

# CHINCOTEAGUE TOWN COUNCIL REGULAR MEETING

## A G E N D A

December 5, 2016 - 7:00 P.M. - Council Chambers - Town Hall

1. Call to Order
2. Invocation Councilman Taylor
3. Pledge of Allegiance Mayor Leonard
4. Special Presentation Mayor Leonard
5. Chamber Of Commerce Report Mrs. Evelyn Shotwell  
Recreation & Convention Center Authority Update
6. Public Participation
7. Council Action List, Informational Items & Staff Update
8. Agenda Additions/Deletions and Adoption
9. Adoption of the Minutes of the November 7, 2016 Meeting
10. Joint Public Hearing on Zoning Amendment on Height
11. Committee Reports Councilman Ellis
  - Budget Committee Mayor Leonard
  - Curtis Merritt Harbor Committee
12. Committee Appointments Mayor Leonard
13. Christmas Decorations Judging Mayor Leonard
14. Alcalde & Fay Services Mayor Leonard
15. Mayor & Council Announcements or Comments
16. Closed Meeting in Accordance with Section 2.2-3711(A) (1) of the Code of Virginia
  - Personnel – Police Chief Evaluation
17. Adjournment

Mayor Leonard would like to introduce the Town's new fulltime Harbor Master, Mr. Vernon Merritt.

In addition, Mr. Wayne Merritt who has served as Harbor Master for 11 years has retired. Mayor Leonard will present a plaque to Mr. Merritt. A gift from the Town has been ordered and will be presented at the Employee Christmas Luncheon on December 16<sup>th</sup> at noon.

Mr. Merritt is **not** aware of this presentation. I hope someone will take some pictures on their phone and send them to me for record. Thank you.

Karen



# *Donald Wayne Merritt*

*Harbor Master*

*Curtis Merritt Harbor of Refuge*

*August 19, 2005 to November 30, 2016*

**Public service is one of nobility and dedication. You have displayed these attributes in the highest tradition during your years of service as an employee of the Town of Chincoteague.**

**Therefore, on behalf of a grateful community, I, along with the honorable members of the Chincoteague Town Council, proudly present to you this recognition for meritorious service.**

**December 5, 2016**

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**J. Arthur Leonard, Mayor**

**TO:** Mayor Leonard & Town Council

**FROM:** Karen Hipple

**DATE:** November 28, 2016

**SUBJECT:** Council Action List, Information Items & Staff Reports

Years ago, Council had an Action List that was used to put projects, directives, or items that staff, council members, or the Town Attorney needed to address. The action items would be updated in each Council agenda until completed. Staff has brought this back to the Council agenda. Mrs. Lewis has been working on the list for implementation. I am asking that each of you review the list and ask to have items added, deleted or updated.

Council Information Items is an agenda item that appeared on Council's agendas in the past. This item may have letters that have been received by the Town which Council is being made aware of or maybe needs to be addressed without a formal vote. This is totally a communications tool between Staff and Council.

Staff reports will continue as before under this same agenda item.

**ACTION LIST & INFORMATIONAL ITEMS**  
**December 2016**

**General Government**

**Action Item:** Wastewater Study

**Status:** Approval of firm and cost for study.

**Action Item:** Wage Study

**Status:** Springstead conducting study, estimated to be completed in December.

**Action Item:** Mariner's Point Monunemt

**Status:** Letters sent to Mr. Abell. Document must be signed prior to next Council meeting.

**Action Item:** Employee Handbook Review.

**Status:** Ongoing.

**Action Item:** Audio System for Council Room

**Status:** Unknown

**Action Item:** Safe Routes to Schools: lighting, signage, landscaping

**Status:** Lighting has been completed, ordering signage and planning landscaping.

**Action Item:** Street lights on Maddox Boulevard from Eel Creek to the circle.

**Status:** ANEC has begun the work.

**Action Item:** Appointment of more members to the Center Authority.

**Status:** Advertisement has not been done as of yet.

**Action Item:** Sarbains Grant: sidewalks from circle to Assateague Bridge.

**Status:** Unknown

**Action Item:** Maddox Boulevard Walking/Biking Path; circle to Assateague Bridge

**Status:** Unknown

**Action Item:** Automated/Radio read meters: Loan approval, ordering, installation, training.

**Status:** Loan preapproval. Awaiting final approval to place order and schedule installation.

**Planning Department:**

**Action Item:** Conditional Use Permit: Maddox Family Campground Water Park (PC)

**Status:** Planning Commission reviewing application/plans.

**Action Item:** FEMA/CRS 5-Year Check-up/Review

**Status:** Ongoing

**Action Item:** Stormwater Regulations/Ordinances-updates and additions (WAC)

**Status:** Model Ordinances to be reviewed at the next Planning Commission meeting.

**Action Item:** Zoning Review – Tattoo Parlor Code Modification (PC)

**Status:** To be reviewed at the next Planning Commission meeting.

**Action Item:** Contract with Duffield Associates. (WAC)

**Status:** Signing contract and moving forward with the study.

**Action Item:** Parks Master Plan (RCEC)

**Status:** Working document

**Action Item:** Water Supply Plan – 5 Year update

**Status:** Ongoing – Due 2018

**Action Item:** Water Supply Plan – Compliance Issues

**Status:** Ongoing – Due 2018

**Action Item:** Comprehensive Plan updates (PC)

**Status:** Will begin 2017

**Police Department**

**Action Item:** Accreditation (recertification)

**Status:** Ongoing documentation.

**Action Item:** Annual Toy Drive – collecting toys at the Toy Run & Christmas Parade

**Status:** 12/05/16 complete date.

**Action Item:** VOIP telephone system backup

**Status:** Working on solution.

**Action Item:** 2<sup>nd</sup> Annual Former Chief's Luncheon at Don's Seafood.

**Status:** 12/14/16 complete date.

**Action Item:** Annual Christmas toy shopping.

**Status:** 12/14/16 complete date.

**Action Item:** Delivery of Christmas toys.

**Status:** 12/15/16 complete date.

**Action Item:** Santa at the Chincoteague Police Station

**Status:** 12/17/16 at 10:00 a.m. – 3:00 p.m. complete date and time.

### **EMS Department**

**Action Item:** Building out the patient care reporting system Image Trend.

**Status:** Ongoing

**Action Item:** Writing grant for new CVFC ambulance purchase with VDH.

**Status:** March 2017 completion.

### **Emergency Management**

**Action Item:** Reviewing/revising Emergency Operations Plan (every 4 years)

**Status:** Adoption per state Code, by May 2017

**Action Item:** Revision of Continuity of Operations Plan.

**Status:** Ongoing.

**Action Item:** Finalizing the Regional Hazard Mitigation Plan with ANPDC

**Status:** Final stage.

**Action Item:** Turning over chairmanship of the Eastern Shore Disaster Preparedness Coalition to the next chairperson.

**Status:** Final stage.

### **Public Works Department**

**Action Item:**

**Status:**

**Action Item:**

**Status:**

## **REMINDERS:**

### **CHRISTMAS PARADE**

**DECEMBER 3 AT 6:30 PM**

PLEASE BE TO CORNER OF MADDOX AND MAIN AT 6:30 PM

DRESS WARMLY

MAYOR LEONARD, MISS CHINCOTEAGUE, AND LITTLE MISS CHINCOTEAGUE  
WILL TURN ON THE CHRISTMAS LIGHTS BEFORE THE PARADE.

### **COMMITTEE CHRISTMAS SOCIAL**

**DECEMBER 14 AT 6 P.M.**

THESE PEOPLE GIVE SO MUCH TO THE TOWN BY THEIR SERVICE  
AND COMMITMENT TO MAKING CHINCOTEAGUE BETTER FOR  
ALL. PLEASE THANK THEM FOR THEIR SERVICE.

