

**MINUTES OF THE FEBRUARY 3, 2014
CHINCOTEAGUE TOWN COUNCIL MEETING**

Council Members Present:

John H. Tarr, Mayor
J. Arthur Leonard, Vice Mayor
Ellen W. Richardson, Councilwoman
John N. Jester, Jr., Councilman
Tripp Muth, Councilman
Gene W. Taylor, Councilman
Terry Howard, Councilman

CALL TO ORDER

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

INVOCATION

Councilman Howard offered the invocation.

PLEDGE OF ALLEGIANCE

Mayor Tarr led in the Pledge of Allegiance.

Mayor Tarr introduced and welcomed the Boy Scouts who were in attendance because of a badge they're earning.

OPEN FORUM/PUBLIC PARTICIPATION

Mayor Tarr opened the floor for public participation.

- Mr. Alex Hubb addressed Council representing the Marsh Point Townhome Association. He advised that they are seeking help from the Town regarding a tree that was struck by lightning and has since died. He stated that they are concerned with the condition of the now leaning tree that it will fall damaging cars or a residence. He reported that a letter was sent from the Association to the property owner with no reply. He asked what their options are.

Town Manager Ritter advised that he would speak to Building and Zoning Administrator Lewis regarding this matter.

STAFF UPDATE

Planning Department

Town Planner Neville reported that the Planning Report was included in the packed. He added that the Planning Commission was off to a good start in January with a couple of meetings in an attempt to update the Comprehensive Plan. He added that there is one item to be reviewed under the Virginia Code regarding Coastal Resource Management. He advised of the agenda items to be reviewed at the next meeting.

Town Planner Neville also reported that the Planning Commission has reelected officers. He stated that according to Mr. Joe McCauley with the Fish & Wildlife Service the CCP is

approximately 6 weeks out. He stated that the Safe Routes to School Project is still in the design stage. He also added that at the last Council meeting Supervisor Thornton raised an issue that the Worcester County, Maryland was talking about adopting a TDML standard for the Chincoteague Bay. He advised that after receiving information from the D.E.Q. he feels that we are ready to compose a letter.

Town Planner Neville also reported on the FEMA Floodplain Maps and compliance. He stated that the Town requested that the Town be exempt from the Virginia Storm Water Management Program. He added that Delegate Lewis submitted this change and it has been postponed until next year. He also stated that there were other legislative changes submitted asking the Governor to help in the case of another government shutdown and beach closures. He added that this didn't have enough strength to move forward and was tabled at the Committee level

Town Planner Neville stated that there will be a design workshop on March 6th at 5:00 p.m. for playground equipment and fundraising.

Police Department

Chief Lewis advised that the monthly report was included in the agenda packet. He had nothing further.

Public Works Department

Public Works Director Spurlock advised that the monthly report has been included in the agenda packet. He stated that January's activities were dominated by weather with snow removal.

Councilman Howard stated that he has received comments on how well the Public Works Department did with snow removal.

General Government

Town Manager Ritter reported that the EMS responded to 73 calls in January 2014 which is 2 less than January 2013; ALS calls were 31; BLS were 25. He added that the Emergency Medical Staff continue to monitor the upcoming ANTARES launch which will be May 8th. He also added that EOC Coordinator Rush has recently returned from the FEMA Hurricane Center Conference.

Town Manager Ritter stated that staff has worked on mailing the 2nd notices for taxes and Business License Renewals. He reported that the vehicle decals have been ordered. He added that the application for the fishing license at the new pier downtown has been completed. He also added that the Veteran's Memorial Park fishing license has been renewed.

Town Manager Ritter advised that he is still working on the draft Event Calendar. He stated that the draft FY15 budget will be reviewed by the Budget and Personnel Committee. He also reminded Council that he will be going to the VLGMA Conference on February 19th through the 21st.

Councilman Howard asked Town Manager Ritter to review the revenues as the resources are up. He also asked about the Debt Setoff Program.

Town Manager Ritter explained that the Debt Setoff Program is handled by Finance Director Hipple.

Finance Director Hipple advised that the Debt Setoff Program is done through the Virginia Department of Taxation. She explained that it is a garnishment of the tax return or lottery winnings through the state. She added that the Town has been participating in this program for the last ten years. She explained that each year the Town has to submit a list of names of those delinquent taxpayers and those that owe the Town anything.

AGENDA ADDITIONS/DELETIONS AND ADOPTION

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

1. Consider Adoption of the Minutes

- **Regular Council Meeting of January 6, 2014**
- **Council Budget Workshop Meeting of January 16, 2014**

Councilman Muth advised that he was absent at the January 6, 2014 Regular Council Meeting.

Councilman Howard motioned, seconded by Councilman Jester to adopt the minutes as corrected. Unanimously approved.

2. Introduction to Eastern Shore Tourism Director, Ms. Kerry Allison

Town Manager Ritter introduced Ms. Kerry Allison who is the new Director of the Eastern Shore Tourism Commission. He also congratulated Mrs. Evelyn Shotwell who has accepted the position of Executive Director of the Chincoteague Chamber of Commerce.

Mayor Tarr welcomed Ms. Allison aboard and welcomed back Mrs. Shotwell.

