

REGULAR COUNCIL MEETING

A G E N D A

TOWN OF CHINCOTEAGUE

May 2, 2011 - 7:00 P.M. - Council Chambers - Town Hall

CALL TO ORDER

INVOCATION BY COUNCILMAN T. HOWARD

PLEDGE OF ALLEGIANCE

INTRODUCTION OF STUDENT GOVERNMENT DAY STUDENT'S

OPEN FORUM / PUBLIC PARTICIPATION

STAFF UP-DATE

AGENDA ADDITIONS/DELETIONS AND ADOPTION:

1. Consider Adoption of the Minutes
 - Regular Council Meeting of April 4, 2011 (Page 2 of 37)
 - Special Council Budget Workshop of April 6, 13, & 18, 2011 (Page 16 of 37)
 - Council Workshop Meeting of April 21, 2011 (Page 22 of 37)
2. Resolution on the Annual Spring Clean-up, Paint-up, Fix-up Week (Page 27 of 37)
3. Resolution on Designating Hurricane Awareness Week (Page 28 of 37)
4. Proclamation for Safe Boating Week (Page 29 of 37)
5. Setting the Date for a Public Hearing for a Fiscal Year "12" Budget and Fee & Rate Schedules (Page 30 of 37)
6. Setting the Date for a Public hearing on the Transient Occupancy Rate (Page 31 of 37)
7. Public Works Committee Report of April 5, 2011 (Mayor Tarr) (Page 32 of 37)
8. Recreational & Community Enhancement Committee Report of April 12, 2011 (Councilman Jester) (Page 34 of 37)
9. Mayor & Council Announcements or Comments
(Note: Roberts Rules do not allow for discussion under comment period)

ADJOURN:

MINUTES OF THE APRIL 4, 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.

Mayor Tarr asked for a moment of silence for the victims and their families involved in the terrible head-on car accident on the Causeway a couple of hours ago.

OPEN FORUM/PUBLIC PARTICIPATION

- Ms. Lisa Canon, Circle Drive, approached Council regarding the gardening plan for Watson Park. She advised that she and Ms. Heather Jorgensen are Master Gardeners and has submitted a plan to Town Planner Neville for budget preparations.

AGENDA ADDITIONS/DELETIONS AND ADOPTION

Mayor Tarr suggested adding another item, 3a for the Resolution to acknowledge that the Town of Chincoteague 2010 Census numbers are erroneous. He explained that they will need this document for Wednesday night's redistricting meeting.

Vice Mayor Richardson motioned, seconded by Councilman Jester to adopt the agenda adding item 3a. Resolution of the Census. Unanimously approved.

- 1. Consider Adoption of the Minutes**
 - **Regular Council Meeting of March 7, 2011**
 - **Council Workshop Meeting of March 17, 2011**

Councilman T. Howard motioned, seconded by Councilwoman Conklin to adopt the minutes as presented. Unanimously approved

- 2. Request for Proposal on Professional Auditing Services**

Finance Director Hipple explained that the auditing services contract expired in 2010. An RFP was put out and the bids came in lower than the past couple of years. The reason for the lower

bid is because of the recent Census population count, the Town is no longer required to report to the Auditor of Public Accounts. She advised that Robinson, Farmer Cox was the low bidder: FY2011 - \$22,000 and \$2,775 for the Authority; FY2012 - \$22,500; FY2013 - \$23,000; FY2014 - \$23,500; FY2015 - \$24,000. She advised that the Town has been working with Robinson, Farmer Cox for the last several years.

Councilman Jester asked if it was a 5 year fixed or 1 year option.

Finance Director Hipple advised this is a 1 year renewable option.

Councilman T. Howard asked if the Census population numbers were deemed erroneous would this mean that there would have to be a report to the Auditor of Public Accounts and the figures for the bid would increase.

Finance Director Hipple advised that they would not have to report to the Auditor of Public Accounts unless or until the new population figures or corrections are published through the Census reports, and the count would have to be above 3,500.

Councilwoman Conklin motioned, seconded by Councilman J. Howard to award the auditing services to Robinson, Farmer Cox through the year 2015. Unanimously approved.

3. Accomack County Board of Supervisors Update

Supervisor Thornton presented the Town with a check from the County in the amount of \$8,000 for drainage. She thanked staff for their hard work on the Census mail-out and recount. She also stated that they reviewed the population projections from the Weldon-Cooper Center.

Supervisor Thornton mentioned that several people in the community stated that they feel they were never counted. She stated that the proxy counting was not completed correctly either. She advised that there are 3 majority-minority districts and they have to get the voting age minority. She appreciates the Town approving the resolution to help with the numbers. She stated that the whole problem with the population is the result in the redistricting issues. She stated that both of the representatives will have the majority of the population represented from across-the-bay.

Supervisor Thornton also added that District 2 will lose approximately 1,000 people.

There was further discussion regarding the Census and redistricting.

