

REGULAR COUNCIL MEETING

A G E N D A

TOWN OF CHINCOTEAGUE

March 7, 2011 - 7:00 P.M. - Council Chambers - Town Hall

CALL TO ORDER

INVOCATION BY COUNCILMAN T. HOWARD

PLEDGE OF ALLEGIANCE

OPEN FORUM / PUBLIC PARTICIPATION

STAFF UP-DATE

AGENDA ADDITIONS/DELETIONS AND ADOPTION:

1. Consider Adoption of the Minutes
 - Regular Council Meeting of February 7, 2011 (Page 2 of 31)
 - Council Workshop Meeting of February 17, 2011 (Page 10 of 31)
2. Public Hearing on the Vacation of a Lot Line Request for Mr. Ted Daisey (Page 14 of 31)
3. Chincoteague Cultural Alliance Presentation and Grant Request (Mr. Bob Behr) (Page 21 of 31)
4. Wounded Warrior Walking Tour Presentation (Patrick Black) (Page 22 of 31)
5. Recreational and Community Enhancement Com. Report of February 8, 2011 (Councilman Jester)
The following action by the Committee occurred and will need to be acted upon: (Page 23 of 31)
 - Donald Leonard Park Landscape Plan and Water Line Extension
6. Policy on ADA Handicap Wheel Chair Ramps (Page 28 of 31)
7. Curtis Merritt Harbor Fuel System, Contract # 1-CMH-10 Bids (Page 31 of 31)
8. Mayor & Council Announcements or Comments
(Note: Roberts Rules do not allow for discussion under comment period)
9. Closed Meeting in Accordance with Section 2.2-3711(A) (1) of the Code of Virginia.
 - Personnel Matters

ADJOURN:

MINUTES OF THE FEBRUARY 7, 2011
CHINCOTEAGUE REGULAR TOWN COUNCIL MEETING

Council Members Present:

John H. Tarr, Mayor
Ellen W. Richardson, Vice Mayor
Nancy B. Conklin, Councilwoman
John N. Jester, Jr., Councilman
Tripp Muth, Councilman
John H. Howard, Councilman
Terry Howard, Councilman

CALL TO ORDER

Mayor Tarr called the meeting to order.

INVOCATION

Councilman T. Howard offered the invocation.

PLEDGE OF ALLEGIANCE

Mayor Tarr led in the Pledge of Allegiance.

Census Update

Supervisor Thornton addressed Council regarding the recent census report. She advised that Accomack County had a major decrease in population. She contacted the Voter Registration regarding registered voters and school enrollment for Chincoteague. She advised that the census data is not accurate. She feels that this should be corrected. Supervisor Thornton also stated there are errors in other districts in the County and the figures are not feasible. She also added that she is gathering more data and asked Council for their help to get this corrected.

Councilman J. Howard asked if this was done through a contract.

Supervisor Thornton advised she was unsure. She stated that this is devastating to the Island financially. She added that they are going to have to conduct their own count in a manner that proves what they are doing.

Town Attorney Poulson stated that it can be corrected.

Supervisor Thornton stated that the last Census over assessed Chincoteague and was corrected at that time through the appeals process. She is also concerned about reassessments.

Town Attorney Poulson asked how many sets of records that could be personalized to Chincoteague for proof.

Supervisor Thornton stated that she will supply the Town with all the data she collects. She further explained the process the census takers collected the count.

Town Manager Ritter explained the census percentages of occupied homes versus unoccupied homes.

Discussion continued. Supervisor Thornton stated that the population affects the money the County receives from the State.

OPEN FORUM/PUBLIC PARTICIPATION

Mayor Tarr opened the floor for the public comment. There was none.

- Mr. Spiro Papadopoulos stated that he and his wife were not counted in the Census at all. He also commented on the Code regarding the anchoring of fuel tanks. He expressed his concerns as to the ownership of the tank and the recipient of the fine if this isn't completed by the deadline. He asked Council if the property owner or the owner of the tank would be fined. He suggested addressing this issue.

Mayor Tarr directed Town Manager Ritter to take this matter to the Ordinance Committee.

There was further discussion.

- Mrs. Peggy Thomas asked about paying for a handicap ramp.

Councilman J. Howard feels the fee should be removed all together.

Mrs. Thomas feels that everyone isn't treated the same. She advised that her handicap ramp permit cost her \$81.65.

Councilman J. Howard also suggested obtaining a permit without a fee.

Mrs. Thomas was upset that someone else didn't have to pay for their handicap ramp and she did. There was further discussion.

Town Manager Ritter interjected that the difference in this situation is whether the ramp is a temporary, less than a year, or permanent structure, more than a year. He advised that it requires building inspections.

Mrs. Thomas asked if there was a fee or not.

Councilman Jester explained that if it is a permanent structure there would be a fee.

Mayor Tarr stated that the problem is that the Building Code Official decides if it's going to be permanent or temporary. He is unsure how the Official would know if it's going to be there over a year. He stated that it's always been in the Building Code.

Mrs. Thomas stated that eventually they're all going to need one.

Mayor Tarr stated that it's a situation that they should look into. He asked Town Manager Ritter if this was an Ordinance. He advised Mrs. Thomas that they would look into the matter further and contact her with the outcome.

STAFF UPDATE

Public Works

Public Works Director Spurlock reported the following:

- SCADA – there is a frequency conflict with the neighboring property owners but should be completed May 12th.
- The half pipes at the Skate Park have been removed because of rust. They're still under warranty and the manufacturer has agreed to replace them.
- They have received the final drawings for the Main and Maddox intersection. They will drop back to two lanes and move the stop bars back about 30 feet which will improve the traffic flow. They're also going to install the sidewalk at the NW corner of the bridge intersection.

Councilman T. Howard asked about moving the utility poles.

Public Works Director Spurlock advised that once the intersection has been reconfigured they should be less of an issue. He advised that A & N has given a quote of \$18,000 to remove the poles and feels that they should wait to see if the reconfiguration makes a difference before they incur that expense. .

- The Town has received the final drawings of the Chicken City Road and Ridge Road intersection.
- Roads & Facilities: Along with routine operations and maintenance the Christmas decorations have been removed. They're conducting routine drainage maintenance. They've prepared for the annual FEMA drainage inspection. They have also repaired potholes.
- Water Works: Also along with routine operations and maintenance, they have installed a water main extension on Horseshoe Drive,. They have repaired a water main leak on North Main and Lewis Street and relocated the water meters for Oak Ridge. Well-6 pump has been raised and they've hired a Water Works Technician.

