

MINUTES OF THE OCTOBER 6, 2014
CHINCOTEAGUE TOWN COUNCIL MEETING

Council Members Present:

John H. Tarr, Mayor
Ellen W. Richardson, Vice Mayor
J. Arthur Leonard, Councilman
Gene W. Taylor, Councilman
Ben Ellis, Councilman
James T. Frese, Councilman
John N. Jester, Jr., Councilman

CALL TO ORDER

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

INVOCATION

Councilman Taylor offered the invocation.

PLEDGE OF ALLEGIANCE

Mayor Tarr led in the Pledge of Allegiance.

INTRODUCTION/PRESENTATION

Mayor Tarr introduced the new Superintendent of Accomack County Schools, Dr. Kregg Cuellar. He also welcomed the Island's representative of the Accomack County School Board, Mr. Travis Thornton along with Supervisor Wanda Thornton.

Dr. Cuellar thanked Council for asking him to attend the meeting to introduce himself. He stated that he has been here for 3 months not only as the Schools' Administrator but as a citizen of Chincoteague. He advised of the community activities he has enjoyed along with the community activities the local athletic teams have been sponsoring.

Dr. Cuellar advised of his intention to work hard for the kids' education, safety and to see that their needs are met educationally. He stated that his plan is to listen and learn to ensure they are encouraging their kids to be the best. He asked if there were any questions.

Supervisor Thornton asked Dr. Cuellar to explain to the public about Title 1 and what it offers.

Dr. Cuellar advised that Title 1 means that your campus or school is an at risk school where there is more of a poverty clientele. He also stated that they measure the Title 1 status by the free and reduced lunch status. He added that Title 1 receives additional federal funding along with the state and local funding. He explained that if the Town doesn't reach the 40% free and reduced lunch rate they aren't classified Title 1 and are not eligible for Title 1 funding.

Supervisor Thornton feels that this is important because Chincoteague doesn't meet the criteria so they don't get the extra money.

Councilman Jester asked if there has been any contact with the NASA community for STEM education.

Dr. Cuellar stated that they are in contact and on October 20th those students involved in the STEM Program from Arcadia and Chincoteague will attend the evening launch at the NASA Visitor Center. He stated that they are very involved in getting the students connected with Wallops and the activities to move the Program forward. He added that they are busy doing a lot of the groundwork for student involvement.

Councilman Taylor thanked Dr. Cuellar and advised that if he needs anything to let the Town know because the kids are worth it.

Mayor Tarr also introduced Ms. Nancy Stern and Jeanette Edwards with the Eastern Shore Rural Health. He thanked them for all they've done for Chincoteague.

Ms. Stern advised of the 100,000 patients they see each year, 20,000 come out of Chincoteague. She stated that they have been here for 37-38 years now and mentioned the other Community Health Centers in the County along with their partnership with the Kiwanis of Chincoteague.

Ms. Edwards explained how she and Ms. Stern decided to join the United Way Campaign. She stated that out of the 36,000 patients that the Eastern Shore Rural Health serves each year the United Way has funded many of those people they see.

Ms. Stern stated that it's their 24th Campaign. She explained that the Food Bank, the Island Library and the Fire Department all benefit from the United Way. She stated that they are raising awareness to those organizations that could benefit from the United Way as it is a fundamental service to the Eastern Shore.

Ms. Edwards explained their 3 achievement goals; 1) to reduce the cost of the campaign. 2) to make people more aware and educate the community. 3) to raise over \$300,000. She stated that she asked what makes people want to give and heard that when the funds are given to agencies, they must be held accountable. She added that people do benefit.

Ms. Stern stated that their campaign is that there is no donation too small. She announced 2 events they are partnering with. She stated that one event is with the Chincoteague Museum for a Night at the Museum, October 15th from 6:00 p.m. – 8:00 p.m. She also announced that the Chincoteague High School Culinary Arts students will be catering this event. She added that the other event is with the Chincoteague Chamber of Commerce at the Jack Spot on October 30th. She thanked Council for allowing them to talk about the United Way.

Mr. John Howard asked if they could earmark funds to an organization.

Ms. Edwards advised that they could and explained that they simply mark the box for that specific agency.

Mrs. Gail Heart, the Manager of the Island Grocery Store, advised that they were honored to participate in a fundraiser for the Veteran's Memorial Park Playground Fund. She explained that they had a "Name this Pony" fundraiser. Mrs. Heart reported that the employees had a lot of fun and were able to raise \$2,483.