Supervisor Thornton again thanked Mayor Tarr and staff for their hard work. She then addressed the new hospital proposal. She advised there will be a meeting and stated that the resolution will be needed ahead of time to show support for the new hospital.

Supervisor Thornton stated that she is on the Star Transit Board. The County will pick up the funding for Star Transit that will restore service to Chincoteague and will start back October 1st. She is also working on getting the old gym either turned over to the Town or fixed up. They met with contractors and will return with the costs to bring it to standard as it is temporarily closed until repairs can be done. There will be a public hearing at the meeting on April 20th at 7:30p.m.

She recommended that the Chincoteague people attend. She asked Mr. David Fluhart to inspect the building and made a list of the corrections that have to be made before it can be reopened.

Supervisor Thornton advised Public Works Director Spurlock that Tangier just put a floodgate in by the Army Corps of Engineers. She suggested contacting them for the particulars. She also advised that legislation has just passed that tourism can receive 3% of Transient Occupancy from the County. Supervisor Thornton informed Council of the Transient Occupancy totals for the County: Budgeted amount for tourism - \$64,053, from the Town of Chincoteague the County collected - \$402,300 and from the remainder of the County they collected - \$17,103 and all goes to the general fund. There was further discussion about the figures.

Supervisor Thornton mentioned the District Fund. She read from FY2007 budget, what the District Fund is to be used for. She advised it was to purchase plywood for the old gym. She also added that volunteers put it up and painted it. She also read the rest of the disbursements. She stated that if the Town encompasses the entire district then the Town will receive the funds.

Supervisor Thornton also stated that the Fish & Wildlife Refuge is conducting an economic study. The last study was done in 2006 and revised in 2009 regarding recreational visits, jobs and economic growth. She stated that the only other matter was regarding the FEMA meeting which will have a serious impact on flood insurance premiums.

STAFF UPDATE

Planning Department

Town Planner Neville reported that the Planning Commission took action at last night's meeting to propose minor amendments to the ordinance for flags, banners and pennants. This matter will go to public hearing Tuesday, April 12th at 7:00 p.m. He also stated they reviewed the ordinance regarding building mounted signage and the maximum requirements for height. He stated that the main effort for the Planning Commission has been reviewing the zoning maps. They plan to have an open house for public review prior to the public hearing on May 10th. He mentioned the biologist report and advised he will be attending a vision meeting on the Refuge.

Police Department

Chief Lewis presented Council with the monthly arrest report. He advised that the Police Department would be holding a luncheon for Island residents. He also reported that they received the grant for police car computers and should be installed tomorrow.

Public Works

Public Works Director Spurlock reported: The SCADA system is 60% complete. Main Street intersection at the new bridge is paved and the basecoat on Maddox is being laid. The Wayne Road drainage layout is complete with the crossover pipes installed. The new water service has been installed at the Donald Leonard Park. He has finally received the approved ground water withdraw permit. They need to install new meters and a test well near Well 8 approximately 400 feet deep. They have also scheduled cleanup around the nature trails. Public Works Director Spurlock announced that the Public Works Committee meeting will be tomorrow at 4:00 p.m.

There was discussion about the SCADA system.

Councilman T. Howard asked about the Main Street Corridor project and paving.

Public Works Director Spurlock advised that there are plans for paving near the Misty statue on Main St.

Mayor Tarr asked if the Town would brush the parking lots along Maddox after the paving.

General Government

Town Manager Ritter reported there was a mass mail-out of the postcards for the Census population recount. He advised there is a resolution later in the meeting. He asked Council if they have any information to put in the quarterly newsletter to let him know. Currently, staff is working on and collecting Business License renewals, motor vehicle decals and boat ramp user fees. Clark-Nexen will be at the April 21st meeting to discuss Storm Water Master Plan and drainage projects. Town Manager Ritter had a teleconference with Attorney Ann Sullivan regarding the Personnel Policy. They are also meeting with Mr. Preston Smith who is in charge of the infrastructure grant to discuss a fishing pier. The fuel system at the Harbor is underway and should be installed by Memorial Day. The first radio broadcast was last Friday on WCTG.

	<u>Year to Date</u>	<u>Prior Year</u>	<u>Difference</u>
Real Estate Tax	\$604,240	\$605,786	(down) \$ 1,545
Tangible Property Tax	\$165,904	\$159,220	(up) \$ 6,684
Meals Tax	\$491,389	\$387,194	(up) \$104,195
Transient Occupancy	\$554,295	\$515,665	(up) \$ 38,630
Sales Tax	\$ 83,446	\$ 73,651	(up) \$ 9,795
Water Rent	\$784,539	\$688,070	(up) \$ 96,468

Town Manager Ritter reminded Council of the Budget Workshop scheduled for Wednesday, April 6th.

Councilman T. Howard commented that the revenues over the last two months have increased.

