires receive training on assisting LEP persons as part of their sensitivity and customer service training. This includes:

- A summary of the transit agency's responsibilities under the DOT LEP Guidance;
- A summary of the agency's language assistance plan.
- A summary of the number and proportion of LEP persons in the agency's service area, the frequency of contact between the LEP population and the agency's programs and activities, and the importance of the programs and activities to the population.
- A description of the type of language assistance that the agency is currently providing and instructions on how agency staff can access these products and services; and
- A description of the agency's cultural sensitivity policies and practices.

Also, all staff who routinely come into contact with customers, as well as their supervisors and all management staff, receive annual refresher training on policies and procedures related to assisting LEP persons.

[Describe addition training courses or resources provided to staff, such as tuition assistance for language courses at a local community college, training manuals/CDs/DVDs/online courses available to staff, instruction in basic phrases needed in the operating environment, etc.]

Providing Notice to LEP Persons

LEP persons are notified of the availability of language assistance through the following approaches: *[List items such as:*

- *following our Title VI policy statement included on our vital documents.*
- *on our website, with links to translations of vital documents in other languages.*
- *through signs posted on our vehicles and in our customer service and administrative offices.*
- *through ongoing outreach efforts to community organizations, schools, and religious organizations.*

- *use of an automated telephone menu system in the most common languages encountered.*
- *including the agency's language translation line on all materials.*
- *staffing a table with bilingual staff at community service events of interest to LEP groups.*
- *sending translated news releases and public service announcements about the availability of translated information to newspapers and broadcast media that target local LEP communities.]*

LEP persons will also be included in all community outreach efforts related to service and fare changes.

Monitoring/updating the plan

This plan will be updated on a periodic basis (at least every three years), based on feedback, updated demographic data, and resource availability.

As part of ongoing outreach to community organizations, The Town of Chincoteague will solicit feedback on the effectiveness of language assistance provided and unmet needs. In addition, we will conduct periodic *[surveys, focus groups, community meetings, internal meetings with staff who assist LEP persons, review of updated Census data, formal studies]* of the adequacy and quality of the language assistance provided, and determine changes to LEP needs.

In preparing the triennial update of this plan, The Town of Chincoteague will conduct an internal assessment using the Language Assistance Monitoring Checklist provided in the FTA's "Implementing the Department of Transportation's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons: A Handbook for Public Transportation Providers." *[This checklist attached at the end of this sample plan.]*

Based on the feedback received from community members and agency employees, The Town of Chincoteague will make incremental changes to the type of written and oral language assistance provided as well as to their staff training and community outreach programs. The cost of proposed changes and The Town of Chincoteague available resources will affect the enhancements that can be made, and therefore The Town of Chincoteague will attempt to identify the most cost-effective approaches.

As the community grows and new LEP groups emerge, The Town of Chincoteague will strive to address the needs for additional language assistance.

IX. MINORITY REPRESENTATION ON PLANNING AND ADVISORY BODIES

Title 49 CFR Section 21.5(b)(1)(vii) states that a recipient may not, on the grounds of race, color, or national origin, "deny a person the opportunity to participate as a member of a planning, advisory, or similar body which is an integral part of the program."

The Town of Chincoteague has transit-related, non-elected planning boards, advisory councils or committees, or similar committees, the membership of which we select.

- 1. Please provide a description of your selection process, including recruitment efforts made to encourage the participation of minorities on such committee(s)*
- 2. Please provide a table(s) depicting the racial breakdown of the membership of those committees*

Committee	Black or African American	White/Caucasian	Latino/Hispanic	American Indian or Alaska Native	Asian	Native Hawaiian or other Pacific Islander	Other *Note	Totals
Citizens Advisory Committee (CAC)								
% of CAC Committee								
Citizens Advisory Committee on Accessible Transportation (CACAT)								
% of CACAT Committee								

**Note – Other races reported: Lithuania, Ukrainian, and Polish*

X. Monitoring Title VI Complaints

As part of the complaint handling procedure, the Title VI Manager investigates possible inequities in service delivery for the route(s) or service(s) about which the complaint was filed. Depending on the nature of the complaint, the review examines span of service (days and hours), frequency, routing directness, interconnectivity with other routes and/or fare policy. If inequities are discovered during this review, options for reducing the disparity are explored, and service or fare changes are planned if needed.