Public Works Director Spurlock added that the upcoming paving projects are the Main and Maddox intersection and Cropper Street. They will be finalizing the ditching along Wayne Road. He also stated that there will be some ditching along Hallie Whealton Smith. He advised that with the DEQ requirements they are looking into adding wireless water meters. He stated that as soon as the materials arrive the new half pipes will be installed at the Park.

General Government

Town Manager Ritter reported on the following:

Broadband; the bid opening for materials and man hours will be due February 17th at 3:00 p.m. at the Airport. The fuel system for the Curtis Merritt Harbor pre bid meeting is February 15th, at 10:00 a.m. and the bids are due February 25th at 2:00 p.m. They will be bringing their recommendation to the next Council meeting. He mentioned the display cabinets at the Robert N. Reed, Sr. Downtown Waterfront Park. The newsletter will go out in the next week or two.

He mentioned the sidewalk at the NW side of the Maddox and Main Street intersection. He advised that obtaining the easements have this project on hold. They have received a preliminary engineering report on Phase 1 of the Wastewater System and paid through the Southern Rivers Grant. The next step is to identify grants.

Town Manager Ritter reported the revenues for the month of December:

	<u>Year to Date</u>	<u>Prior Year</u>		<u>Difference</u>
Real Estate Tax	\$599,485	\$586,846	(up)	\$ 12,639
Tangible Property Tax	\$161,483	\$152,452	(up)	\$ 9,031
Meals Tax	\$464,007	\$366,282	(up)	\$ 97,725
Transient Occupancy	\$533,908	\$499,854	(up)	\$ 34,054
Water Rent	\$756,884	\$565,298	(up)	\$191,586

He added that \$90,000 of the water rent included the availability fee and has been transferred, but Water Rent is still up \$100,000. He advised that the Planning Commission would like to go over the rezoning at the next workshop. He reminded Council that the Recreation and Community Enhancement Committee will be meeting tomorrow night at 5:00 p.m. He stated that the Personnel Policy Handbook has been sent to Attorney Ann Sullivan for review and they haven't heard anything as of yet.

Planning Department

Town Planner Neville reported that the Planning Commission has been meeting regularly to complete the rezoning districts. He stated that January was a big month for the Beach Access Committee. They turned in the second comment letter to the U.S.F. & W. He took part in the workshop at the Refuge and has included the notes in the packet. He advised that he participated in the scoping meeting in Snow Hill. Town Planner Neville also advised that FEMA will be visiting on the 16th to make sure that the flood certifications are being completed properly along with the community assistance team review.

Mayor Tarr asked if the newsletter was completed.

Town Manager Ritter advised that they were waiting on one article.

AGENDA ADDITIONS/DELETIONS AND ADOPTION

Mayor Tarr requested that they add item 6a to the agenda for a request from the Chincoteague Volunteer Fire Company to use the Donald Leonard Park for parking for an antique car show and assist in securing the high school parking lot for the show.

Vice Mayor Richardson motioned, seconded by Councilman T. Howard to adopt the agenda adding item 6a for the request from the Chincoteague Volunteer Fire Company. Unanimously approved.

- 1. Consider Adoption of the Minutes**
 - **Regular Council Meeting of January 3, 2011**
 - **Council workshop Meeting of January 20, 2011**

Councilman T. Howard explained a correction regarding the resolution about the Trolley Service. He feels the last paragraph does not read correctly especially the date.

Councilman Jester asked for a correction regarding the money collected from the Holiday Home Tour was for the Food Bank and not the Chamber.

Councilman T. Howard motioned, seconded by Vice Mayor Richardson to approve the minutes with the requested changes. Unanimously approved.

2. Public Hearing on the Grant for Two New Trolleys

Mayor Tarr opened the public hearing.

Transportation Supervisor Van Dame explained the grant request, which is to purchase 2 new trolleys. He informed Council that the current trolleys have had numerous mechanical repairs, and expressed the need for new trolleys.

Council discussed this matter.

There was no public input.

Mayor Tarr closed the public hearing.

Vice Mayor Richardson motioned, seconded by Councilman Jester to authorize Town Manager Ritter to apply for a Capital Grant to purchase two new trolleys to replace the 2005 and 2006 trolleys in the Town's fleet. The Grant request of \$320,000 would consist of 80% federal funding; 10% state funding and 10% Town funding of \$32,000 and the proceeds from the sale of the existing trolleys would be used as part of the Town's matching funds. Unanimously approved.

3. Public Hearing on a Budget Revision

Mrs. Karen Hipple explained the budget revision in detail. She stated that several items came up this fiscal year that were not in the budget. She listed the property acquisition costing \$328,141, the lobbyist which cost \$40,800, engineering fees for VDOT Chicken City and Ridge Roads capital improvement project in the amount of \$5,000, the Christmas decorations of \$1,000, Ocean Boulevard Trail at the cost of \$4,000 as the unbudgeted items and amounts. She advised that the revenue source will be from the LGIP savings in the amount of \$278,941.

Mrs. Hipple also stated that in the Water Fund there was unbudgeted revenue of \$92,000 for availability fees. However, the SCADA project cost came in at \$60,000 which was over budget and will be used from the availability fee revenue. She stated that the balance of \$4,700 from the availability fee will go to the Water Reserves.

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

Councilman J. Howard motioned, seconded by Councilman T. Howard to adopt the budget revisions as presented by Mrs. Hipple. Unanimously approved.

4. Wireless Water Meter Replacement Project Financial Option

Mr. Tom Hickman and Mr. Greg Miller with Johnson Controls approached Council regarding a wireless water meter replacement project. Mr. Hickman explained the savings of money and water by upgrading to a wireless system. He explained that they would conduct a water system analysis to help with this information. He also stated they can arrange financing and guarantee the results.

Mr. Miller explained the energy, water losses and expenses by the current metering system. He stated they will complete the water audit and return with some options.

Councilman T. Howard expressed his concern with the wireless meters in the area. He is curious about the efficiency, the cost and what it will take to get this into our system.

Mr. Hickman stated that there was a community in the valley with approximately 3,000 meters. They met with their Council and Town Manager. He advised after their audit, they found that they are saving approximately \$214,000 per year and the cost of the project was approximately \$1.1 million.