PRESENTATION

Mayor Tarr presented Mr. Chester Jackson a Certificate of Recognition. Mayor Tarr recognized Mr. Jackson for his countless hours of time offering his services to our community as an auctioneer. He then read:



CERTIFICATE OF RECOGNITION
presented to

MR. CHESTER JACKSON

WHEREAS, Mr. Chester Jackson has rendered his service throughout this community and deserves special recognition; and

WHEREAS, Mr. Jackson has given of his time and talents as an auctioneer to many organizations within this community; and

WHEREAS, his dedication and zeal in helping organizations in this community raise money for the betterment of all has earned him the respect and affection of the citizens of Chincoteague Island;

NOW, THEREFORE, on behalf of the Town Council of the Town of Chincoteague and all our citizens and organizations, I am pleased to tender this Certificate of Recognition to Mr. Chester Jackson, with our sincere thanks for his dedicated service to the welfare of Chincoteague Island.

DATED this 4th day of April, 2011.

John H. Tarr, Mayor

Attest:

Robert G. Ritter, Jr., Town Manager

Mayor Tarr listed several different organizations that Mr. Jackson donated his auctioneering services for and to.

Mr. Jackson advised he has done this for approximately 32 years.

The audience applauded Mr. Jackson for his years of service to the community.

Town Attorney Poulson interjected that Mr. Jackson hasn't only donated his services to Chincoteague organizations but, to many organizations throughout the County.

3a. Resolution of the Census.

Mayor Tarr explained that there the Town is looking at the Census numbers in several different ways and he asked Council to pass the following Resolution in support.

Vice Mayor Richardson motioned, seconded by Councilwoman Conklin to adopt the Resolution. Unanimously approved.



RESOLUTION
To acknowledge that the Town of Chincoteague
2010 CENSUS NUMBERS ARE ERRONEOUS

WHEREAS, the 2010 Census for the Town of Chincoteague, Virginia indicates a reduction in total population from 4,324 people in the year 2000 Census to 2,941 people in 2010; and

WHEREAS, the US Census Bureau, Population Division has consistently estimated a minimum of 3,568 to more than 4,300 residents over the last 20 years; and

WHEREAS, this loss of 1,383 people in 10 years may be due, all or in part, to errors in the Census survey techniques used in our 'hard to count' community; and

WHEREAS, sufficient uncertainty exists to support the use of alternate methods to estimate population for the purpose of redistricting;

NOW, THEREFORE BE IT RESOLVED that the Town Council of the Town of Chincoteague supports the estimated population associated with voter registration records, school attendance records, and un-registered residents 18 years and older as a method that is consistent with a stable community; and

BE IT FURTHER RESOLVED that the Town Council of the Town of Chincoteague agrees with the stated method that estimates a total resident population in the Town of Chincoteague of approximately 3,666.

ADOPTED on this 4th Day of April, 2011.

I certify that the foregoing is an accurate copy of the Resolution adopted by the Council of Town of Chincoteague on April 4, 2011.

John H. Tarr, Mayor

Attest:

Robert G. Ritter Jr., Town Manager

4. Resolution of Support for the New Hospital Location in Accomack County.

Mayor Tarr announced there will be a public hearing on April 14th, at 11:00 a.m. at the Eastern Shore Community College regarding the location of the new hospital.

Councilman T. Howard motioned, seconded by Vice Mayor Richardson to adopt the Resolution. Unanimously approved.



**RESOLUTION
To support an Accomack County location for
RIVERSIDE SHORE MEMORIAL HOSPITAL**

WHEREAS, Riverside Shore Memorial Hospital has applied for a Certificate of Public Need to relocate and replace its existing facilities in Accomack County; and

WHEREAS, The proposed location would be at least 18 miles closer to the Town of Chincoteague making inpatient care more accessible to the Eastern Shore's largest community; and

WHEREAS, The Town of Chincoteague has a continuing need for health care services for our resident and summer visitor populations;

NOW, THEREFORE BE IT RESOLVED that the Town Council of the Town of Chincoteague hereby supports the proposed location of Riverside Shore Memorial Hospital in Accomack County.

BE IT FURTHER RESOLVED that the Town Council of the Town of Chincoteague agrees with the stated goal of a physician recruiting effort for the Eastern Shore and the provision of expanded local outpatient services.

ADOPTED on this 4th Day of April, 2011.

I certify that the foregoing is an accurate copy of the Resolution adopted by the Town of Chincoteague on April 4, 2011.

John H. Tarr, Mayor

Attest:

Robert G. Ritter Jr., Town Manager

Mayor Tarr requested community support at the meeting.

5. Public Safety Committee Report of March 3, 2011

Mayor Tarr asked for questions regarding the report which has been included in the packet.

6. Harbor Committee Report of March 3, 2011

Councilman J. Howard stated that the fuel grant has been awarded and they're hoping to have this facility ready soon. He also added that they're working on trying to make other improvements at the Harbor.