In addition to the investigation following an individual complaint, the Title VI Manager periodically reviews all complaints received to determine if there may be a pattern. At a minimum, this review is conducted as part of preparing the Annual Report and Update for submission to DRPT.

Appendix A - Title VI Notice to the Public
Appendix B - Title VI Notice to the Public List of Locations
Appendix C - Title VI Complaint Form
APPENDIX D - INVESTIGATIONS, LAWSUITS AND COMPLAINTS
Document
Appendix E - Summary of Outreach Efforts
Appendix F -Table Minority Representation on Committees by

Consider Metal Detector Ordinance

Councilman Savage advised that the recent appearance of individuals with metal detectors in several of the Town Parks has given rise to the question of whether this activity should be allowed in parks on other Town property. At the September 12th meeting, the Ordinance Committee reviewed a proposed new ordinance limiting the use of metal detectors on public property. The ordinance is presented here for Council's review and consideration.

Councilman McComb motioned, seconded by Councilwoman Richardson to approve the addition to the ordinance as presented. Unanimously approved.



An Ordinance Regulating the Practice of Metal Detecting and Geocaching on Public Property.

WHEREAS: The activities of metal detecting and geocaching have become popular pastimes practiced by some individuals throughout the Country especially on public property including parks: and,

WHEREAS: The Town of Chincoteague has several public parks in which a variety of activities are currently enjoyed by citizens of all ages and the safe pursuit of these activities depend on the integrity of the facility: and,

WHEREAS: In the opinion of the Council, metal detecting and geocaching are by their nature potentially disruptive and damaging to the property on which they are practiced, and are incompatible with the existing approved activities, and

WHEREAS: The Town Council desires to maintain the condition of existing public property without introducing any potential damage or disruptions; now

THEREFORE BE IT ORDAINED by the Town Council of Chincoteague this 19th day of September that:

Chapter 38 of The Code of the Town of Chincoteague, Virginia is hereby amended adding a section to be numbered, “Article VII Metal Detectors and Geocaching” Section 38-210 and 38-211, which said section reads as follows:

CHAPTER 38 - OFFENCES AND MISCELLANEOUS PROVISIONS

Article VII Metal Detectors and Geocaching:

Sec. 38-210 Metal Detectors

- (a) Definitions. As used in this section, the following terms shall have the meanings indicated:

Metal detectors: Any device that gives an audible, visual or other signal when it is close to metal, typically used to search for lost or buried items.

- (b) Use: Except as provided in subsection (c) it shall be unlawful for any person, while located on Town property, to:

(1) Posses or use a metal detector or any other device or probe to search for objects in, on or below the surface of the soil;

(2) Dig, excavate or in any other way disturb the surface of the soil;

(3) Remove any object found in, on or below the surface of the soil.

- (c) Exception. Notwithstanding the prohibitions in subsections (b)(1-3), permission may be obtained from the Town Manager, or his designee, to use a metal detector on Town property to locate and recover a specific item of personal property which has been lost by the person requesting such permission.

- (d) Penalties. Any person violating this section shall, upon conviction, be guilty of a class three misdemeanor. Each day that a violation continues or occurs shall constitute a separate offense.

Sec. 38-211 Geocaching

- (a) It shall be unlawful to place and leave caches or other containers for the purpose of geocaching or treasure hunting without a permit on Town property.
-

Yeas:

Nays:

Adopted by the Town Council of Chincoteague on September 19 2024.

By: _____

John Arthur Leonard, Mayor

ATTEST: _____

Michael T Tolbert, Town Manager

Review of Proposed Political Sign Ordinance

Councilman Savage advised that at the September 12th meeting of the Ordinance Committee, they reviewed the temporary sign ordinance as it pertains to political signs. The current ordinance provides for the size, location, and removal of political signs but is silent on the date of their placement. The advent of early voting shaped the language of this proposed ordinance so that all political signs could be placed appropriately before voting starts. He read the following proposed ordinance that was considered and recommended to Council. It will be advertised over the next two weeks for a public hearing at the October 7th Council meeting after which a vote may be taken.