Councilman T. Howard stated that he would have to see both sides of this before they can commit.

They discussed having to replace all the meters to make the system more efficient.

Councilman Jester asked what powers the meters.

Mr. Hickman advised there is a 10-20 year battery.

Councilman T. Howard asked what the life expectancy is of a meter.

Mr. Miller advised that it is approximately 20+ years, but it depends on the system. He added that they are more accurate and efficient than the older meters.

Councilman J. Howard asked how they would know if a battery is low.

Mr. Hickman advised that during the collection of meter readings the signal will be low and the data may not come back as accurate to know to change it. They will return with the information from the audit.

5. Public Works Committee Report of February 1, 2011

Mayor Tarr reviewed the Public Works Committee report.

6. Public Radio News and Announcements

Councilman J. Howard advised that NASA has 2 radio reports per week and Pocomoke reports weekly about the things going on. He feels that it would be beneficial to the public if the Town staff would go to the radio station weekly to give a report or update to the public.

Council concurred.

Town Manager Ritter was directed to contact the radio station to set up a time slot and day.

Town Manager Ritter advised that 85% of what the Town does is repetitive. He asked for direction as to the information to take to the public.

Councilman J. Howard stated that it can be something as simple as an update on the Chicken City Road intersection project.

They discussed the possibility of receiving questions ahead of time from the public and have an answer period for those questions.

Mayor Tarr asked Town Manager Ritter to contact the local radio station to see what they require.

6a. CVFC Antique Car Show at Donald Leonard Park

Mayor Tarr advised he received a letter from the Chincoteague Volunteer Fire Company requesting to use the Donald Leonard Park on May 14th for an antique car show. He advised that the Park would be used for parking. He also added that they have requested the Town's assistance in obtaining permission to use the School's parking lot for the actual car show.

Council concurred to allow the parking at the Donald Leonard Park and send a letter supporting the use of the School's parking lot for the car show.

7. Mayor & Council Announcements or Comments

Councilman T. Howard asked Council about the Theatre. He would like to see the theatre name changed back from Island Roxy to Island Theatre along with the replacement of the horse on the marquee. He feels that this would maintain the Town's culture.

There was brief discussion. Council was in agreement to see the Island culture preserved.

Councilman Jester asked how the Town could encourage the local business owners preserve the Island culture.

Town Manager Ritter was asked to contact the current manager to discuss this matter.

Councilman J. Howard stated that this is a two-way street. He feels there are more important things the Town needs to work on.

Councilman J. Howard mentioned the Census takers.

Vice Mayor Richardson stated that Councilman Jester is now the chairman of the Oyster Museum and suggested visiting youtube to see the work being done. She announced that the grand-opening will be in April.

Adjournment

Councilman J. Howard motioned, seconded by Councilman T. Howard to adjourn. Unanimously approved.

MINUTES OF THE FEBRUARY 17, 2011
CHINCOTEAGUE TOWN COUNCIL WORKSHOP MEETING

Council Members Present:

John H. Tarr, Mayor
Ellen W. Richardson, Vice Mayor
Tripp Muth, Councilman
John N. Jester, Jr., Councilman
Nancy B. Conklin, Councilwoman
John H. Howard, Councilman
Terry Howard, Councilman

CALL TO ORDER

Mayor Tarr called the meeting to order.

INVOCATION

Councilman T. Howard offered the invocation.

PLEDGE OF ALLEGIANCE

Mayor Tarr led in the Pledge of Allegiance.

AGENDA ADDITIONS/DELETIONS AND ADOPTION

Mayor Tarr asked Council to add a closed session for the acquisition of property.

Councilwoman Conklin motioned, seconded by Councilman T. Howard to adopt the agenda adding a closed session for the purpose of discussing acquisition of property. Unanimously approved.

1. Joint Meeting with the Planning Commission for a Progress Report on the Updated Zoning Map and Zoning Districts Project.

Planning Commission Chairman, Mr. Ray Rosenberger explained the information in the packet. He advised that they took the direction of the Comprehensive Plan and Zoning Ordinance to create the zoning districts. He added that their plan was to minimize the impact of the change. He asked Town Planner Neville to review the map and changes

Town Planner Neville reviewed the proposed Zoning Map and changes. He also explained that they made the changes based on the Comprehensive Plan recommendations and that this process was consistent with the Code of Virginia. They took deliberate steps of reviewing the existing 6 zoning districts and ended up with 12 zoning districts. He explained the packet information along with the grouping of the 12 districts. He added that the new districts separate out public uses.

Town Planner Neville continued that the process was to refer to the Comprehensive Plan then to check with Zoning, making sure the use conforms along with deciding if it was good change or development for the Town. He explained policy questions. He also felt that Council review was necessary prior to getting community input. He suggested posting the maps in the hallway and in the newspapers for comments.

Town Planner Neville stated that he included a spread sheet regarding permitted uses. He added that the Planning Commission referred to this to make sure that the proposals were compliant. He asked for questions and comments from Council.

2. Council and Committee Member Comments.

Councilman J. Howard feels that sooner or later the Town would end up with property on Marsh Island. He asked what the Town could do if it's listed as residential.

There was discussion regarding the VDOT property on Marsh Island.

Town Planner Neville explained the reason for some of the districts.

Councilman T. Howard asked if the Town comes into ownership of any property, is there a state code that pertains to that regarding becoming public or semi-public.

Town Planner Neville stated that if the Town acquires property they would have to initiate changing the zoning for that property.

There was discussion about some of the split zoning areas and provision for Special Use Permits.

Chairman Rosenberger stated that at some point the changes have to be made. He added that not all people are going to like it.

Councilman J. Howard asked about the agricultural district.

Town Planner Neville again explained the process, which is to get through a simple version of updating the Zoning Map and receiving Council's then public input.

Chairman Rosenberger understands the challenge to introducing change.

Councilman Jester feels that it's now a matter of fine tuning what they currently have.

Councilman T. Howard stated that they are putting the appropriate title for each district.

The Committee and Council continued discussion.

Town Planner Neville stated that they are ready to address the smaller, finer points. He suggested that after they address Council's issues they should go to the public. He asked if someone comes to the public hearing asking to have their property rezoned would Council be willing to allow it at that point.

Council concurred that they wouldn't know until they receive public input.