Mayor Tarr asked about additional parking.

Councilman J. Howard advised they are looking into extending the parking lot just south of the Harbor Master's office.

There was further discussion about paving and extending the parking.

7. Cemetery Committee Report of March 3, 2011

• **Proclamation for Cemetery Cleanup Week**

Vice Mayor Richardson stated they discussed the clean-up week which will be April 9th through the 15th. She also announced they will be working on the Reed Cemetery off of Deep Hole Road.

Councilman J. Howard motioned, seconded by Councilman T. Howard to adopt the proclamation for Cemetery Cleanup Week. Unanimously approved.



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 H. Tarr do hereby proclaim the week of April 9TH through 15TH, 2011, 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 4th day of April, 2011.

John H. Tarr, Mayor

ATTEST:

Robert G. Ritter Jr., Town Manager

8. Ordinance Committee Report on March 10, 2011

- **Possible Change in Chapter 30, Floods, Article IV, District Provisions, Sec. 30-19 Anchoring Fuel Tanks, Paragraph (e) Violations. Consider revision to identify who will be responsible for a violation and the impact of a \$250 ‘per day’ fine for violations**

Councilman T. Howard reported that they reconsidered the violation provision for the oil tank strapping. He read and explained the changes:

Sec. 30-19. Anchoring fuel tanks.

*(a) **The owner of any** ~~All~~ new, replaced, or existing oil, and propane tanks must ~~be~~ anchored **fuel tanks** against floatation, collapse and lateral movement under flood conditions by means of an approved anchorage system or shall be installed at or above base flood elevation and shall be set upon a firm foundation and supports to prevent floatation, collapse and lateral movement under flood conditions. It shall be unlawful to fill or refill any such tank that is not so anchored or elevated.*

(b) All new, replaced, or existing oil tanks shall have their vent pipe extended at least three feet above the top most portion of the body of the tank. This provision shall also apply to substantial improvement buildings and buildings experiencing repetitive loss.

(c) All new, replaced, or existing oil tanks must all be fitted with a fill tube screw-on tight-fit cap with gasket.

(d) The installation requirements for strapping and anchoring fuel tanks shall follow FEMA recommended guidelines.

(e) If ownership of fuel tank is unknown, the property owner shall be responsible.

*(f) This section shall be effective November 5, 2012 for existing or replaced fuel tanks.
(Amended 4/7/08)*

*(g) Any ~~person~~ **property owner or Company** violating the provision of this section shall, upon conviction, be guilty of a class 4 misdemeanor and be punished by a fine of not more than two hundred and fifty dollars (\$250.00). ~~Each day in violation shall constitute a separate offense.~~
(Adopted 11/5/07)*

There was discussion regarding the changes.

Town Attorney Poulson suggested provisions: 1) ***(e) If ownership of fuel tank is unknown, the property owner shall be responsible.*** He feels that it should read “If ownership of a fuel tank is unknown or unclaimed, the property owner shall be responsible.” 2) *(g) Any ~~person~~ **property owner or Company** violating the provision of this section shall, upon conviction, be guilty of a class 4 misdemeanor and be punished by a fine of not more than two hundred and fifty dollars (\$250.00). ~~Each day in violation shall constitute a separate offense.~~* He feels the first part should read “If any person or legal entity violating...” He stated that he has an issue with striking “Each day in violation shall constitute a separate offense.” He feels that some company may pay the minimum fine and the Town may not be able to go back to court after they are charged and fined. He feels that it needs to be clear so that the violators shouldn’t be able to just pay the fine one time and not have to comply with the ordinance.

There was further discussion regarding the enforcement and fines. There was a suggestion that staff review this again.

Mayor Tarr advised that staff is planning to do an advertisement campaign.

Council concurred that if a fuel company relinquishes ownership to the tank it should be in writing.

Councilman J. Howard suggested having Town Attorney Poulson write letters to the companies.

Mayor Tarr disagrees. He would rather invite them to a meeting to discuss this in order to keep the rapport.

Building and Zoning Administrator Lewis stated that typically when a warrant is obtained, there is not another warrant until a judge rules them guilty. He added that they usually do a week at a time.

Sec. 30-19. Anchoring fuel tanks.

(a) **The owner of any** ~~All~~ new, replaced, or existing oil, and propane tanks must ~~be anchored~~ **fuel tanks** against floatation, collapse and lateral movement under flood conditions by means of an approved anchorage system or shall be installed at or above base flood elevation and shall be set upon a firm foundation and supports to prevent floatation, collapse and lateral movement under flood conditions. It shall be unlawful to fill or refill any such tank that is not so anchored or elevated.

(b) All new, replaced, or existing oil tanks shall have their vent pipe extended at least three feet above the top most portion of the body of the tank. This provision shall also apply to substantial improvement buildings and buildings experiencing repetitive loss.