### **EMPLOYEE CHRISTMAS LUNCHEON**

**DECEMBER 16 AT NOON**

SEE WHO WINS EMPLOYEES OF THE YEAR

ENJOY LUNCH WITH THE EMPLOYEES

**TO:** Mayor Leonard & Town Council

**FROM:** Karen Hipple

**DATE:** November 28, 2016

**SUBJECT:** Mariners' Point Monument

Town Attorney Fox sent a letter to Mr. Abell to sign the document by the December 5, 2016 Council meeting. As of this date, no one in the office has seen a signed document from Mr. Abell. Since this meeting was the deadline, should Mr. Abell not provide the signed document during the meeting, Public Works Department personnel will be asked to remove the monument and Mr. Abell will be billed labor, storage, disposal and equipment cost for its removal, if necessary.

Council has discussed this many many times and the deadline is this meeting. There should be no further discussion.















# Chincoteague Streetscape & Safe Route to School Projects

## Meeting Notes

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### Meeting Details

Location:	Chincoteague Town Hall (6150 Community Drive, Chincoteague VA 23336)
Date:	November 3, 2016
Time:	11:00 a.m. to 12 p.m.

### Attendees

Russ Dudley	VDOT Local Assistance Assistant Division Administrator
Kelly Waldrop	VDOT Hampton Roads Program Manager
Steve Rowan	VDOT Hampton Roads Urban Program Director
Paul Moose	VDOT Hampton Roads Area Construction Engineer
Chris Isdell	VDOT Accomac Residency Administrator
Harvey Spurlock	Chincoteague Director of Public Works
Robert Ritter	Chincoteague Town Manager
Rob Katrin	Chincoteague Public Relations
Kat Edward	A-NPDC Grant Administrator (Town of Chincoteague Project Manager)

### Meeting Agenda

- A. Introductions
- B. Chincoteague Streetscape Phase 2C (UPC 103942)
  - a. VDOT Hampton Roads Construction finalizing submittal to Local Assistance on documentation received and recommendation for reimbursement.
  - b. Town asked if VDOT would be willing to accept additional submittals in case the contractor had additional information. VDOT indicated that due to the length of time since the project was completed, we would move forward with the documentation submitted through March 2016 for coordination with FHWA.
  - c. VDOT Hampton Roads Construction will discuss with FHWA next week (November 7-11) the estimate documentation provided the Town related to potential "Buy America" items and the minimal value calculation. VDOT stated this documentation was reviewed previously. VDOT had difficulty validated quantities and estimated cost due to a lack of daily dairies, delivery tickets, or source of material information. Town indicated they would be willing to replace installed foreign steel and iron if necessary.
  - d. VDOT Local Assistance will coordinate the final project recommendation to FHWA for a participation amount.
- C. Chincoteague Streetscape Phase 2D (UPC 106718) & SRTS (UPC 102827)
  - a. VDOT Hampton Roads Construction working with the Town to address outstanding construction documentation issues.
  - b. VDOT Hampton Roads Construction evaluating possible methods to address lack of a certified inspector need for certain activities. May require additional concrete cores, etc.

- c. Town requested a list of detailed items needed in order to meet the required construction documentation. VDOT indicated these lists were provided on 8/22/2016 and 9/2/2016. (Copies of these emails were sent to the Town on 11/4/2016).

**D. Next Steps**

- a. VDOT will coordinate with FHWA on the "Buy America" calculation
- b. VDOT will finalize recommendation and coordinate with FHWA on participation amount

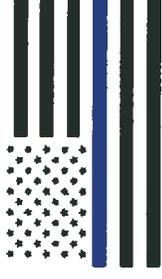
DRAFT

*Chincoteague Police Dept.*

*Presents*

# A WISH WITH SANTA

Visit with Santa!



Tell Santa  
your Christmas Wish!

**SATURDAY, DEC. 17TH**

**AT THE POLICE DEPARTMENT**

**6150 COMMUNITY DRIVE**

**11AM - 3PM**

Each Child to visit with Santa will  
receive a sugar cookie from the Onancock Bakery  
(while supplies last)

**MERRY CHRISTMAS!**

# William W. Fox, II

Attorney at Law

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November 30, 2016

Town Council  
Town of Chincoteague  
6150 Community Dr.  
Chincoteague, VA 23336

Dear Council Members:

For the month of November I've been tasked with aiding and advising in the handling of employee matters. Through research I was able to advise the Town throughout this matter. I also wrote a draft of a letter of reference.

I also researched and advised Mr. Kenny Lewis on a matter regarding vacation of a property line on the island. A resident of the Town brought this matter before Mr. Lewis.

I also spoke with Mr. John Custis, Esq., about the upcoming Planning Commission workshop, to which he and the Burbage group will attend to answer questions.

Sincerely,

William W. Fox, II  
Attorney at Law

**December 2016  
Public Works Update**

**Tasks Accomplished**

- **Installed Christmas decorations;**
- **Completed paving of Woodland and Rosedale Drives;**
- **Corrected drainage issues on Woodland Drive;**
- **Replaced roof on Pump House 6;**
- **Removed downed trees on Island Nature Trail;**
- **Completed survey phase of the Main/Maddox flooding evaluation;**
- **Obtained NEPA categorical exclusion and submitted sole source justification to VDH for the automated meter loan. Anticipate loan closing in January, 2017;**
- **Performed roadside and facilities mowing operations;**
- **Performed routine cemetery, drainage, sidewalk and street maintenance;**
- **Performed routine office, activity center, vehicle, parks and trails maintenance;**
- **Performed routine water supply, treatment and distribution operations and repairs;**

**Upcoming Projects**

- **Hallie Whealton Smith drainage upgrade bids;**
- **Automated water meter installation;**
- **High rise water tank ladder repairs.**

# **CHINCOTEAGUE POLICE DEPARTMENT**

## **MONTHLY REPORT TO COUNCIL**

**NOVEMBER 2016**

The Chincoteague Police Department received 271 calls for service which resulted in 14 investigations of criminal offenses that include: 1 driving under the influence of alcohol, 3 drunk in public, 1 possession of marijuana, 3 destruction of property, 1 petit larceny. There were 4 arrests with 14 charges as a result of these investigations.

The Department also responded to 1 accident, 7 alarms, 9 suspicious activities, 3 trespassing, 2 civil problems, 1 domestic dispute, 5 harassment/threat calls, 4 noise complaints and 7 assisting other agencies.

In addition, 40 security checks, 23 public service calls, 14 control burn inspections and 9 finger printings were conducted.

The Department issued 61 summonses for traffic offenses and issued 13 warning tickets.

In support of the Fish & Wildlife Service in Virginia (Assateague) the Department dispatched 2 traffic stops, 2 public service calls, 1 assist other agency and 1 parking problem.

In support of the National Park Service Service in Maryland (Assateague) the Department dispatched 2 public service calls, 3 alarms, and 13 traffic stops.

In other activity, the Department sent Major Lewis and Corporal Adams to a crime prevention class in Richmond, Virginia. We have moved our VCIN/NCIC/DMV connection from a 56k data line to our existing internet service provider which will save money and increase our connection speed.

The Department has also changed our less-lethal weapons from the Taser to the Centurion JPX Pepper Gun. There was a line item in the current budget to replace the aging Tasers, our Taser instructor no longer works at the Department, and the new "pepper guns" cost less than the Tasers and seem to have fewer possibilities for a significant injury. The "pepper guns" have been delivered and all our officers (including instructors) have been trained on its proper use. We are still working on our departmental policy regarding their use before we put them in service.