Mayor Tarr stated that the public should be pleased if this is explained. He asked what they propose to do about grandfathering. He suggested looking at 1) Has the Planning Commission and staff visited and reviewed the districts to see if what is required and proposed in the district?

2) Have they looked to see if there were any other pristine areas that should be left or changed to RC

Town Planner Neville stated what they should do is review the Comprehensive Plan first and look at the Zoning. He recommended testing any proposed land use change in the future.

Mayor Tarr stated he is pleased with the process and looks forward to the public input. He mentioned conservation and stated that in the map they included the marshy areas in some sections but left out of others. He asked if they should pick and choose or include all marshy areas. He stated that the current zoning being designated not only by map but by writing. He asked if they were going to attempt to continue this.

Town Planner Neville stated that this would be a monumental effort to get the written descriptions.

Mayor Tarr asked Council if they were happy with the direction of the proposed zoning changes.

Councilman T. Howard feels that once the public reviews the changes, there won't be any problems.

Mayor Tarr suggested making a different color block for every proposed change in the chart.

Town Planner advised he would work on this.

Discussion continued.

Mayor Tarr thanked the Planning Commission.

Councilman T. Howard stated that the Planning Commission and staff has done a good job.

3. *Closed Meeting in Accordance with Sec. 2.2-3711(3) of the Code of Virginia for the Discussion of Acquisition of Property.*

Councilman T. Howard moved, seconded by Councilman Jester to convene a closed meeting under Section 2.2-3711(3) of the Code of Virginia to discuss acquisition of property. Unanimously approved.

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

Councilman T. Howard moved, seconded by Vice Mayor 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- Richardson, Jester, Muth, T. Howard, J. Howard, Conklin

Nays- None

Absent- None

Adjourn.

Vice Mayor Richardson motioned, seconded by Councilman J. Howard to adjourn.

Unanimously approved.

MEMORANDUM

To: Robert Ritter, Town Manager
From: Kenny L. Lewis, Zoning Administrator
Date: February 3, 2011
Subject: Request to Vacate Subdivision Lot Line
Ted Daisey

Mr. Gerald West, Attorney at Law has submitted a request to vacate a property line at parcels 35 and 36 on Bertie Street.

The lot lines to be vacated are identified on attached proposed plat.

I have reviewed the attachments and have found no violations of current zoning.

Please advise of a date for public hearing so I can notify attorney when to advertise.

**AN ORDINANCE VACATING A PROPERTY LINE OF A SUBDIVISION PLAT PURSUANT TO
SECTION 15.2-2272.2**

WHEREAS, Ted Thomas Daisey and Sara Ann Daisey, own two parcels of land shown on a certain plat entitled “ Sub-division of O.H. Jester (heirs) Property, Chincoteague, Virginia”, dated November 19, 1948, and recorded in the Clerk’s Office of the Circuit Court of Accomack County, Virginia, in Plat Book 7, page 77, within the Town of Chincoteague, Tax Map Number 030A201A0003500 and 030A201A0003600; and,

WHEREAS, one or more lots within the Subdivision have been sold; and,

WHEREAS, the said Ted Thomas Daisey and Sara Ann Daisey have requested that the division or property line between said two parcels be vacated so that said lots become one parcel; and,

WHEREAS, the notice requirement of Section 15.2-2272.2 has been complied with; and,

WHEREAS, the governing body affirmatively finds that no owner of any lot shown on said Plat will be irreparably damaged by the said vacation of said line.

NOW THEREFORE BE IT ORDAINED AS FOLLOWS:

1. That the division or property line between said Lots 35 and 36, as shown on a certain plat of survey entitled “Sub-division of O.H. Jester (heirs) Property, Chincoteague, Virginia”, dated November 19, 1948, and recorded in the aforesaid Clerk’s Office in Plat Book 7, page 77 be and is hereby vacated.
2. That as the result of said vacation of property line former Lots 35 and 36 shall result in one (1) parcel.
3. That the Town Manager after the time for an appeal of the adoption of this Ordinance has

expired, or if appealed the action of counsel is upheld, shall cause a copy of this Ordinance to be recorded in the Clerk's Office of the Circuit Court of Accomack County.

4. That the effective date of the Ordinance shall be upon adoption by the Town Council for the Town of Chincoteague.

Ayes: _____

Nays: _____

Approved as of _____, 2011

Mayor

State of Virginia
County of Accomack

The foregoing Ordinance was acknowledged before me this _____ day of _____, 2011,
by _____, Mayor, in my jurisdiction aforesaid.

Notary Public

Commission Expires: _____

NOTICE OF PUBLIC HEARING

The Chincoteague Town Council will hold a Public Hearing commencing at 6:00PM on _____, in the Council Chambers of the Town of Chincoteague, 6150 Community Drive, Chincoteague, Virginia, to afford interested parties the opportunity to be heard or present written comments concerning the following proposed Ordinance to vacate and relocate a property line of a recorded plat of subdivision in the Town of Chincoteague, Accomack County, Virginia.

AN ORDINANCE TO VACATE A PART OF A RECORDED PLAT OF SUBDIVISION
IN THE TOWN OF CHINCOTEAGUE, ACCOMACK COUNTY, VIRGINIA.

WHEREAS, the governing body of a municipality may vacate part of a recorded plat after the sale of a lot shown on said plat pursuant to Section 15.2-2272 (2) of the Code of Virginia of 1950, as amended; and,

WHEREAS, an Application has been filed by Ted Thomas Daisey and Sara Ann Daisey to vacate a part of a recorded plat of a subdivision in the Town of Chincoteague entitled O.H. Jester (heirs) Property, Chincoteague, Accomack County, Virginia”, which plat is recorded in the Clerk’s Office of the Circuit Court of Accomack County, Virginia, in Plat Book 7, page 77.

WHEREAS, the basis of said vacation is that:

1. The property line between Lots 35 and 36, is a property line between two lots both owned by the Applicant, Ted Thomas Daisey and Sara Ann Daisey.
2. That the said Ted Thomas Daisey and Sara Ann Daisey desire to remove the boundary line between the two lots to result in one parcel of land.

THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF
CHINCOTEAGUE:

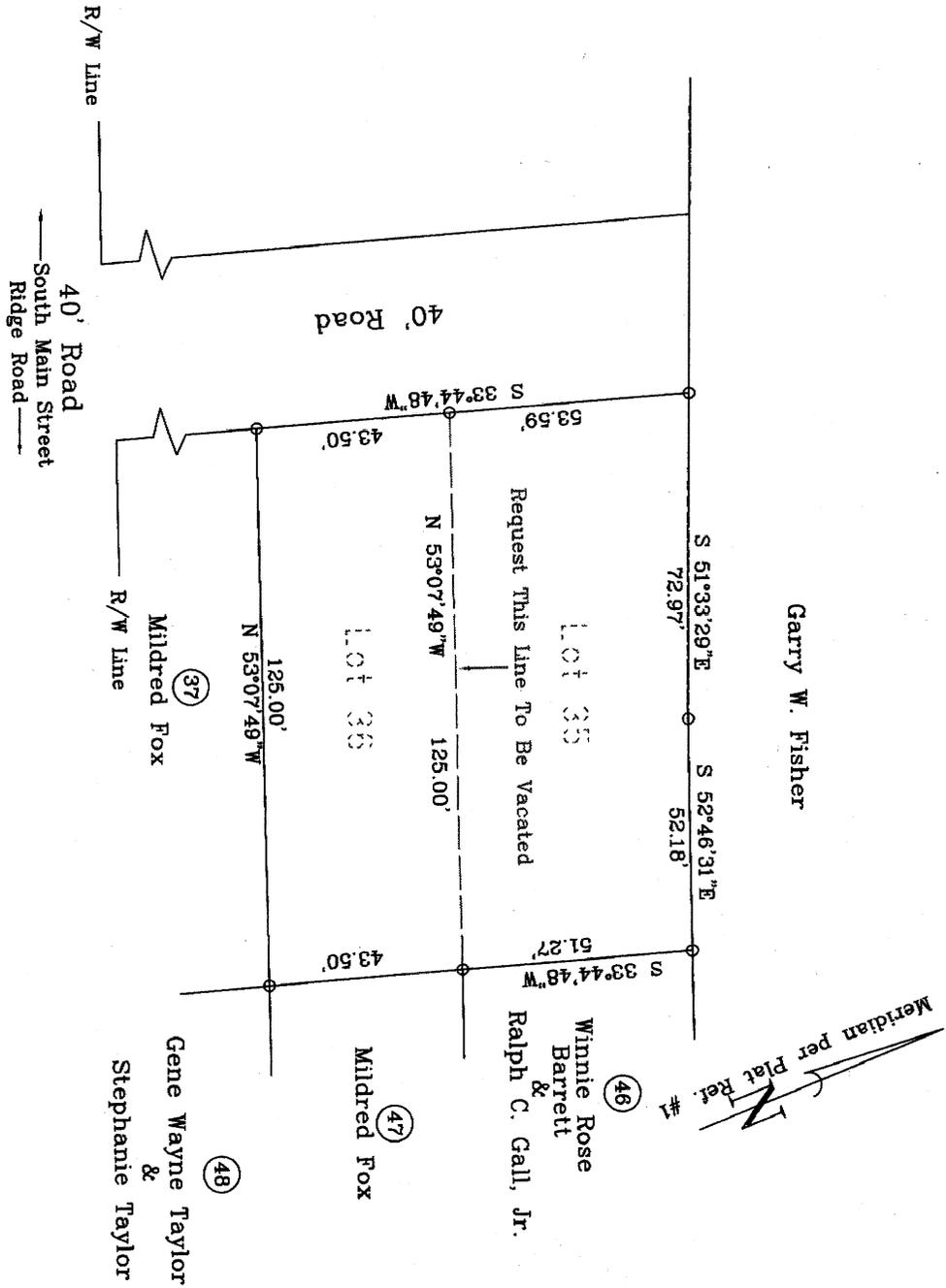
1. That the part of the plat entitled “ Sub-division of O.H. Jester (heirs) Property, Chincoteague, Virginia”, dated November 19, 1948, and recorded in the Clerk’s Office of the Circuit Court of Accomack County, Virginia, in Plat Book 7, page 77, showing a property line, as hereinabove described, between Lots 35 and 36 be and is hereby vacated.

2. That a certified copy of this Ordinance be recorded in the Clerk’s Office of the Circuit Court of Accomack County, Virginia.

3. That the effective date of the Ordinance shall be upon adoption by the Town Council for the Town of Chincoteague.

Handicapped assistance available by calling 336-6519.

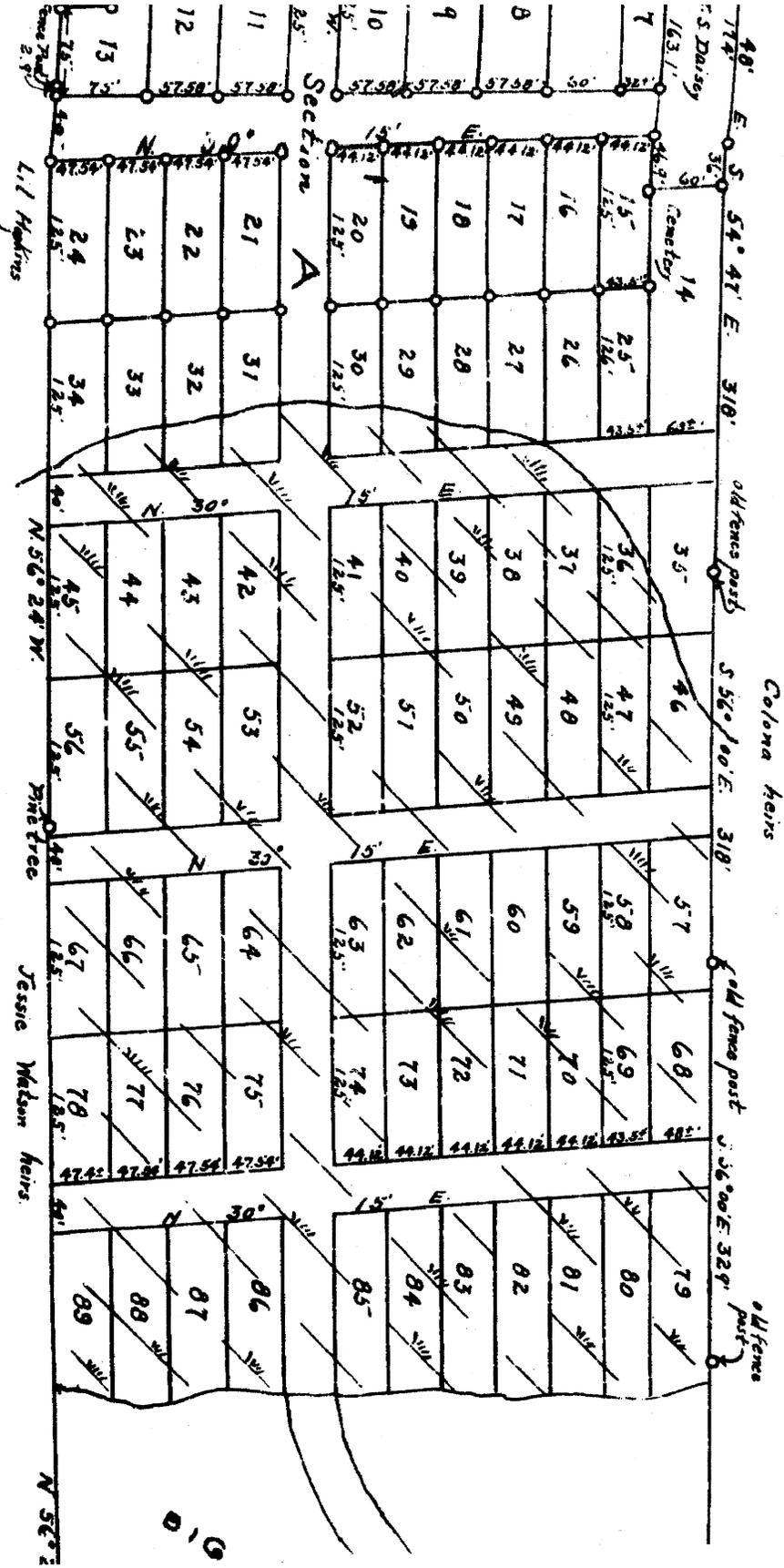
Robert G. Ritter
Town Manager
Town of Chincoteague