(c) All new, replaced, or existing oil tanks must all be fitted with a fill tube screw-on tight-fit cap with gasket.

(d) The installation requirements for strapping and anchoring fuel tanks shall follow FEMA recommended guidelines.

(e) If ownership of a fuel tank is unknown or unclaimed, the property owner shall be responsible.

(f) This section shall be effective November 5, 2012 for existing or replaced fuel tanks.
(Amended 4/7/08)

(g) Any ~~person~~ **property owner or Company person or legal entity** violating the provision of this section shall, upon conviction, be guilty of a class 4 misdemeanor and be punished by a fine of not more than two hundred and fifty dollars (\$250.00). Each day in violation shall constitute a separate offense.

(Adopted 11/5/07)

Councilman T. Howard motioned, seconded by Councilwoman Conklin to adopt the changes as presented and suggested by Town Attorney Poulson. Unanimously approved.

9. Discussion on Breaks for Public Works Staff

Councilman J. Howard stated he has no problem with a 15 minute break. His problem is that they are leaving the worksite and traveling back to the shop for the break and then back to the worksite. He advised that he as a Councilmember is trying to make appropriate business decisions for the Town. He feels this is costly and would like to see the traveling back and forth stop. He added that he is not trying to stop the break.

Public Works Director Spurlock stated that the Public Works Department does take a 15 minute break. They don't always take a break and it is usually for the restroom facilities. He added that from 7:00 a.m. to noon is a long time without a restroom break.

Councilman J. Howard advised that there are public restrooms throughout the Island.

Public Works Director Spurlock advised that this is one piece. He stated that a lot of times this is used to refuel, pick up tools and supplies to complete the job. He added that if the guys are working a water outage, they voluntarily forfeit their break and sometimes their lunch.

Councilman J. Howard stated that he's seen this quite a bit. He explained that if he was going to do a job they would put the materials in the truck he needed. He suggested that instead of taking 10 minutes to do something it's actually taking 25 minutes to leave and return to the job. He suggested that most people don't normally leave the worksite.

Councilwoman Conklin stated the Town has a lot of dedicated employees. She added that she doesn't know any job in the world that doesn't take a break. She doesn't believe they're killing time. She also added that if they take a break at the worksite or on the tailgate of a truck someone will always complain they're not doing their work.

Councilman J. Howard stated that he doesn't feel this is good business practice.

Councilman Muth asked that if there is a problem with production with Public Works or if they're losing money, it should be addressed. He asked if this is the general feeling on Council or is this Councilman J. Howard's feeling.

Councilman Jester feels that Council shouldn't be involved with this and the supervisor should handle it.

Councilman J. Howard asked if contractors would have to come in on break too.

Public Works Director Spurlock stated that many years ago they took the break on the jobsite. However, they were ridiculed for that.

Councilwoman Conklin advised that she witnessed Branscome workers napping on a machine and sitting along the side of the road waiting for another asphalt truck to come. She asked what else were they supposed to do, but thought she was glad they didn't work for the Town.

Councilman J. Howard motioned that the Town continue a 15 minute break on the jobsite for Public Works Staff to save gas and time daily. There was no second and the motion died.

Mayor Tarr thanked Public Works Director Spurlock and asked him to continue to monitor.

10. Mayor & Council Announcements or Comments

Councilman Jester stated that FEMA recognized the Town of Chincoteague for their efforts on flooding issues in the VML Magazine. He also announced that tomorrow night is the Government night for the museum and invited Council to attend.

Vice Mayor Richardson asked about the low area on Eastside Road.

There was lengthy discussion as to the correction or plan to build this up.

Building and Zoning Administrator Lewis advised that the Building Code changed March 1, 2011. He hasn't received a copy of the new book. He plans to hold a meeting with the local builders to review the changes.

Mr. Chester Jackson thanked Council and all present for the Certificate. He stated that he doesn't do this for a certificate. He does this to give back to the community what they've given to him over the years.

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

• Personnel Matters

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

Vice Mayor Richardson moved, seconded by Councilman Muth 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- Jester, Muth, T. Howard, J. Howard, Richardson, Conklin
Nays- None
Absent- None

12. Town Manager’s Contract Extension

Councilwoman Conklin motioned, seconded by Councilman Jester, accepting Town Attorney’s approved changes and to extend Town Manager Ritter’s contract another 2 years. Motion Carried.

Ayes: Conklin, Jester, T. Howard, Muth, Richardson
Nays: J. Howard

Adjourn.

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

Mayor

Attest: Town Manager

MINUTES OF THE APRIL 6, 2011
CHINCOTEAGUE TOWN COUNCIL SPECIAL MEETING

Council Members Present

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

Council Members Absent

John H. Howard, Councilman
Eugene Muth, Councilman

1. Call to Order.

Mayor Tarr called the meeting to order at 9 a.m. for the purpose of reviewing the draft FY'12 budget.