# **TOWN OF CHINCOTEAGUE EMERGENCY MEDICAL SERVICES/ EMERGENCY MANAGEMENT MONTHLY REPORT**

**Submitted by E.B. Rush, EMS Supervisor/EM Coordinator, November 30, 2016  
RESPONSE- NOVEMBER 2016**

**TOTAL EMS RESPONSES: 64**

(4 MORE THAN NOVEMBER 2015) 60

**ADVANCED LIFE SUPPORT: 26**

**BASIC LIFE SUPPORT: 27**

**OTHER: 11(Fire Stand-by, Public Assist Calls, etc.)**

**HAZMAT: 0**

## **COMMUNITY SERVICE**

### **BP SCREENINGS**

EMS staff conducted a total of 5 blood pressure screenings for individuals that came to the station for such service.

## **TRAINING**

### **CONTINUING EDUCATION**

EMS staff completed four hours of continuing education training. The topics were:

- Special Healthcare Needs
- Communicable Diseases
- Psychiatric Emergencies

## **LOGISTICS**

### **ADD ADDITIONAL PART-TIME HOURS**

Began a second person on the 24 hour shift on November 9. I have been covering approximately 65% of the time for November.

### **IPAD**

Placed IPADS in service on EMS units for patient charting and eliminated the Toughbook computer. Equipment purchased by CVFC.

## **EMERGENCY MANAGEMENT**

- Daily weather monitoring is ongoing with briefings sent to department heads as necessary.
- Finalizing Hazard Mitigation Planning re-write with the ANPDC.
- Emergency Operations Plan review and revise
- Continuity of Operations Plan review and revise.

## Planning Department Report

- Work with FEMA/CRS is ongoing. Efforts are being made to get the CRS specialist who works with the Town to come in and go through the materials for the annual renewals and to finish the 5 year check-up / review. (She is very hard to get ahold of.) Per the specialist the 2016 review was not needed because we are in the process of the 5 year check-up / review.
- Work on possible stormwater regulations for the Town has begun. Example / model ordinances will be reviewed at the January 10, 2017 Planning Commission meeting.
- The Zoning Ordinance portion of the Tattoo Parlor Code modification is drafted and will be reviewed at the January 10, 2017 Planning Commission meeting.
- Work on Code for a Historic District for the Town has begun. Efforts to schedule VDHR staff to come to the next Planning Commission meeting have been made.
- Work with the WAC, Town Staff, and Duffield Associates on the contract to obtain a discharge permit is ongoing.
- The Hazard Mitigation Plan (2016) has been drafted and is available online for review / comment.
  - [www.a-npdc.org/accomack-northampton-planning-district-commission/coastal-resources/hazard-mitigation-planning/](http://www.a-npdc.org/accomack-northampton-planning-district-commission/coastal-resources/hazard-mitigation-planning/)
- On the horizon.
  - RCEC has requested that the information for the Town's parks be updated.
    - Work on a Parks Master Plan has begun.
  - Water Supply Plan.
    - A 5 year update is due in 2018.
    - Two (2) compliance issues must be addressed by 2018.

**MINUTES OF THE NOVEMBER 7, 2016  
CHINCOTEAGUE TOWN COUNCIL MEETING**

**Council Members Present:**

J. Arthur Leonard, Mayor  
Denise P. Bowden, Vice Mayor  
Ellen W. Richardson, Councilwoman  
Edward W. Lewis, Jr., Councilman  
Gene W. Taylor, Councilman  
Ben Ellis, Councilman  
James T. Frese, Councilman

**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.

**PRESENTATION**

Mr. John Peterman, Administrator of Riverside Health came before Council regarding the new hospital. He advised he has been with Riverside for 30 years. He discussed the growth of Riverside. He talked about the Riverside facilities on the Shore. He added that they employ almost 700 employees on the Eastern Shore. He reported the impact on the Eastern Shore of almost \$73,000,000. He stated that the first hospital was built in 1928 and the current hospital was built in 1971. He added that the new hospital will be opening in a few months. He talked about the Cancer Center and Nursing Home.

Mr. Peterman stated that Shore Health decided to affiliate with a larger system with the deal that they would build a new hospital north of the current location. He reviewed the picture. He reported that the new campus represents approximate \$85,000,000 to \$90,000,000 investment. He stated that they have lost 2 hospitals in Virginia because of the lack of funds. He expressed that they are proud to make this investment on the Shore. He reviewed the size of the hospital having 52 rooms with 8 of them in ICU and room for expansion. He further described the rooms in detail along with the emergency room and treatment rooms. He advised that they treat approximately 1,300 patients per month. He talked about the stroke center, joint partnerships and the pneumatic tube system. He also advised they will have 3 operating rooms and 2 procedure rooms.

Mr. Peterman reviewed the main lobby, dining room and gift shop. He continued reviewing the different departments including the breast cancer center, heart center, mother-baby unit, labor and delivery, intensive care unit and negative pressure rooms. He stated that he is proud of the small hospitals and feels the Eastern Shore is very fortunate. He stated that every person employed with Riverside is board certified. He reviewed the different departments, surgical

teams and physician groups. He added that their nurses have been trained. He concluded with the mission statement, “We care for others as we would care for those we love to enhance their wellbeing”.

Mayor Leonard thanked him for coming.

Councilman Taylor thanked him for making the presentation and for all they do.

Councilwoman Richardson asked when they plan to open.

Mr. Peterson advised it will be opened by the end of February.

### **OPEN FORUM/PUBLIC PARTICIPATION**

Mayor Leonard opened the floor for public comment.

- Ms. Lisa Cannon of 6368 Circle Drive stated that they are grateful to have their Fire Company here and feels it’s great for them to build the new facility. She expressed her concern regarding the drainage issue in the Circle Drive area. She is unsure what the Fire Company will be doing to help manage stormwater runoff.

- Ms. Patricia Farley, Vice President of the Chincoteague Cultural Alliance and a member of the Chincoteague Storytelling Guild, thanked the community for their participation in the bonfire and storytelling. She thanked Mayor Leonard for building the bonfire. She also thanked the Chincoteague Police and Officer Butler for coming out to inspect the bonfire who shared his own ghost story. She thanked the Chincoteague Volunteer Fire Company and Mr. Dean Orsino for using their equipment putting the fire out. She thanked the 6 storytellers and the volunteers who brought food. She advised that there were approximately 100 people in attendance. Ms. Farley explained that the Storytelling Guild is made up of the CCA, Island Library and the Museum. She mentioned a storytelling festival and invited Council to be a part of their storytelling group.

- Chamber Director Shotwell asked Council to approve the contract with Duffield Associates for the feasibility study for the central sewer treatment facility. She stated that the business community of the Island recognizes the importance of such steps to the sustainability of the economy and wellbeing.

- Dr. Glenn Wolffe of Leonard Lane, came before Council to discuss communication. He stated that he works in an office that is run by PRMC and going through a computer conversion. He also stated that one of the goals is that they will be on the same software as Shore Memorial when they move to Onley. He stated that the communication between an office, the emergency room of PRMC and Shore Memorial will intertwine. He also wanted to discuss communication with the upcoming conditional use application for the waterpark. He stated that he realizes how little he knows about the conditional use permit. He stated that he is unsure of the codes and statutes that govern the property. He mentioned not knowing the process. He requested that the Town hire a land use attorney to work with Town Attorney Fox or come to a Council meeting regarding a conditional use permit and the guidelines. He would like understanding and feels

that the rumors fly when they don't know. He requested Mayor Leonard and Council to consider the feasibility to invite someone involved in deliberating the conditional use permit.