Mayor Tarr thanked Mrs. Heart and asked her to thank the employees.

OPEN FORUM/PUBLIC PARTICIPATION

Mayor Tarr opened the floor for public participation.

- Supervisor Wanda Thornton advised Council of the growing concerns of the pine bark beetle. She advised that this damage is increasing all over the Island. She stated that it affects everyone on the Island. She asked Council to take some steps to inform the public of what to look for when their trees are dying. She asked the Town if they could supply a place at the Harbor to burn the trees. She added that they can't be carried to the landfill and it will be a much greater issue if they aren't cut down and burned.

Mayor Tarr stated that they have an area, but it's also being used for a dredge spoil site.

Supervisor Thornton suggested developing public information for the paper and a flyer. She stated that she asked about the injection method but it is very time consuming and costly. She urged Council to act quickly as it is a very important issue.

- Mr. John Howard stated that a lot of people talked about the number of trees that came down during Hurricane Sandy. He advised Council that they haven't seen anything yet with the pine bark beetle. He suggested that Council ride down Bunker Hill as there isn't a pine needle or pinecone there. He advised of 20 trees removed from Piney Island this last week. Mr. Howard expressed his concerns. He also stated that he can't take the affected tree to a dumping site because it will infect another tree. He added that he can't take it to the landfill because of the cost. He asked Council for help.

Mr. Howard also stated that there are approximate 1,000 trees in the Bunker Hill area. He originally counted 6 trees in Tom's Cove and it's now up to over 60. He added that anyone can identify them with the yellow spots and the white powdery substance toward the top. He offered his assistance and stated that the only way to get rid of them is to burn them.

Town Manager Ritter stated that the Coast Guard is dredging the basin within the next couple of months. He stated that when they're done we can see what room is left for burning.

Supervisor Thornton advised that she will contact the County tomorrow.

Mayor Tarr stated that they will need to discuss it because of the cost.

Supervisor Thornton feels that the Town and County working together would be best.

There was further discussion.

Public Works Director Spurlock stated that it is prohibited to transport infested timber across the state line.

Mayor Tarr stated that in talking to Mr. Lou Hines after Hurricane Sandy, they have an incinerator that can be brought in after an event to burn large trees at a very high rate.

- Dr. Jeff Newman, a Veterinarian with Caring Hands Animal Support and Education (CHASE) came before council. He advised that they have been to the Island 3 times now. He stated that they will be doing surgery on the 10th and 11th with a goal of 200 cats spayed or neutered. He added that by the time they are done this time they will have done over 1,000 cats on Chincoteague. He reported that they will have put more than \$100,000 of resources here.

Dr. Newman also stated that rabies is a concern and he has been working with the Health Department. He advised that they will also have a rabies clinic at Dr. Hafez's clinic in Inlet View on Thursday from 4:00 p.m.–6:00 p.m. He further explained the process of the clinics.

Mayor Tarr thanked Dr. Newman for his service to Chincoteague.

- Mr. Charles "Chip" Lewis, an Accomack County working waterman, addressed Council regarding the Curtis Merritt Harbor of Refuge. He advised that it was made apparent at the last Harbor Committee meeting that nothing was going to change for the rate of the county working watermen and subleasing slips. He asked Council to consider allowing the sublease to be at the same rate as the slip holders are paying as opposed to the current charge per day. He concluded that this is something he would like Council to consider.

Mayor Tarr asked Town Manager Ritter to take this matter to the Harbor Committee.

Town Manager Ritter advised that the Harbor Committee has addressed this matter and voted to leave the policy as it currently is.

STAFF UPDATE

Planning Department

Town Planner Neville advised that they are coming up on the 5 year update hearing for the Comprehensive Plan. He reported that the Planning Commission will meet next Tuesday to review the final draft. He stated that it will be in the Workshop packet for the 16th. He added that they would like to have the public hearing in December or January. Town Planner Neville mentioned the new Flood Maps, advising that FEMA is scheduled to send a final letter in November giving 90 days to approve the map and finalize the ordinance.

There were brief comments.

Police Department

Chief Lewis stated that the monthly report has been included in Council's packet.

Councilman Jester asked how the Annual Poker Run went.

Chief Lewis advised that they had about 100 motorcycles less than the previous year. He added that everything went very well.