O. H. JESTER (heirs)
 PROPERTY
 CHINGOTE AGUE
 VIRGINIA

Scale 1" = 100'-0" November 19, 1948

B. Imberger
 C.E.



All property lines on this plat were shown to me by Clarence (Whitey) Jester

Virginia: In the Clerk's Office of the Circuit Court,
 February 2, A.D. 1958
 This plat is approved to and made a part of Deed of
 Wife of the Seller, recorded this day in said
 Book No. 159, Page 276, C.L.D. 112, 111



State Arts Funding Application Deadline Announced for Virginia Localities, Virginia Performing Artists and Artists in Education Residencies

March 2, 2011 -- The Virginia Commission for the Arts announces a **5:00 p.m., April 1, 2011** application deadline for the Commission's 2011-2012 Local Government Challenge Grants, Artist in Residency Grants, and the 2012-2013 Performing Artist Tour Directory. All applications and required attachments must be received by the Commission by 5:00 p.m., April 1, 2011. This is not a postmark deadline. Late or incomplete applications will not be considered by the Commission.*

Local Government Challenge Grants are intended to encourage local governments to support the arts. The Commission will match, up to \$5,000 tax monies given by independent town, city, and county governments to arts organizations and jurisdictions. The money, which does not include school arts budgets or programming by parks and recreation departments, may be granted either by a local arts commission/council or directly by the governing board.

Artists in Education Residencies provide elementary and secondary students, teachers, and the community at large opportunities to work with professional artists. The residencies enhance arts instruction in the school curriculum and highlight the importance of the arts as essential components of a complete education and a valued part of community life. Each residency must include workshops for a core group of students, at least one formal teacher workshop conducted by the artist, and community performances/exhibitions and activities/workshops. Residencies of ten days or more must also include studio time for the artists. If any residency activity takes place outside of the regular school day, transportation should be available so that all students can participate.

The Performing Arts Touring Directory is intended to support Virginia performing artists and ensembles as well as increase opportunities for Virginians to experience high quality performing arts events statewide. Performing artists and ensembles apply to be listed in the Tour Directory with a set amount of funding reserved to support their touring; grants are made to the presenter, not the touring artist(s).

Any not-for-profit organization meeting eligibility criteria detailed in the Commission's **2011-2012 Online Guidelines for Funding** can apply to receive a Presenter Touring Assistance Grant to support touring activities. The touring activities are restricted to those listed in the Commission's annual Performing Arts Tour Directory. To learn more about these artists, visit the Commission's Online Tour Directory at www.arts.virginia.gov.

The Virginia Commission for the Arts supports the arts through funding from the Virginia General Assembly and the National Endowment for the Arts. The Commission distributes grant awards to artists, arts and other not-for-profit organizations, educational institutions, educators and local governments and provides technical assistance in arts management.

For additional information and to download applications, go to www.arts.virginia.gov or contact the Virginia Commission for the Arts, 223 Governor Street, Richmond, VA 23219; Phone: 804/225-3132; email: arts@arts.virginia.gov.

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IT'S ABOUT THEM NOW

CHINCOTEAGUE ISLAND ^{WALK} ^{RUN} ^{RIDE} FOR OUR WOUNDED WARRIORS

SATURDAY, JUNE 18th 2011, CHINCOTEAGUE ISLAND VIRGINIA

100% OF FUNDS RAISED GOES TO BENEFIT THE WOUNDED WARRIOR PROJECT

WALK-RUN-RIDE

<http://itsaboutthemnow.blogspot.com>

EVENT BROUGHT TO YOU BY:



MAYHEMCORPS@LIVE.COM

Proud
Supporter of



WOUNDED WARRIOR PROJECT

The Walk-Run-Ride Event Starts at 0800.

START/FINISH LINE : CHINCOTEAGUE CHAMBER OF COMMERCE

Make checks or money orders payable to:
Patrick Black, Wounded Warrior Project Event
C/O PNC Bank
6402 Maddox Blvd.
P.O. Box 7
Chincoteague Island, VA 23336
FOR: WWP BENEFIT EVENT

*** \$20 per person for pre registration by 8 June.
\$30 for day of registration. Registration ends
promptly at 7:50.

*** Cash or Check only please.

5.1 MILE WALK RUN LOOP - 7 MILE WALK RUN LOOP - 11 MILE RIDE LOOP

**Recreation and Community Enhancement
Committee Meeting Minutes
February 8, 2011**

Committee Members Present:

John Jester, Chairman
John H. Howard, Councilman
Tripp Muth, Councilman

Cathy Plant
Jack Van Dame

Committee Members Not Present:

Bob Conklin

Gene W. Taylor, Planning Commissioner

Others Present:

William Neville, Planning Dir.
Harvey Spurlock, Public Works Dir.
Robert Ritter, Town Mgr.