2. Invocation.

Councilman T. Howard offered the Invocation.

3. Pledge of Allegiance.

Mayor Tarr led in the Pledge of Allegiance.

4. Agenda.

Councilwoman Conklin moved, seconded by Councilman Jester to approve the agenda as presented. The motion was unanimously approved.

5. Review of Proposed FY'12 Revenues.

The amount budgeted for Real Estate tax is based on last year's actual billing and a \$0.06 per \$100 tax rate.

There was a discussion on the each revenue line item, if it increased or decreased and why. State funded line items were discussed and the reduction in state funding of these line items.

Council discussed the need to transfer money from savings to match a T21 grant for Main Street.

There was a discussion on the Commission for the Arts grant and the Chincoteague Cultural Alliance's balance on the use of this money. Council asked that an agreement between the Town and the CCA be developed so there would be no questions on how the money was spent and that the Town could also use part of this money, if needed for cultural items. A breakdown will be presented at the next meeting.

The Town has applied for another T21 grant. There is nothing in the proposed budget for the grant or the Town's match.

Revenues for Main Street Fund, Broadband Fund, Curtis Merritt Harbor Fund, Trolley Fund and Water Fund were discussed.

Revenue discussions led to discussions on the various rate schedules.

There was no proposed increase in water rates. Council asked if the water fund was able to put money away for needed system upgrades. Some Council Members felt that although the water fund is now operating in the black and this was the last year for payment of the General Fund loan, would the water fund be able to pay for emergency repairs or any upgrades without borrowing the money.

Council then discussed the possibility of reducing the minimum gallons from 6,000 to 5,000. Public Works Director Spurlock is to look into the usage for this change and report at the next meeting.

There are no increases in connection fees or availability fees proposed in this budget.

There are no Curtis Merritt Harbor of Refuge rate increases proposed in this budget. Mayor Tarr asked why since Council voted on automatic increases each year. There was further discussion if the increase was 3%, linked to the Consumer Price Index, or how was it determined.

NOTE: Harbor Master Merritt has found that automatic annual increases are linked to the Consumer Price Index. This was adopted by Council on June 19, 2003.

Council asked that the fee associated with use of the handicap ramp be included on the Harbor's rate sheet.

The General Government rates sheet was presented with no changes.

6. General Government Expenditures.

Salaries were discussed. Town Manager Ritter indicated that all salaries included a 2.5% adjustment for July and 60% of the salaries were increased with a 2.5% merit increase.

Mayor Tarr asked if the General Government salaries included an additional Town Office salary. Town Manager Ritter answered that ½ year was included.

NOTE: Accomack County is considering bonuses rather than merit increases or COLAs. State employees are expected to receive a 3% increase in July and a 2% potential bonus in December 2011. Virginia has reported that the national average trend for salary increases was 2.31% in 2010 and 2.80% in 2011. National average salary range adjustments were 2.10% in 2010 and are expected to be 2.40% in 2011. Accomack County school level employees have received a 4.5% bonus. Non-school level employees are scheduled to receive a 4.5% within this fiscal year.

There will be no increase in Health Insurance Premiums for FY' 12. The budget included the 12% national trend. Since that money was not needed, it will be needed to fund Line of Duty Trust. The state will stop funding the Line of Duty Trust for employees as well as volunteers of the fire companies and rescue squads. Funding beginning July 1 will be the responsibility of the local government.

Mayor Tarr asked about the “doughnut hole” reserve from the saving the Medicare supplement insurance premiums. Mayor Tarr asked that this be segregated from the premium line item.

Mayor Tarr stated he would like the Town to give a donation to the Eastern Shore Tourism Commission of \$5,000.

Mayor Tarr also stated that he would like to see the Chincoteague Recreation and Convention Center Authority receive level funding at \$100,000 from transient occupancy tax rather than a percentage collected. In addition, he would like the meals tax tourism funding to the Authority and the Chincoteague Chamber of Commerce to be level funding at \$60,000 or \$30,000 to each rather than the percentage.

Councilwoman Conklin stated that she felt the Authority would be in favor of such a change.

Council then discussed a reserve for tourism. Since tourism is the industry of the Town and we would be lost without it, Council believes that a reserve to help with tourism related issues is needed. Examples: lobbyist for beach access and replenishment, money to help with parking lot restructure on the beach after a storm. Everyone agreed it is an excellent idea, but the question of funding the reserve is of concern since the Town is not funding the established reserves as well as funding the emergency reserve. Council asked that funding \$100,000 be reviewed within the proposed budget and with a transient occupancy tax increase.

Councilman Jester inquired as to taxing of out-of-state boats that are left on the Island year ‘round.