- Mrs. Lisa Smith, 4421 Main Street, addressed Council about the parking issue along North Main Street. She advised that the yellow lines were painted and expressed her original feelings about no parking along that area of Main Street. She stated that this has caused cars to speed up. She feels it's an unintended consequence. She also stated that her property value decreased. Mrs. Smith advised that the majority of the houses in that area have off street parking, however, she does not. She stated that the subject was supposed to be revisited and it was without further communication. She stated that there hasn't been an incident there and doesn't understand why it was changed. She added that their decision has to be based on the common good. She handed out a picture of a proposed sign which states "slow down, limited sight. She doesn't feel that the no parking area has corrected anything.

- Mrs. Wanda Thornton commented on the drainage issue. She stated that the Fire Company has a first class stormwater retention plan which goes beyond what they have to do. She complimented the Fire Company. She feels there is a severe drainage problem on the Island. She stated that Council has a drainage study that should be fulfilled. She thanked Mr. Papadopoulos and everyone involved on the sewage study. She is concerned that there is misinformation. She has been asked if the Town would be responsible for this. She also heard that the Town wasn't going to spend any money. She also stated that if the taxpayer is going to be responsible for any type of central sewer it needs to go to a referendum. She stated that it is a horrendous amount of money. She added that they will only get a grant for a single family dwelling. Mrs. Thornton asked how this would be coordinated since Mr. Burbage has a service district. She stated that they have public hearings but not many people attend. She believes they should pay attention to the program.

Mrs. Thornton also stated that the Fire Company needs more EMTs. She added that she would like to see more transparency. She asked Council not to spend any more of the taxpayers' money until they hear from the public. She also added that they need assurance for the public of what is going on behind the scenes. She asked the Fire Company when the new hospital opens if they were going to stop transporting to Salisbury.

Mr. Harry Thornton advised that they wouldn't. He stated that this is one reason they switched the OMD to Dr. Wolffe.

## **STAFF UPDATE**

### **Planning Department**

Town Planner Marney advised of the Planning Commission meeting tomorrow. He stated that they will be discussing Historic Districts, current storm water regulations, building heights and the Maddox Campground Water Park.

### **Police Department:**

Chief Mills advised that the report is in the packet. He stated that the deer population control will begin within the next week. He advised that the Police Department has a couple of special

events coming up. He stated that they are trying to get a movie so they can invite the kids for a free movie. He also mentioned the Toy Run.

**Public Works Department:**

Public Works Director Spurlock reported that the Public Works Department has started putting up Christmas decorations. He also stated that the construction system for the Island Activity Center and the CCA building started this morning and will be completed later this week. He mentioned the paving of Woodland Drive, he advised that the contractor ran into a material shortage and should be completing it by the end of the month.

Mayor Leonard asked about patching the water line repair on Maddox Boulevard.

Public Works Director Spurlock stated that Branscome was going to pave it 2 weeks ago. He added that because the Town was still pumping so much there they decided to wait until they finish paving on the Wildlife Refuge.

**General Government:**

Town Manager Ritter stated that there were 97 EMS calls for October 2016 which is 30 more than October 2015. He also stated that they are working on a plan to continue EMS support, which on the agenda for discussion tonight. He reported that the taxes have been mailed out and due December 5<sup>th</sup>. He added that the newsletter was published in October.

Councilman Ellis mentioned the Police Department's presence on Facebook and Twitter. He asked if the Town should be doing this also.

Town Manager Ritter stated that basically the Town's Facebook page was set up for Emergency Operations. He stated that it's up to Council if they want to start a Facebook page for open dialogue with the public.

Councilman Ellis stated that it would be good to put information out to the public.

Vice Mayor Bowden agrees with Councilman Ellis and feels that Facebook is the way of the world. She doesn't think they have to keep with the dialogue. She mentioned the Fire Company's Facebook page and stated that she updates it at least twice a week. She feels that it is one of the greatest tools. She discussed when the Town puts out something regarding Emergency Services she would share that to get the information out. She added that this Town government doesn't do enough to get the information out.

Mayor Leonard stated that it was one of the previous Mayor, Mr. Jack Tarr's wishes. He asked that this be taken care of.

**AGENDA ADDITIONS/DELETIONS AND ADOPTION**

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

1. **Adoption of the Minutes**

- **Special Joint Council Workshop of September 29, 2016**
- **Regular Council Meeting of October 3, 2016**
- **Council Workshop Meeting of October 20, 2016**

Councilman Ellis asked for a correction from Mayor Tarr to Mayor Leonard.

Councilwoman Richardson corrected the name from Louise Flemingham to Flannigan.

Councilman Frese motioned, seconded by Councilwoman Richardson to adopt the Special Joint Council Workshop meeting minutes of September 29, 2016, Regular Council meeting minutes of October 3, 2016 and the Council Workshop meeting minutes of October 20, 2016 as corrected. Unanimously approved.

2. **Public Hearing on a Budget Amendment of \$90,000**

Mayor Leonard invited the Fire Company to let the public know why they have this expenditure.

Mr. Willis Dize, President of the Chincoteague Volunteer Fire Company, advised they are before Council because they need the Town's assistance in funding the full and part-time paid EMS personnel. He stated that there are a lessening number of volunteers who respond now to ambulance calls. He stated that they appreciate the Town's huge investment they've made over the past several years. He added that it has made a positive impact on the emergency care responses in the summer. He stated that the Fire Company has paid additional staffing from Labor Day to Columbus Day weekend this year. Mr. Dize also stated that the Fire Company finds itself in the situation with the volume of calls they receive that the demand falls back on the volunteers. He added that the volunteers are getting older and have medical issues, which makes it harder for them to take the calls.

Mr. Dize also stated that there are numerous explanations for the reduced responses from the volunteers such as jobs, family or community obligations. He added that they have trained a lot of people but they also have jobs. He stated that many of the volunteers have 24 hour shifts and have other obligations when they're off. He reported that they operate with 5 shifts composed of approximately 20 volunteers who rotate daily and only the same 5 or 6 respond on a regular basis. He stated that many of the volunteers are fatigued from the increased calls, carnival and fundraising events. He stated that several of their faithful responders' activities are being curtailed by age, illness and injury. He advised that another reason for the request is a tremendous drain on the Company's financial status. He stated that they are in the process of building a \$4,000,000 firehouse. He also stated that they recently purchased a new firetruck and required updated equipment costing \$540,000. He added that within the next year they will need a new ambulance which will cost approximately \$175,000. Mr. Dize stated that the cost of maintenance and replacement costs of buildings, firetrucks, ambulances, care of the ponies and carnival rides increase each year. He also stated that you can see where the Company's money is being spent and realize that the carnival, Pony Penning and fundraisers are barely covering the present expenses.

Mr. Dize stated that they are asking for the Town's assistance to staff the ambulances and continue to get them out as the calls for emergency care are received. He stated that their

volunteers remain committed to responding to the residents and visitors in calls for help for medical other emergencies. He thanked the Town for their constant support of the Company and participation in the resolution of this problem that has presented itself to the community.

Vice Mayor Bowden stated that as one of those volunteers she has been in the Volunteer Fire Company for 27 years. She stated that she has been out for 2 ½ months on an injury and has been unable to come out and volunteer. She also stated that back when Mr. Reed, Mr. Thornton and Mr. Dize came into the Fire Company they could learn how to drive the ambulance and firetruck by a grandfather or uncle. She added that it's not like that now. She stated that you have to go to school for everything. She feels it causes a lot of stress and takes a lot of time for people to get the certifications. Vice Mayor Bowden stated that she doesn't have to remind anyone that literally millions and millions of dollars that the Fire Company has saved the Town in taxes. She also stated that the reason that the firehouse is being built across the street is because the half a million dollar firetrucks are bigger than they used to be back in the 40's and 50's. She added that they've outgrown it. She hopes everyone understands the importance that the fire and EMS system is in the Town. She asked them to think what would happen if those tired volunteers didn't have Pony Penning. She added that she would say that if she wasn't a member.