Public Works Department

Public Works Director Spurlock stated that regarding the Hallie Whealton Smith Drive Drainage Project he has to get one more piece of information to VMRC to receive the permit to begin installation of the floodgates.

There was discussion regarding looking into the drainage along Fowling Gut.

Mayor Tarr thanked Public Works Director Spurlock for handling this matter with the Army Corps of Engineers.

General Government

Town Manager Ritter reported that the monthly report is included in the packet. He stated that EMS response for September was 87 which is 1 less than September of 2013, ALS response was 43, BLS 28 and all others were 16. He also reported that EMS is planning for the upcoming ANTARES launch scheduled for October 20th at 9:29 p.m. He stated that the Chincoteague National Wildlife Refuge will close because of the size of the launch. He stated that NASA will set up the big screen TV at the Robert N. Reed, Sr. Downtown Waterfront Park as they have in the past. He also mentioned the other viewing sites of Mariner's Point and the Chincoteague Museum.

Town Manager Ritter also advised of the POD exercises, one scheduled for October 15th at 10:00 a.m. He explained that the first one is for medical dispensing for staff. He added that the second one is for the public medical dispensing which will be at the Robert N. Reed, Sr. Downtown Waterfront Park on October 16th. He also reported that the Downtown Rehabilitation Project Phase 2C is almost completed. He stated that there is a kickoff for Phase 2D with the VDOT project coordinator. He added that there is a schedule in the packet. He also stated that Southern Software will be installed after the tax season. He advised that the newsletter will go out October 9th.

Mayor Tarr directed Town Manager Ritter to contact VDOT regarding the July schedule of work for Phase 2D. He stated that there shouldn't be any work during July in the downtown area.

Councilman Jester mentioned the wires in Phase 2B.

Public Works Director Spurlock explained the work to be done and reasons for the delay.

Councilman Ellis asked about the DMV stops and if it would eventually be used on all delinquencies.

Town Manager Ritter advised that it would.

AGENDA ADDITIONS/DELETIONS AND ADOPTION

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

1. Consider Adoption of the Minutes

- **Regular Council Meeting of September 2, 2014**

Councilman Leonard motioned, seconded by Councilman Taylor to approve the minutes of the September 2, 2014 regular Council meeting. Unanimously approved.

2. Public Hearing, Ordinance to Vacate Subdivision of Lot Lines on Pine Drive

Mayor Tarr introduced Mr. Bob Turner, attorney for Mr. Stoney.

Mr. Turner advised that this is a straight forward application for Mr. & Mrs. Robert Stoney. He stated they acquired a parcel in 2 pieces and are asking that the lot lines be vacated so that the property will be slightly larger. He reviewed the plat. He explained that Mr. & Mrs. Stoney would like to build a house there.

Mayor Tarr opened the public hearing. There were no comments and Mayor Tarr closed the public hearing.

Vice Mayor Richardson asked Mr. Turner if there was an easement along this property that goes down toward the water.

Mr. Turner advised that there is no mention in the original plat. He added that he believes that Mr. Stoney has a right to go down to the ramp there. He feels there is plenty of room for anyone to access the water. He stated that they just want to use the small lot to meet their setback requirement.

Vice Mayor Richardson asked about the line down to the ramp.

Mr. Turner stated that it is further over, showed in the plat as an unimproved paved street well away from the 20' structure setback.

Town Attorney Poulson asked if it affected anyone.

Mr. Turner advised it does not.

There were brief comments.

Councilman Frese motioned, seconded by Councilman Leonard to approve the Ordinance to Vacate Subdivision of Lot Lines on Pine Drive at parcels 31-4-4B and 31A-4-16A for Mr. Robert J. Stoney. Unanimously approved.

Mr. Turner gave the Town a copy of the plat as it will be recorded.

3. Consider approval of the Fall 2014 Paving contract 01-PAV-14

Public Works Director Spurlock explained that this project will be funded from the Virginia Department of Transportation Urban Maintenance Program. He advised that the plan for sidewalks on Main Street from Maple to Grace Streets and the paving on Main Street from Cropper Street to Bunting Road.

Councilman Ellis asked if any other company put in a bid.

Public Works Director Spurlock advised that Branscome was the sole bidder and has done a wonderful job on the last contract.

There was further discussion regarding other paving companies, and the comparisons to the bids from last year.

Public Works Director Spurlock advised that they actually dropped slightly from last year. He commented further.