NOTE: The Commissioner of Revenue’s Office at one time would conduct physical inspection looking for such untaxed items. Since there has been no increase in staff, and twice year personal property billing, this taxing source is overlooked. The Commissioner’s Office does compare campground list and sends a letter to new renters. Boats can be declared on the letter, however they can not do anything if they are not. Also as Mayor Tarr stated at the meeting it is almost impossible to verify that the boat was on Chincoteague 24 hours per day, each and every day for 6 months. Citizens can report out-of-state boats to the Commissioner, but they must be willing to testify in court that the boat was on the Island for the required time.

7. Recess of Meeting.

Councilman Jester motioned, seconded by Councilwoman Conklin to recess the meeting until 9 a.m. on Wednesday, April 13, 2011.

John H. Tarr, Mayor

Robert G. Ritter, Jr., Town Manager

MINUTES OF THE APRIL 13, 2011
CHINCOTEAGUE TOWN COUNCIL RECESSED MEETING

Council Members Present

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

Council Members Absent

John H. Howard, Councilman
Eugene Muth, Councilman

1. Call to Order.

Mayor Tarr called the recessed meeting to order at 9 a.m. for the purpose of reviewing the draft FY'12 budget.

2. Invocation.

Councilman T. Howard offered the Invocation.

3. Pledge of Allegiance.

Mayor Tarr led in the Pledge of Allegiance.

4. Review of Police Department Expenditures.

Council discussed the Police Department expenditures. Chief Lewis stated the Sundry line item was incorrect. He had \$1500 in the line item and it is presented as \$100. This line item it used for court appointed attorneys which are a minimum of \$120 each. Council agreed to increase the line item. Council asked Chief Lewis about the storage building that he has presented for approximately 10 years and has always gotten cut. Chief Lewis explained that this item has increased in its importance for the accreditation of the department. He also indicated that should a crime be committed using a vehicle, the police have no place to securely store the vehicle for investigation. Council agreed this was important.

5. Review of Public Works Expenditures.

Council discussed expenditure in Public Work Administration, Mosquito Control, Roads, and Facilities.

The Ocean Blvd Extended Trail was discussed. Public Works Director Spurlock indicated that the wetlands mitigation fee would be unrealistic to continue with the project. There is currently nothing budgeted for this project. Council discussed this project at length and asked that \$5000 be appropriated in this line item.

Council discussed the solid waste collection contract vs. in-house collection. The difference comes down to whether the Town could be guaranteed by Accomack County that tipping fees would not be charged to the Town for residential waste. Mayor Tarr stated that it would be too late to consider in-house collection for FY'12, but wants it to be seriously considered for FY'13. Mayor Tarr asked that Town Attorney Poulson be contacted on this issue to work with the county attorney on guarantees that the county will not charge tipping fees to the Town for residential waste should the Town decide to collect waste in-house.

Council further discussed the Public Works Department expenditures.

6. Review of Main Street Fund Expenditures, Harbor Fund Expenditures, Trolley Fund Expenditures and Water Fund Expenditures.

Council reviewed the expenditures proposed for each of these funds.

Of significance was the Water Fund paying off the loan from the General Fund. Council further discussed the need to place Water Fund revenue into a reserve whenever necessary for the future of the system.

7. General Government Expenditures.

Council discussed General Government expenditures at length; the positive results of the consultant working in Richmond and Washington, DC and the need to continue working with this firm; the need for a beach/tourism reserve to be used for beach parking assistance and other items associated with the beach being our main tourist draw. Council discussed funding various projects, the need to raise or not raise various taxes, fees and licenses.

Council asked to meet again on Monday, April 18th at 9 a.m. to discuss employees' raises and funding the Beach/Tourism Reserve.

8. Recess of Meeting.

Councilman Howard made a motion, seconded by Councilwoman Conklin to recess the meeting until 9 a.m. on April 18th. The motion was unanimously approved.

John H. Tarr, Mayor

Robert G. Ritter, Jr., Town Manager

MINUTES OF THE APRIL 18, 2011
CHINCOTEAGUE TOWN COUNCIL RECESSED MEETING

Council Members Present

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

Council Members Absent

Eugene Muth, Councilman

1. Call to Order.

Mayor Tarr called the recessed meeting to order at 9 a.m. for the purpose of reviewing the draft FY' 12 budget.

2. Invocation.

Councilman T. Howard offered the Invocation.

3. Pledge of Allegiance.

Mayor Tarr led in the Pledge of Allegiance.

4. Review of Employee Raises.

Council discussed at length across the board raises, decrease in employee contribution to retirement, performance appraisals, and merit increases. It was the consensus of Council that there would be a one percent increase in salaries effective the first full pay period in July. The performance appraisal would allow a 1% increase for meeting objectives, a 2.5% increase for exceeding objectives, and a 4% increase for exceptional performance. Merit increases will be effective the first full pay period in January.

5. Recreation/Beach/Tourism Reserve.

Council discussed the need to reserve revenues for projects associated with the beach and tourism. They agreed the reserve would need to be funded at a minimum of \$100,000 per year. As there has been proposed no increases, the \$100,000 goal can not be met. Therefore, it was the consensus of Council to propose an increase in transient occupancy tax of 1% effective January 1, 2012, with all revenue from this increase being reserved for Recreation/Beach/Tourism.