7.4.5. Political campaign signs. Owner of said parcel must give consent on the placement of such signs. Such signs shall not exceed 32 square feet in area and be located on private property. **Signs may not be placed or erected earlier than 30 days prior to the first day in which a vote may be legally cast for the subject election.** Political signs may not be placed in the sight distance triangle and shall be removed no later than 14 days after the election has occurred.

Councilman Savage advised that this won't be voted on tonight, it has to go to public hearing.

Consider No Wake Zone

Mayor Leonard advised that at the September 5th meeting, the Harbor Committee considered local watermen requests for the establishment of a no wake zone along Chincoteague Channel. The Committee agreed to extend the zone from Waterside Motel to Lewis Creek, which joins the existing zone. He added that a VMRC representative advised they would heighten patrols in the area. He stated that it needs to be approved by Council so they can forward it to VMRC.

Councilwoman Bowden stated that when they put markers in they should also replace the ones on East Side.

Mayor Leonard agreed and suggested contacting the USCG as they are going out of Aids to Navigation.

Councilwoman Richardson motioned, seconded by Councilwoman Bowden to approve the establishment of a no wake zone. Unanimously approved.

Mayor and Council Announcements

Councilwoman Bowden commented that the Yankees clinched the playoffs.

Mayor Leonard stated that their prayers are going for those recently taken to the hospital and hopes they feel better soon. He concluded with "Roll Tide".

Closed Meeting – In accordance with §2.2-3711(A) (3) of the Code of Virginia that the Council convene a closed session for the evaluation of staff and discussion of the acquisition of real property for a public purpose.

Councilwoman Richardson, seconded by Councilwoman Bowden to go into a closed meeting in accordance with §2.2-3712 (A) (3) of the Code of Virginia that the Council convene a closed session for the evaluation of staff and discussion of the acquisition of real property for a public purpose.

All present were in favor and the motion was carried.

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

Nays: None

Absent: None

Certification of Closed Meeting in Accordance with §2.2-3712 (D) of the Code of Virginia Councilwoman Richardson, seconded by Councilwoman Bowden to certify that to the best of each member's knowledge:

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

All present were in favor and the motion was carried.

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

Nays: None

Absent: None

Adjourn

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

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

Nays: None

Absent: None

J. Arthur Leonard, Mayor

Michael T. Tolbert, Town Manager

Town of Chincoteague, Inc.

Item 11.



TO: Mayor Lenoard and Members of Council

FROM: Michael Tolbert, Town Manager

DATE: October 7, 2024

SUBJECT: Downtown Speed Limit Change

At its September 12 meeting, the ordinance committee reviewed and considered the reduction of the speed limit in the downtown area from the current 25 MPH to 15 MPH. The recent change of the state code on this matter by the General Assembly, allows localities to change speed limits within their jurisdiction by ordinance without first going through the previous lengthy process of an engineering study.

The Ordinance Committee recommends the included ordinance unanimously to the full council.

Council is asked to vote on the reduction of the speed limit in the downtown business district from 25 MPH to 15 MPH for all vehicles.



An Ordinance Regulating the Speed of Motor Vehicles Through the Downtown Business District.

WHEREAS: The downtown business district is historically the center of activity for Island residents conducting commerce; and

WHEREAS: The configuration and placement of structures in the area are conducive to slower speeds to provide additional time for safe maneuvering of vehicles; and

WHEREAS: The Town of Chincoteague recently completed a major project in this area which installed 7 crosswalks, wider sidewalks, and a popular park all of which encourage more pedestrian traffic in the downtown area; and

WHEREAS: The Town Council desires to enhance safety in this area in anticipation of the greater presence of pedestrians availing themselves of these new attractions; now

THEREFORE BE IT ORDAINED by the Town Council of Chincoteague that:

In accordance with the Code of Virginia Section 46.2-1300, the speed limit on Main Street between the intersections of Smith Street and Jester Street shall be lowered from 25MPH to 15MPH for all vehicles and that this new limit will be effective upon satisfaction of the conditions required by the aforementioned section of the State Code.

Yeas:

Nays:

Town of Chincoteague, Inc.

Adopted by the Town Council of Chincoteague on October 3, 2024.

By: _____

John Arthur Leonard, Mayor

ATTEST:_____

Michael T Tolbert, Town Manager