Councilman Taylor feels that everyone here will support \$90,000 for additional staff. He stated that the Town still needs the volunteers. He stated that we all see the ambulance going all the time. He also stated that it's a partnership and the Town needs the volunteers. He thanked them for all they do with the carnival and Pony Penning even those from out-of-state. He added that the Town is definitely going to support this. He also thanked them for the many trips they've done.

Mr. Ollie Reed advised that they will be there and they aren't giving up.

Councilman Taylor feels they need to groom people coming up behind them to fill those slots.

Councilman Ellis stated that what made the argument for him at the Budget and Personnel Committee was that the other ambulances came to provide services on the Island. He added that this was because the volunteers weren't available. He feels it's a significant problem and tragedy. He also added that this is a bandage to get through the rest of the year. He stated that they need to work together as a Council with the Fire Department to plan how to budget this so that it can be addressed on a long term basis.

Mayor Leonard stated that Chincoteague supports itself. He also stated that they support the Fire Company and they have supported the Town in the past.

Councilman Frese stated that he studied this. He agrees with Councilman Ellis. He stated that he has heard what the Fire Company has said and sees where they're coming from. He stated that they have talked about smaller amount of volunteers that in many cases can't respond. He also stated that they've asked for \$90,000 and no one on Council has a problem with it except that it is a Band-Aid approach. He feels that the handwriting is on the wall across the country. He explained that people work 2 and 3 jobs which causees volunteers to hurt. He feels they need

to look into this with the Fire Company. Councilman Frese mentioned the current EMS budget. He stated that since the Town has the taxing authority they will have to look at the EMS provided service of the Town government. He suggested evaluating this with the Fire Company to see what the best way is for the future. He asked if it would be best to keep the EMS under the Fire Company or to absorb it like they have a Police Department and Public Works. He stated that as it is now the EMS is split with the Town and the Fire Company. He stated that it is the Town's obligation to have them. He also stated that it isn't fair for the Fire Company to have to go ask for help from other Towns. He added that maybe the Town has to step up to the plate, understanding that there is more tax money because it's an expense. He believes they should be smart and take a look at it with the Fire Company. He suggested approving the \$90,000 and referring this to the Committee to meet with the appropriate representation for the future.

Mr. Dize stated that they are willing to meet with the Town at any time.

Mayor Leonard opened the public hearing.

There were none.

Mayor Leonard closed the public hearing.

Councilman Lewis motioned, seconded by Councilman Taylor to approve the budget amendment for a transfer from General Fund Savings to EMS Salaries in the amount of \$90,000. Unanimously approved.

Councilman Taylor stated that it may not be \$90,000.

EMS Supervisor Rush stated that they are referencing 4 part-time. He advised they currently have 5 and probably need 2 more. He stated that his goal is to cover from now until the Friday after Memorial Day. He stated that there is no way with the part-timers to fill the gap.

### **3. Wastewater Advisory Committee Report of October 4, 2016**

#### **• Adoption of a Contract for Engineering Services**

Wastewater Advisory Chairman Spiro Papadopoulos reported that the Wastewater Plan of 2015 focuses on a centralized system of the Maddox Boulevard and Main Street corridors. He stated that the Committee determined that future steps are required to obtain professional services. He also stated that from March 2016 to June 2016 interviews took place and a selection of a firm was performed. He added that on July 5, 2016 the Town Council approved the selected firm for the Committee to proceed in contract and fee negotiations. Chairman Papadopoulos advised that the Committee reviewed and approved the contract and proposed fee. He also stated that on October 6<sup>th</sup> they forwarded this matter to the Planning Commission for their review and action. He stated that the Planning Commission reviewed it, approved it and sent it to the Town Council on October 16<sup>th</sup>. He also stated that the Wastewater Advisory Committee, Planning Commission and Town staff approves the contract with Duffield Associates.

Chairman Papadopoulos explained that the process consists of several phases. He advised that the 1<sup>st</sup> phase it is 4 steps. He stated that the 1<sup>st</sup> critical step is the successful implementation of

the Wastewater Management Plan in confirmation with the Virginia DEQ. He added that it is a Virginia pollution discharge system discharge permit where hydrograph control release is feasible. He explained that it means if it's feasible to apply for an overboard discharge permit. He also stated that if this step is not approved all bets are off. He stated that the 2<sup>nd</sup> critical step is developing a mechanism to ensure that it benefits the Wastewater Implement Plan that will support the Town. He added that the key is making arrangements for funding. He continued that the critical 3<sup>rd</sup> step is the funding to make the system affordable. He stated that the 4<sup>th</sup> critical step is the public outreach.

Chairman Papadopoulos then stated that after that planning phase they will move into the design phase, prepare construction documents, bidding, permitting, then the next phase of construction, which is the operations phase. He stated that the proposed contract is for the 1<sup>st</sup> step in the planning phase. He turned the floor over to Mr. Beechum who is the engineer, consultant of Duffield Associates.

Mr. Beechum advised that he is a shareholder of Duffield Associates from Newcastle, Delaware. He stated that the project they want to undertake is an extension of what Chairman Papadopoulos did over a 2 year period. He likes to look at the whole picture of what's there. He wants to see if it's affordable and what is unique about the island. He stated that what interested him the most is that the Town has been looking at this issue for 15-20 years. He stated that the one thing that was missing was what they were going to do with the water. He advised that you can treat wastewater now to the point that it's drinkable. He stated that with the technology and the 50 years he's been in the business it has grown to the point that it can be treated to where it meets drinking water standards. He gave an example of another area. He added that you want to match what the pocketbook says you want to do with the impact on the environment. He stated that Chincoteague has 11 ½ billion gallons of water going out in the tidal exchange which would provide dilution factor of 2,000 to 1. He also stated that this is a long-term thing that can be expanded through the community as they see the demand for it.

Mr. Beechum stated that the planning phase is critical. He also stated that they plan to meet with the Town again to make sure their plans are in order. He added that they will meet with the DEQ to get their feelings about it. He stated that without them giving their ok it won't go to the next step. He stated that once they get the ok, they will go out in a boat to see what the currents look like. He advised that based on this information they will create a model and demonstrate what the dilution is. He also stated that there's no need to go to the next 3 steps in the planning phase and there's no need to go to referendum until you know what it will cost. He added that it will then go to public outreach.

There were a few questions and discussion about cost and connections.

Councilman Frese talked about the study and estimated costs from the 70s. He asked if the citizens agree with this would they have to pay \$40,000. He advised that he will not vote for something unless the citizens clearly know what they're getting into and that they want it.

Mr. Beechum stated that this is the 4<sup>th</sup> phase.

There was discussion about the cost, water pumped per day and the overboard discharge.

Vice Mayor Bowden stated that the \$50,000 will be going toward the 1<sup>st</sup> phase. She stated that they won't know until they have the money to do the study and see what the Town has to work with.

Mr. Beechum stated that he will go through it and take the risk to come up with something. He stated that if something goes wrong it's on him. He stated that the Town needs to know there's a place for it to go and mentioned the flooding.

Vice Mayor Bowden stated that there are so many unknowns to the process. She also stated that the only way to find out if it's going to be feasible for the Town is to go through the process. She asked a local business owner if this was an affordable thing would they tie into it.

The business owner advised they would.

Someone asked if the 1<sup>st</sup> phase was Maddox Boulevard.

Council advised that it would be Maddox Boulevard and Main Street.

Mr. Papadopoulos interjected that this is the commercial corridor.

Councilman Ellis asked what funding sources would be available.