Call to Order

Chairman John Jester called the meeting to order at 5:15 PM

1. Presentation/Consideration of Donald Leonard Park Landscape Plan

Jane Wolffe presented the preliminary landscape plan on behalf of the Leonard Family. Memorial contributions toward park improvements include approximately \$1,400. The Beta Club from Chincoteague High School also helped to plant over 700 daffodil bulbs along Main Street between the cedar trees that will come up this Spring.

A plan has been prepared by Linda Ladas of Shoreside Gardens following a site visit by members of the family. The idea was to look toward long term improvements that could be accomplished over a period of years. Recommendations for short term landscaping at the park entrances included plants that would survive well with limited care.

The Town was requested whether a water line connection could be provided to the park so that volunteers could maintain the plantings. Mr. C. Lee Davis and Mr. Mike McGee have volunteered to help pay for improvements to the entrance with pavers or other landscaping.

The Kayak/Canoe launch was suggested to promote tourism and to provide a facility for both residents and visitors. Swings, benches and gazebos were suggested as an amenity for those who come to the park for sunsets. The Town was requested if the existing park sign could be relocated to better coordinate with the proposed plantings and entrance location.

Chairman Jester noted that he had spoken with Public Works Director Spurlock about paving the park entrances with asphalt to make a clear access point to the park. Councilman J. Howard asked if it was feasible to extend two frost-free fixtures across the road to the park. Mr. Spurlock responded that it could be completed with a direct bore connection and approximately \$500 in materials.

The importance of the park to serve as overflow parking area during large events at the High School and the need for well defined parking places was discussed. The Town is considering drainage ditch improvements that will also improve the property. Ms. Wolffe offered to add to the memorial contribution fund in order to accomplish the initial improvements to the park. Councilman Howard stated his support for a pavilion in the future.

Kayak use was considered by the Committee with the following suggestions:

- Contact local kayak rental businesses to encourage use
- Coordinate location of launch with Virginia Water Trail maps
- Consider water depth in design of launch facility
- Promote location as alternate launch to busy boat ramps

Chairman Jester stated that this was a good start for a plan and that there should be a presentation to Town Council with a request to extend a water line to the park. Councilman Howard asked whether there would be grant funds that could assist in providing park improvements. Mr. Neville responded that there may be opportunities for trail construction funds that would improve access to the park and the waterfront.

Chairman Jester proposed, and Councilman Howard agreed, that the proposed entrance landscaping and the extension of a water line to Donald Leonard Park should be placed on the next Council agenda for action. This would allow for enough time for the plants to be established before the summer months. Ms. Plant suggested that the idea of a gazebo was still important to provide shade and Mr. Howard proposed a rectangular shape that would provide cover for several picnic tables. Chairman Jester stated that this would be appropriate for a future phase.

Ms. Wolffe asked to be informed about the next meeting.

2. New Business – Memorial Park Naming Request

Ms. Donna Mason presented her family's request for the Town to consider including her father, Lee Savage, in the name of Veterans Memorial Park in recognition of the initial land donation for the park and his years of service to the community. She recalled that his contributions have helped Chincoteague gain recognition around the world for its oysters and ice cream.

Mr. Clayton Savage shared his father's history and how it was connected with Chincoteague as a waterman with Mears/Savage, as the first 'Mr. Whippy' serving ice cream, and active sponsor of the Island Medical Center. His donation of the property that was formerly used as a seaplane base, was an important beginning for the area that has become Veterans Memorial Park. Ms. Mason concluded with several stories and a heartfelt request to honor her father who loved Chincoteague so much.

Chairman Jester stated that the Committee will need to consider several issues before preparing a recommendation for Town Council including a prior policy regarding individual memorials at Veterans Memorial Park and the American Legion/VFW role in maintaining the memorial to all veterans from Chincoteague. Mr. Neville presented to the committee copies of the minutes from the May 18, 2000 Council meeting when the policy was

adopted. Mr. Ritter noted that a plat is available for the Committee to review that also shows the two other landowners who donated land to Memorial Park.

Councilman J. Howard stated that in his opinion, if the name can't be changed, he would like to see a plaque that told the history of the site and Mr. Savage's contribution.

Chairman Jester thanked the family for their presentation and stated that their request would be reviewed again by the Committee at their next meeting.

3. Old Business - Memorial Park Master Plan

Town Planner Neville presented the staff report including the draft format of a park master plan that will become a marketing document for the Town, an information package for visitors and a management tool for Town Staff. Chairman Jester asked about the photographs of the park and whether they will be included on the new Town website.

The master plan includes the following pages that were summarized for the Committee:

- Park Description including site photos
- Park Inventory of Existing Facilities
- Park Maintenance Priorities/Projects/Checklists
- Park Improvement Projects

Chairman Jester and Mr. Van Dame commented on the maintenance checklists and the importance of preventative maintenance that includes a standardized inspection of each piece of equipment. A detailed, point by point, checklist should be prepared.

The idea of a kayak launch at Memorial Park was discussed as a way to relieve the conflicts of use at the Eastside Boat Ramp. Mr. J. Howard asked about the land that adjoins the park (T. Bowden) and whether it may be for sale as a way to expand the boat ramp area. Ms. Plant commented on the current shortage of parking on busy weekends and limited access to the proposed kayak launch area at the north end of the shoreline.

Mr. Ritter noted the slight protection of the proposed area by the bend in the channel and the small sand/silt beach. Mr. Van Dame also expressed concern for the number and location of parking areas. Mr. Howard reminded the Committee about the plan for kayak businesses to transport their clients to the park from a remote location as a way to alleviate the parking problem. Mr. Plant noted that this area of the park is currently appreciated as a quiet area for picnics and walking and would be disturbed by the kayak operation.

Mr. Neville stated that the kayak launch project was presented for a first Committee review and can be taken up at a later time after more study. Additional discussion confirmed the need to find a solution because of the increasing popularity of kayak use and the conflicts with shared use of the boat ramp facilities. The possibility of expanding the boat ramp at Memorial Park for shared kayak use was debated, and the future of the ballfield for expansion of other uses was discussed. Additional parking along the main road at location "G" was suggested.