Ms. Allison addressed Council. She advised that she started with the Eastern Shore Tourism Commission in October of 2013. She stated that she has been coming to the Shore for over 30 years visiting her family. She explained what the Eastern Shore Tourism Commission has done for the Shore. She stated that Tourism is a big business and highly competitive. She talked about the upcoming workshop. She also advised that they are working on the digital footprints of the Shore. Ms. Allison also stated that tourism drives tourism dollars and tax base. She stated that she is very excited and looking forward to working with Council.

3. Financial Report Presentation by Robinson, Farmer, Cox Associates

Mr. Aaron Hawkins gave the annual presentation of the Town's FY 2014 Financial Report. He thanked Town Manager Ritter, Finance Director Hipple and staff for doing a good job and preparing for the audit. He reviewed and explained the Audit Report giving a brief review.

Councilwoman Richardson thanked Mr. Hawkins and Finance Director Hipple.

4. Public Hearing on a Possible Budget Amendment

Mayor Tarr opened the public hearing.

Town Manager Ritter explained the amendments. He advised that Phase 2B of the Downtown Revitalization Project has been bid out for the consultant in the amount of \$79,800. He added that \$63,840 is from the grant. And the Town's portion is \$15,960, which will be taken from the General Fund Savings. He advised that there is also the Recreation/Tourism expense of \$30,600 which will be taken out of the Recreation/Tourism Reserve for the consultant for another 6 months. He also advised that they will be transferring from the Water Reserve for the repairs to Well #4, which has been completed with a of cost \$40,939.

Mayor Tarr asked for public comment at this time. There was none, Mayor Tarr closed the public hearing. He asked for questions from Council. There was none.

Councilman Howard motioned, seconded by Vice Mayor Leonard to approve the budget amendments as presented. Unanimously approved.

5. Recreation and Community Enhancement Committee Report of January 14, 2014

• Repair or Removal of the Skate Park Fence

Councilman Jester reported that the Committee discussed the question of what they can do to improve the playground. He announced a meeting scheduled for March 6th and suggested having parents involved. He mentioned the associated costs. He also advised that they discussed the fencing for the Skate Park. He stated that the fence has been damaged. He asked Council's opinion if they should replace, repair or remove the fence around the Skate Park.

Councilman Muth asked if this would be a liability issue if the fence is removed.

Councilman Jester stated that a child could be injured doing anything.

Town Attorney Poulson asked if they currently attempt to regulate entry.

Mayor Tarr advised that they do. He added that this is a two part question. He stated that safety along the road is one issue and another issue is do they still need to regulate or should they remove the fence and allow them to skate at their own risk.

Town Attorney Poulson feels they should keep the fence around the Skate Park and continue to regulate it.

Councilman Howard feels there is a liability issue and the fence does cut down on that liability. He added that children will be children and feels that it protects them and the Town. He doesn't feel that the Town can supervise and have enforcement if it is open.

Town Attorney Poulson added that there would be no supervision and enforcement if the fence is removed.

There was further discussion about liability.

Councilman Jester wanted to know who would open and close it if they keep the fence and gate. He wants to see that it is done right.

There was discussion regarding signage.

Chief Lewis advised that there was a sign but it has been stolen.

Councilwoman Richardson feels that the fence should remain. She stated that it is a safety issue. She suggested that the fence by the volleyball court should be replaced also.

Discussion continued regarding use of the baseball field and the reasons for the Skate Park.

Town Attorney Poulson stated that if the Town is going to have the Skate Park they have to do it right. He recalled the debate about safety when the Skate Park was built.

Councilman Howard stated that it is important that the Town provide the necessary means for a safe Park.

Mayor Tarr added that the rules have been enforced and are posted. He stated that it has been operated the way it was supposed to be.

Councilman Muth motioned, seconded by Councilwoman Richardson to approve the repairs and or replacements as needed for the fence and signage to the Skate Park. Unanimously approved.

Councilman Jester also added that there has been discussion over time regarding the generous donation of the land by the Kingsbury, Savage and Toothill families for the Chincoteague Veteran's Memorial Park. He suggested a simple sign under the primary sign recognizing those families for the donation of the land to the Park.

Town Manager Ritter stated that the company that made the existing Park sign issued a quote for a 3' x 1' sign, which would cost \$375.

There was discussion about adding the signage.

Mayor Tarr directed Town Manager Ritter to obtain the information for the signage along with the cost to be presented at the next Council meeting.

6. Mayor & Council Announcements or Comments

Councilman Taylor thanked the Boy Scouts for attending. He stated that this age group gives him great hope. He asked Council to keep Mr. Wayne Tolbert in their thoughts and prayers. He stated that Mr. Tolbert does a lot for the Food Bank and the community. He added that it is great to have a Community that sticks together.

Councilman Howard added that both Mr. and Mrs. Tolbert have done a lot for the Community and they should be remembered in everyone's thoughts and prayers.

Councilman Muth commended Public Works Director Spurlock for the work he and his department has done with the snow removal.

Councilman Jester thanked Mr. David Johnson for all his emails regarding the events and things happening in the community.

Councilwoman Richardson also commended the Town employees for the good work they've done keeping the roads clear during the snow storm.

Adjourn

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

John H. Tarr, Mayor

Robert G. Ritter, Jr., Town Manager