Mr. Beechum stated that the USDA would have the funding source. He also added that there are other sources. He stated that the type of business matters based on the type of flow. He mentioned the Clean Water Act.

There was further discussion.

Mayor Leonard stated that when this was turned down in 1975 things were different. He stated that things are tightening up these days. He added that this is a baby step.

Councilman Lewis stated that when he was going door to door running for Council, there were a lot of citizens expressing their concern of having to pay taxes for a sewer system going down Maddox Boulevard. He doesn't see how he can support it.

Vice Mayor Bowden stated that she understood that those businesses would be paying for it.

Councilman Frese stated that it was his understanding that this is how it will start out. He added that once the taxpayer money is involved they can't stop someone else from tapping into it. He advised that he agreed with Mayor Leonard however, the attitude of the citizens hasn't changed. He stated that the Town's sewage is working well today. He doesn't want to bury their heads in the sand but they need to know what they can commit themselves to.

Mayor Leonard stated that he is in agreement with them. He added that in order to do this they have to take this step.

There was a question of the cost of the study.

Council responded that it is up to \$50,000.

Vice Mayor Bowden stated that once the Town has the study then they can decide.

Councilman Taylor stated that he understands the steps. and asked how much would the overboard permit cost.

Mr. Beechum stated that he doesn't think that the Town wants to go that direction right-away. He explained that it is complicated. He stated that their goal is at the end of the 1<sup>st</sup> phase they will have a letter from DEQ. He added that it will explain the requirement of the steps that are supported by the model which paves the pathway to get the permit. He asked why the Town would want to spend the extra money if the citizens won't go for it.

There were brief comments.

Councilman Ellis motioned, seconded by Councilman Frese to adopt the contract for engineering services. Motion carried.

Ayes: Ellis, Frese, Taylor, Richardson, Bowden

Nays: Lewis

Absent: None

#### **4. Public Works Committee Report of October 4, 2016**

Councilwoman Richardson advised that the report was included in the packet. She stated that it is nice to see the lights on Hallie Whealton Smith.

Public Works Director Spurlock advised that they will be starting on the lights on Maddox Boulevard.

Vice Mayor Bowden stated that she has had several compliments about the lights on Hallie Whealton Smith.

Councilwoman Richardson stated that they will be starting on Maddox Boulevard from the circle to Eel Creek with new lighting.

#### **5. Recreation and community Enhancement Committee Report of October 11, 2016**

- **Discuss Options for the Monument at Mariners' Point**

Vice Mayor Bowden referred to the packet. She stated that they have an issue about Mariner's Point. She advised of a recommendation to Council to be discussed this evening. She stated that it is regarding the monument at Mariner's Point. She explained that the issue has nothing to do with the Waterman's Memorial. She stated that the issue is that anyone that puts something on Town property has to go through proper channels. She advised that this has not been done. She

also stated that the gentleman that started the Waterman's Memorial hasn't been coming to Council and keeping them updated nor has he filled out the proper paperwork to put the monuments there. Vice Mayor Bowden also stated that several Councilmembers has attempted to contact him and asked what can be done.

Town Attorney Fox stated that they have to give notice for him to remove them. He added that if they aren't removed then the Town can remove them and charge him.

Councilman Frese stated that there are 2 sides to this story. He feels it's the best interest of the Town to admit that this individual has done a lot of work. He also feels there has been a lot of misunderstanding on both sides. He explained that he works for the federal government and is called away. He feels they should table it and let it settle so he can come to Council to work it out. He reiterated that there are 2 sides to this story.

Vice Mayor Bowden stated that she is all for this. She feels that he has done a fantastic job. She also stated that the Committee is uptight that the rules are not being followed. She stated that she was told that every avenue has been exhausted.

Councilman Frese stated that the other side of this story is that he had permission to put up what he designed. He also stated that because he isn't here it has made it difficult for him to resolve this matter.

Mayor Leonard stated that he has been embroiled in this and the Town has tried to make concessions to work with the individual. He added that they have sent letters and he hasn't worked with the Town. He commented further and advised that he is ready to do something. He suggested that they take the monuments off or have him come into the office to sign the documents.

Councilman Frese stated that he had permission to put his design up there. He also stated that he is out of town on government business.

Mayor Leonard stated that he did not have permission to put the monuments at Mariner's Point. He stated that the Town gave him the permission to put the ship's mast and the light there. He added that he didn't have permission to put the monument there.

There was discussion about the original request to put a memorial at the Robert Reed Park.

Mayor Leonard expressed his frustration that they are arguing about this.

Councilman Lewis asked if someone else could apply for the permit.

Town Attorney Fox advised that the person who owns the monuments has to apply.

Councilman Ellis asked if someone would invite him to come before Council to resolve this matter.

Mayor Leonard asked how long this is going to be delayed.

Vice Mayor Bowden is in favor of waiting until the December meeting.

Councilman Lewis suggested sending him a certified letter.

Councilman Taylor discussed having him sign the monuments over to the Town. He explained that he can sign the papers that if the Town were to have to move them he would be notified. He stated that Council would let him keep them there if he would sign the papers.

Town Attorney Fox advised that he stated just that in a certified letter. He advised that the letter was returned "refused".

Mayor Leonard asked why he would send the letter back unopened.

Councilman Lewis stated that they should invite him to the December meeting and if he doesn't show move the monuments.

Mayor Leonard asked Town Manager Ritter to give Councilman Frese the paperwork and he will get Mr. Abell to sign it by November 17<sup>th</sup>.

**6. Budget and Personnel Committee Report of October 8, 2016**

- **Possible Adoption of \$90,000 for EMS Coverage up Until Memorial Day**

Councilman Ellis stated that they've addressed the matter in the budget amendment.

**7. Ordinance committee Report of October 13, 2016**

- **Possible Adoption of an Ordinance to Cut Cemeteries**
- **Possible Adoption of Tattoo**

Councilman Taylor advised that Councilwoman Richardson and Mr. Terry Howard have done a great job keeping the cemeteries cut and cleared. He stated the old Ordinance is going to be changed to have the Public Works Department take care of the 5 cemeteries throughout the year. He stated that they feel they've exhausted their resources.

There was discussion about having the high school BETA help for service points.

Vice Mayor Bowden motioned, seconded by Councilwoman Richardson to adopt the new Ordinance for the Town to cut the 5 cemeteries. Unanimously approved.

Councilman Taylor stated that the second item is regarding tattoo parlors and body piercing. He stated that the Planning Commission has recommended that Council approve them. He also stated that they need to change the ordinance to allow it in a commercial zone by a conditional use permit.

Town Planner Marney explained that once it is permitted by right in certain commercial districts there is no say. He added that if Council or the community wishes to have any input it needs to

be allowed based on a Conditional Use Permit. He also stated that it gives Council the most control.

There were comments.

Mayor Leonard stated that the Town has to provide them with an avenue.

Councilman Ellis motioned, seconded by Vice Mayor Bowden to approve the Ordinance for Tattoo businesses under the Conditional Use Permit. The motion was carried.

Ayes: Ellis, Bowden, Richardson, Taylor, Lewis

Nays: None

Abstain: Frese

#### **8. The Chincoteague Center Vacancy Appointment**

Mayor Leonard stated that there is a vacancy on the Board for the Chincoteague Center. He advised that there is one person who expressed interest.

Councilman Ellis advised there is a vacancy because one member resigned so she could apply for the Director position.

Councilman Ellis motioned, seconded by Councilman Frese to appoint Mrs. Cynthia Wilder to fill the vacancy for the Chincoteague Center Authority. Unanimously approved.

There was discussion on the resolution that created the Authority allowing more Board members.