Chairman Jester suggested that the location and cost for additional parking and improvements necessary to anchor a floating kayak dock should be provided for further

consideration. Mr. Spurlock assured the Committee that these projects are feasible if funds are available to complete the work. Mr. Howard described the current shared use conflicts at Eastside Boat Ramp and the potential for this to be repeated at Memorial Park.

The Committee agreed that the “Future Improvements” portion of the park master plan would be revised to only suggest the general location of potential projects for Council approval at this time. Potential park expansion areas should be labeled and a possible fence and gate between the playground and parking area should be added.

A meeting with kayak rental companies as a group may be advisable to review the rules and to identify support for a floating dock or a new launch area in Town. Additional requirements for operating a kayak rental tour company on Town property may be needed this year. Ms. Plant commented that the Town should plan for public access more than accommodating business uses at the Town facilities.

Staff will revise the master plan for Memorial Park to include revisions directed by the Committee and will prepare a similar draft document for Donald Leonard Park and Robert Reed Downtown Park to review at the next meeting.

4. Project Report Updates

A summary report was provided to indicate the current status of ongoing projects.

A partnership with Giving Tree Nursery, Master Gardeners, and the Garden Club was suggested by Chairman Jester to accomplish improvements to Watson Park. Mr. Howard thought that the Public Works staff could add landscaping experience through summer hires. Mr. Van Dame offered the potential for funding of certain improvements through working with RC&D grants (J. Lassiter) to coordinate with the neighboring health center.

Mr. Ritter identified the sketch plan in the packet as the original concept for Robert Reed Park that included the recent addition of property adjacent to Bridge Street. Chairman Jester suggested preparing a current site plan to scale that would be used to design handicap spaces and a brick sidewalk connection to the Library. Mr. Muth noted that the transition in elevation from the parking area up to the proposed fishing pier will need to be worked out.

Mr. Howard commented on the importance of making good use of the significant investment that the Town has made in purchasing the property. He suggested a first step to install a fence that separates the private commercial parking area remaining behind the Main Street buildings. There was discussion about the intent of providing parking for bicycles, mopeds, go carts and handicap vehicles in this location.

Communication with the Downtown Merchants about the proposed master plan update was encouraged. Mr. Ritter noted that VDOT is requiring construction easements from the affected Main Street owners before the first phase of the streetscape improvement plans can be implemented.

Mr. Ritter and Mr. Spurlock also reported that the skate park ramps will be replaced under warranty with the manufacturer

5. Committee Member Comments

Minutes from the October 12, 2010 meeting were approved by the Committee.

Adjournment:

The meeting was adjourned at 6:00 pm.

MEMORANDUM

To: Robert Ritter, Town Manager
From: Kenny L. Lewis, Zoning Administrator
Date: January 17, 2011
Subject: ADA Ramps & Permit Fees

You requested information on the procedure of this office in issuing building permits for handicap ramps.

In 2010 this office issued 3 permits for ramps.

One was for a commercial building on Chicken City Road. A permit fee was charged.

One was for a wife of a resident who has to use a wheel chair. The ramp was put in for her convenience. A permit fee was charged.

One was for a resident that wanted to allow her mother to visit her. The ramp was installed for her convenience. A permit fee was charged.

The office has not been charging a permit fee if the ramp is for someone who is at their end of life either through cancer or other medical condition. In these cases, the property owner removes the ramp as soon as the need is no longer needed (short term). Usually in about a month after the passing of the resident.

If the Mayor and Council desires fees to be charged to "All" applicants, please advise.

MEMORANDUM

To: Robert Ritter, Town Manager
From: Kenny L. Lewis, Zoning Administrator
Date: February 28, 2011
Subject: Residential ADA Ramps

As per the email sent by Mayor Tarr regarding fees charged for ADA ramps, I would suggest that there be two new line items in the “General Government Fees”.

I would identify “Residential ADA ramps” as \$0.00
I would identify “Commercial ADA ramps” as \$80.00

Also effective March 1, 2011, a building permit is not required for a shed less than 200 square feet in area. Currently it is at 150 square foot.

The Council will need to modify the fee schedule to lower the cost of \$80.00 to the minimum \$45.00 zoning fee for sheds 200 square feet or less.

Town of Chincoteague, Inc.

ADA Handicap Ramp Policy

Effective Date March 7, 2011

PURPOSE

It is the purpose of this policy to establish internal guidelines for new residential construction to install ADA handicap ramps. The policy will facilitate working with the Town residents who will build an ADA handicap ramp.

REQUIREMENT

All new residential construction to install an ADA handicap ramp shall be required to have a permit issued by the Town of Chincoteague. This will be required to enforce the state building code on all handicap ramps and to have a representative of the Town to inspect such construction of said handicap ramp as required by the building code.

FEE REQUIREMENT

All new residential construction to install an ADA handicap ramp shall not be charged a fee for the new residential construction permit issued by the Town of Chincoteague.

NOTE

For the purpose of this policy any entrance platform greater than 5' x 5' shall be considered a deck and shall be required to pay the fee for new residential construction.

MEMORANDUM

THE TOWN OF CHINCOTEAGUE

To: Mayor & Town Council
From: Robert Ritter, Town Manager
Date: February 28, 2011
Subject: Curtis Merritt Harbor Fuel System, Contract # 1-CMH-10 Bids

The Curtis Merritt Harbor budget for the fiscal year 2011 is \$179,850 to install a fuel system. The funding sources will consist of Virginia Port Authority grant in the amount of \$106,029, Boating Infrastructure grant in the amount of \$46,977, and the remaining \$26,844 from the Harbor Long term replacement funds. The advertisement for bid was published in the eastern shore news from February 2 – 12, 2011. A pre bid conference was held Tuesday, February 15, 2011 at the Town office and bids were received Friday, February 25, 2011. The following bid was opened:

Company	Bid
Oil Equipment Sales and Services Co., Inc. 4331 Bainbridge Blvd, Chesapeake, VA	\$ 178,568.00

If the Council so chooses, a motion could read:

“Move to award the Curtis Merritt Harbor Fuel System, Contract # 1-CMH-10 Bid to Oil Equipment Sales and Services Co., Inc., for an amount of one hundred seventy eight thousand five hundred sixty eight Dollars (\$178,568.00).”