There were further questions and discussion regarding the drains during paving, the completion of the Main Street sidewalks and pricing of the gutters along the west side of main street.

Councilman Jester motioned, seconded by Councilman Ellis to approve the award of bid of the Fall 2014 Paving Contract 01-PAV-14 to Branscome Eastern Shore in the amount not to exceed \$445,604. Unanimously approved.

4. Public Safety Committee Report of September 3, 2014

Mayor Tarr asked for questions.

There was discussion and brief comments about the tide gage.

5. Consider No Parking on One Side of the entire Length of Taylor Street

Public Works Director Spurlock stated that Taylor Street is narrow. He added that the problem is when there is an event there is parking along both sides of Taylor Street which leaves little room for the vehicles to get through. He recommended that there should be no parking on the south side. He added that the water main is on the south side.

There were comments and suggestions.

Chief Lewis as a homeowner on Taylor Street advised that he has called the Police about the parking on both sides of the road not allowing vehicles to get through.

Vice Mayor Richardson agreed with Chief Lewis adding that it is hard to drive through in a school bus when there's another car coming or parked.

There was further discussion about the effect of the change and the possibly of no parking at all on Taylor Street.

Councilman Frese motioned, seconded by Councilman Ellis to approve no parking on the south side of the entire length of Taylor Street. Unanimously approved.

6. Recreation & Community Enhancement Committee Report of September 9, 2014

Councilman Jester reported that they met September 9th with the focus on the playground equipment. He stated that a representative from a playground company was in attendance. He also stated that Town Planner Neville came back with equipment ideas and pricing. He added that they are working on repairs to the equipment they have. He advised of a letter to Orbital Science about funding assistance for rocket themed equipment.

Councilman Jester expressed his appreciation to the Island Grocery Store for their fundraising efforts. He stated that they are making progress.

There was further discussion.

7. Discuss the Gift of a Few Vehicles

Mayor Tarr advised that the Town has been offered several vehicles to use during storm events, for EMS or police and to share with the Fire Department.

Chief Lewis explained that after Hurricane Sandy they attempted to get some Humvee vehicles to use during storms. He stated that the Department of Defense had 6 of them. He added that these 3 were the best with low mileage and in good shape. He stated that Loudoun County currently has them.

There was brief discussion and comments.

Councilman Taylor motioned, seconded by Councilman Frese to approve the receipt of the 3 vehicles being donated by the Department of Defense. Unanimously approved.

8. Mayor & Council Announcements or Comments

Councilman Frese stated he would like to see the Town consider doing something about the pine bark beetles and burning them at the spoil site.

Mayor Tarr advised that staff will bring back more information along with the pros and cons.

Council discussed this further.

Councilman Taylor thanked the veterans for their service. He asked Council to pray for them, especially those going through boot camp. He talked about the working watermen on the Island. He discussed the cost of subleasing for those Chincoteague working watermen just starting out. He suggested giving them the same lease rate while they're on the list and waiting.

Councilman Ellis asked about town decals on the low speed vehicles.

Mayor Tarr stated that they have been reviewing this for some time now.

Councilman Leonard reminded the public of Homecoming plans on the 17th at the high school. He also reported that the football team has been doing very well and asked for community support.

Public Works Director Spurlock advised that at the end of the week the routine mosquito spraying will stop for the season.

Councilman Jester stated that the Chincoteague Museum will have a WWII exhibit.

Councilman Taylor stated that he is sorry to see the letter from Town Attorney Poulson regarding his retirement. He also thanked him for all he has done for the town.

9. Closed Meeting in Accordance with Session 2.2-3711(A)(1) of the Code of Virginia

• **Legal Matters**

Councilman Leonard moved, seconded by Councilman Frese to convene a closed meeting under Section 2.2-3711(A)(1) of the Code of Virginia to discuss legal and personnel matters. Unanimously approved.

Vice Mayor Richardson moved, seconded by Councilman Frese to reconvene in regular session. Unanimously approved.

Councilman Frese moved, seconded by Councilman Taylor to adopt a resolution of certification of the closed meeting.

WHEREAS, the Chincoteague Town Council has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711(A)(1) of the Code of Virginia requires a certification by this Town Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Chincoteague Town Council hereby certifies that to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Town Council.

VOTE: Ayes- Leonard, Ellis, Jester, Frese, Richardson, Taylor

Nays- None

Absent- None

Adjourn

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

Mayor

Town Manager