#### **9. Proclamation Cemetery Clean-up Week of November 12<sup>th</sup> – 18<sup>th</sup>, 2016**

Councilwoman Richardson advised that they have set November 12<sup>th</sup> – 18<sup>th</sup> as the Cemetery Clean-up Week. She stated that they will be cleaning the Taylor and Birch Cemetery on School and Smith Streets. She mentioned the new Ordinance and listed the cemeteries that it refers to: Mechanics, Daisey, Redmen's, Greenwood and the Bunting Cemeteries. She expressed her appreciation for all the volunteers that have been helping with cemetery cleanup. She asked Mayor Leonard to read the Proclamation.



#### **PROCLAMATION**

WHEREAS, throughout our community there are many cemeteries and family burial grounds;  
and

WHEREAS, over the years many of the loved ones of those buried in our cemeteries have moved away or are no longer able to tend to these cemeteries; and

WHEREAS, many organizations and individuals throughout our community have volunteered to assist in the cleanup of those sites and common areas within these cemeteries; and

WHEREAS, these organizations and individuals need assistance from all citizens to accomplish their cleanup goals to beautify and preserve our family burial grounds.

NOW, THEREFORE, I, Mayor John A. Leonard do hereby proclaim the week of November 12<sup>TH</sup> through 18<sup>TH</sup>, 2016, as Cemetery Cleanup Week within the Town of Chincoteague and call upon our citizens to volunteer to organize and assist in the cleanup of our Island cemeteries.

DATED this 7<sup>th</sup> day of November, 2016.

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John A. Leonard, Mayor

ATTEST:

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Robert G. Ritter Jr., Town Manager

Mrs. Wilder suggested putting this out on Facebook because she didn't know that Cemetery Cleanup Week was an event.

There were further comments.

**10. Mayor & Council Announcements or Comments**

Vice Mayor Bowden stated that they like to get the word out letting those who elected Council know what they're doing and voting on.

Councilman Ellis stated that its okay to disagree at a meeting because once it's resolved it's over and they move on.

**11. Closed Meeting in Accordance with Section 2.2-3711(A)(1) of the Code of Virginia**  
• **Personnel Matters**

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

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

Vice Mayor Bowden moved, seconded by Councilwoman Richardson 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- Bowden, Richardson, Frese, Taylor, Ellis, Lewis  
Nays- None  
Absent- None

Councilman Frese motioned, seconded by Councilman Ellis to terminate Town Manager Ritter giving him a 90-day severance package. Motion carried.

Ayes: Bowden, Frese, Ellis, Richardson

Nays: None

Abstain: Lewis

### **Adjourn**

Councilman Taylor motioned, seconded by Vice Mayor Bowden to adjourn. Unanimously approved.

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Mayor



## MEMORANDUM

Town of Chincoteague, Inc.

Date: December 5, 2016  
To: Mayor & Town Council  
From: Planning Commission  
Through: Ronald Marney, Planning Director  
Subject: Zoning Code Amendment

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During the review of the existing Zoning Ordinance a need to address Sec. 2.24 Building Height and the Height Regulations found in the Zoning Districts was identified. The wording in the Sec. 2.24 definition doesn't clearly indicate how to determine height for all structures. The wording found focuses on roofs. The height regulations address structures and permitted heights but lack clarity. The issue was reviewed by the Planning Commission at the November 8, 2016 meeting. After discussion the Planning Commission voted to forward the Code amendment to Mayor and Council with the recommendation for approval and for a joint public hearing. The purpose of this memo is to forward the proposed modification of the Zoning Code to correct / clarify the stated issues.

The existing Code with alterations is included with this memo. Your review and recommendations regarding the modification of this ordinance are requested.

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### ARTICLE II. DEFINITIONS

#### **Sec2.24 Building & Structure Height**

The Vertical distance measured at the site of the structure from one of the following: base flood elevation, two (2) foot freeboard, or established grade, **or for a structure not required to be built to flood elevation such height shall be measured from the lowest undisturbed natural grade**, whichever is greater, to the highest point of the:  
*of the structure; or  
surface of a flat or sloping roof; or  
average height between eaves and ridge line of a gable, hip, or gambrel; or  
deck line of a mansard roof.*

**ARTICLES 111, IV, & V**

(This Code is the same in all Zoning Districts.)

**Height Regulations.**

- 1) Buildings and other structures may be erected up to 36 feet in height in accordance with Sec. 2.24 (definition of building & structure height). No Structure shall exceed three (3) stories in height. Exception: enclosures below the base flood elevation used for incidental storage, parking garages, and means of egress shall be exempt from being considered a story if such total space is less than 600 square feet in area, however height restriction still applies.  
(Ord. of 2-5-01)
- 2) No accessory building or structure shall be more than 25 feet in height.
- 3) Roof area extending above the maximum three (3) story building height shall not be constructed or converted for human occupancy or use. Exception: HVAC equipment if visually screened from view, elevator bulkheads or stair structures for roof access.
- 4) Chimneys and flues shall not be more than six (6) feet above the height of the main buildings upon which the rest.
- 5) Church spires, belfries, monuments, flagpoles, television antennae, and radio aerials may be no higher than 70 feet above mean sea level (excluding public utilities).
- 6) Parapet walls shall not extend more than four feet above the maximum building height for non-residential structures.

(Amended 5/4/15 xx/xx/16)

**TOWN OF CHINCOTEAGUE  
BUDGET & PERSONNEL COMMITTEE WORKSHOP MINUTES  
OF THE NOVEMBER 15, 2016 MEETING**

**Members Present:**

Ben Ellis, Chairman  
Gene Wayne Taylor, Councilman  
Arthur Leonard, Mayor

**Others Present:**

Eddie Lewis, Councilman  
Jim Frese, Councilman  
Denise Bowden, Vice Mayor  
Ellen Richardson, Councilwoman

**Staff Present:**

Harvey Spurlock, Public Works Director  
James R. Mills, Chief of Police  
Karen B. Hipple, Finance Director

**Call to Order**

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

**Roll Call**

All Committee members were present.

**Open Forum/Public Participation**

There was no public participation.

**Agenda Adoption**

Mayor Leonard motioned, seconded by Councilman Taylor to adopt the agenda as presented. All present were in favor.

**1. Employee Evaluations**

Finance Director Hipple recommended for all employees that the Town Manager would evaluate to have an acceptable evaluation for this year.

Councilman Taylor motioned that all these employees should get a 2% merit increase. The other departments should proceed as usual with their evaluations. The motion was seconded by Mayor Leonard.

This recommendation will be forwarded to Council for their approval.

**2. Status of Wage Study**

Finance Director Hipple has been in contact with Springsted and the wage study should be completed in late December.

**3. Review of Section 7 of the Employee Handbook**

Before the new handbook came into effect the Christmas holiday included Christmas Eve as well as Christmas Day. With the new handbook there were stipulations that had some employees working on Christmas Eve. Finance Director Hipple asked for that to be changed.

Chairman Ellis recommended that the office be closed on December 24, 25, & 26 no matter what day the holiday fell. That would mean some years the office was closed only one day

and some years it would be more depending on the day that Christmas fell. This matter will be taken to Council for their approval.

Chief Mills recommended that in section 7.2 that the wording "Town staff will be notified of the holiday schedule at the beginning of each calendar year" be removed from the handbook. Especially now that the Christmas holiday has been recommended to be for the 24<sup>th</sup>, 25<sup>th</sup>, and the 26<sup>th</sup>.

In section 7.4 the words "at the discretion of the Town Manager" were removed. In the final paragraph of the section the new wording will be as follows: *Departments with full time or temporary employees working a shift schedule shall be compensated for working on the "true" holidays rather than the Town designated holidays.*

Finance Director Hipple spoke about section 7.7. She felt as if employees that have been dedicated to the Town should be rewarded for their tenure. She would like to have some additional hours added to the current vacation accrual schedule. She suggested that 15-20 years should have 6.92 hours per pay period, 20-25 years have 7.46 hours and over 25 years 9.23 hours. She felt it would be a good incentive for current employees and future employees as well.

Chief Mills discussed his feelings on someone who leaves in good standing should be able to go back to the number of years that they had previously served with the Town concerning their leave. He also suggested that maybe some additional stipulations be added.

In section 7.8 the wording at the end of the page *in case of natural disaster* was struck from the paragraph.

#### **4. Committee Member Comments**

Chairman Ellis stated he had finished Chief Mills' evaluation and would bring it to the December Council meeting.

#### **Adjournment**

Mayor Leonard motioned, seconded by Chairman Ellis to adjourn the meeting.

**MINUTES OF THE NOVEMBER 3, 2016  
HARBOR COMMITTEE**

**Members Present:**

J. Arthur Leonard, Chairman  
Ben Ellis, Councilman  
Mike Handforth  
Ernie Bowden

**Others Present:**

Wayne Merritt, Harbormaster  
Vernon Merritt, Harbormaster  
Robert Ritter, Town Manager  
Mr. & Mrs. Rosenberger

**Call to Order**

Chairman J. Arthur Leonard called the meeting to order at 5:00 p.m.

**Open Forum/Public Participation**

There was no public participation.

**Agenda Adoption**

Councilman Ellis motioned, seconded by Mr. Mike Handforth to adopt the agenda as presented. Unanimously approved.

**1. Harbormasters Update**

**A. Spring & Summer Overview**

Harbormaster Wayne Merritt stated that the Harbor was busier than usual. He believed it was due to the overhaul of the waiting list that allowed more slips to be rented.

**B. Vessel Removal**

The boat/owner that was a problem is no longer in the Harbor.

**C. Dredging Project**

The Dredge Currituck has been in Town to dredge the shoals as well as the entrance to the Harbor.

**D. Fuel System Report**

There has been a problem with the diesel tank. The tank will be cleaned and then re-filled. Also, due to switching from road diesel to dye diesel, which is not taxed, the cost will go down.

The Public Works Department built a small roof structure over the credit card portion to help protect the system from the elements.

The fuel system was not profitable this summer due to numerous problems.

**E. Questions for the Harbormaster**

Mr. Handforth asked about the berm. He was told that it was fine.

A question was asked about the jetty. Town Manager Ritter stated that a letter had been sent and a study will be done in that area. The Town will be responsible for a portion of those costs.

**2. Discuss Harbor Policy of 2000**

Chairman Leonard stated that Town Manager Ritter had reviewed the policy of 2000. Numbers 8 & 13 were struck from the list.

The wording of *and all other work related debris* was added to number 9. Harbormaster Vernon Merritt stated that he felt that those items being left on the dock should be left to the Harbormasters discretion.

On item number 15 the words *It is the Harbor Masters' discretion to allow temporary mooring* were added.

Also on item number 4 the wording of *or proof of working for slip holder* was added.

Mr. Ernie Bowden motioned, seconded by Mr. Mike Handforth to approve the changes.

**3. Discuss Revenue and Expenditures**

These documents will be emailed to the committee members.

Mr. Keith Mummert told the members that he will acquire the lift within a few days.

**4. Committee Member Comments**

Town Manager Ritter expressed his thanks for Harbormaster Wayne Merritt as he is retiring at the end of the year.

**Adjourn**

Mr. Ernie Bowden motioned, seconded by Councilman Ellis to adjourn the meeting.

TO: Mayor Leonard & Town Council  
FROM: Karen Hipple  
DATE: November 29, 2016  
SUBJECT: Committee Appointments

Several committees have term expirations at the end of the year. Some have asked to be reappointed while others wished to be replaced. As you are aware, the Board of Zoning Appeals is appointed by Judge Lewis without recommendation. Town Attorney Fox will send a letter to the Court asking for appointment of one seat which expires on December 31, 2016. Mr. Robert Cherrix has stated he would continue to serve, if reappointed.

Mayor Leonard will call each committee and state the name of person that has expressed interest in reappointment. Mayor Leonard will call for nominations from Council to reappoint or fill the expiring terms. Mayor Leonard will close the nominations and call for the vote on the first nomination. The first vote will be for the first nomination Mayor Leonard hears. This will continue until a majority vote is reached for the number of seats to be filled.

**Planning Commission – Four-year term expiring December 31, 2020**

Mr. Michael Dendler  
Mr. Steve Katsetos  
Both have agreed to be reappointed.

**Curtis Merritt Harbor of Refuge – Two-year term expiring December 31, 2018**

Mr. Ernest Bowden was contacted and did not wish to be reappointed.

Mr. Danny Bowden  
Mr. Danny Bowden was contacted and is willing to serve.

**Building Code Board of Appeals – Five-year Term expiring December 31, 2021**

Mr. Robert Tye was contacted and agreed to reappointment.

Mr. Jerry Tarr has resigned. His term expires December 31, 2018. Mr. K. Lewis contacted Mr. John Whalen  
Mr. Whalen is willing to serve Mr. Tarr's unexpired term.

**Recreation and Community Enhancement – Two-year Term Expiring December 31, 2018.**

Mr. Jack VanDame  
Mr. VanDame was contacted and is willing to serve another term.

Mr. Bob Conklin<sup>5</sup> term also expires December 31, 2016. Mr. Conklin was contacted and did not wish to be reappointed. Mayor Leonard has approached someone about willingness to serve, but has not received answer as of this writing. Nominations will be taken and person contacted asking to serve.



**MEMORANDUM**  
Town of Chincoteague, Inc.

Date: November 10, 2016  
To: Mayor & Council  
From: Ronald Marney, Planning Director  
Subject: Planning Commission Members Terms / Renewals

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The Planning Commission by-laws set term limits for all Commissioners. At this time two (2) Planning Commissioner's terms are due to expire December 31, 2016. The Commissioners whose terms are ending are Michael J. Dendler and Steve Katsetos. Per the by-laws any vacancy in membership shall be filled by an appointment by the Town Council and the terms of the appointed Commissioners shall be for four (4) years. The purpose of this memo is to inform the Mayor & Council that both Mr. Dendler and Mr. Katsetos wish to continue their service to the community as members of the Planning Commission. Your review and recommendations regarding these appointments is requested.



TOWN OF CHINCOTEAGUE, INC.

MEMORANDUM

To: Mayor & Town Council  
From: Kenny L. Lewis, Board of Building Code of Appeals   
Date: November 29, 2016  
Subject: Board Vacancy

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The term of Robert Tye as a member of the Board of Building Code of Appeals expires on December 31, 2016.

Mr. Tye has shown an interest in serving on this Board for an additional 5 years.

Mr. Jerry Tarr has resigned as a member of such Board because he has moved to Florida.

Mr. Tarr's term does not expire until December 31, 2018.

I have talked with John Whalen, 3756 Willow Street regarding this opening. Mr. Whalen served on the Board in Matthews County and is familiar with the requirements of said opening.

Your consideration in this matter is appreciated.

**TO:** Mayor Leonard & Town Council  
**FROM:** Karen Hipple  
**DATE:** November 28, 2016  
**SUBJECT:** Continuation of Alcalde & Fay Services

The retainer for Alcalde & Fay, LTD is set to expire on December 31, 2016. Although only six months was budgeted in FY'17, we will continue to charge this to the Attorney Fees line item. Should we need an amendment, we will address it at a later time.

A motion is needed to continue Alcalde & Fay's services for another six months.