6. Adjournment of Meeting.

Councilwoman Conklin made a motion, seconded by Councilman Howard to adjourn the meeting. The motion was unanimously approved.

John H. Tarr, Mayor

Robert G. Ritter, Jr., Town Manager

MINUTES OF THE APRIL 21, 2011
CHINCOTEAGUE TOWN COUNCIL WORKSHOP MEETING

Council Members Present:

John H. Tarr, Mayor
Ellen W. Richardson, Vice Mayor

John N. Jester, Jr., Councilman
Nancy B. Conklin, Councilwoman
John H. Howard, Councilman
Terry Howard, Councilman

Council Members Absent:

Tripp Muth, 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 requested an addition to the Agenda for Item #3 – Watson Park and Item #4 – Council Member Comments to allow comments from Planning Commission Chairman Ray Rosenberger and Town Planner Neville regarding the Zoning Update process with no action items. Vice Mayor Richardson motioned, seconded by Councilman Jester to adopt the agenda as amended. Unanimously approved.

1. Presentation – Wireless Water Meter Replacement Project Financial Option

Tom Hickman from Johnson Controls presented the results of a preliminary Water System Audit completed by his firm. 10 existing meters (5/8 inch residential) were sent to Kentucky for testing to determine their accuracy at different rates of flow. Low flow rates were generally less accurate than high flow rates in measuring the amount of water delivered.

The purpose of this study was to determine whether there would be a benefit to the Town if all of the water meters were replaced. Based on the test results, Mr. Hickman estimated that accuracy of meter reading could be improved by at least 5% which could generate \$31,000 annually. In addition, operation and maintenance savings were estimated at \$77,000 with reduced labor costs and lower repair and replacement cost for old meters.

The estimate for replacing all of the meters along with a leak detection system would be in the range of \$1.25 million. In order to finance the installation, the time to pay off the loan based on the estimated annual savings would be approximately 14 years.

Councilwoman Conklin asked how the meters will last and whether all the meters would need to be replaced at once. Mr. Hickman estimated a 20 year lifespan before replacements would need to occur, and discussed warranty coverage. Public Works Director Spurlock compared this with the current system that includes some meters that have been in place for over 75 years. Mr. Hickman clarified that his firm would be responsible for getting the meters installed with guaranteed results, and Chris with Neptune Meters would be able to provide more information regarding the lifespan and warranty of the equipment.

Council members asked about the battery power source that allows remote reading of the meters. Mr. Hickman informed the Council that information is collected from each meter every 15 minutes (almost 100 times per day), it is stored until a Town employee drives by with a laptop computer that automatically gathers the data from meters that are within 1 mile. The data is downloaded to a program that will generate billing, reports or alerts of water use.

Mr. Hickman suggested that if the Town wished to explore the next step, Johnson Controls would complete a more detailed analysis and model with cost estimates. The cost of this work would not be billed if the savings did not support the cost of the project. If the Council decides not to authorize the project after the study is completed, the Town would agree to pay for just the cost of the study. If the project moves forward, the cost of the study would be wrapped into the total cost of installation. Johnson Controls guarantees the installation of the system, accuracy and results at the end.

Councilman J. Howard and Councilman T. Howard commented on the 14 year payback period versus the estimated 20 year lifespan of the meters. Additional information was requested regarding the effect of standing water in most meter wells on the meters and the electronics of the automated system. Mr. Hickman discussed financing options.

Mayor Tarr requested that a proposal for the next study be prepared with detailed information about the actual meters that would be installed including the lifespan of batteries, the meters and other parts of the system. Councilman Jester requested that Mr. Spurlock contact Crisfield MD or other communities to find out about their experience with this type of meter system. Mr. Hickman will gather information on other locations that have installed the Neptune meters as well as other communities that have followed the Johnson Controls business model.

2. Presentation – Storm Water Master Plan Phase 1

Town engineering consultant Clark/Nexsen presented the Storm Water Master Plan - Phase I. John Herzke introduced his team including Rob Sherman and John Parkinson. The Master Plan provides a useful tool that identifies all the key components of the Town drainage system so that the Town can be better protected from storm water impacts.

Work completed includes:

- Preliminary mapping of drainage system
- Assessment of drainage areas and system capacity
- Identification of current flooding issues

- Conceptual solutions

Mr. Herzke identified the 3 major watershed areas of Chincoteague Island and presented extensive mapping of the existing drainage inlets, pipes and discharge locations for each watershed area. Evaluation of the capacity of pipes, ditches and storage basins was determined to be adequate for common rainfall events with intensities less than 1.0 inch/hour under normal tidal conditions. Any extremes of rainfall, higher tides or storm generated waves tend to overwhelm the drainage system.

The study organizes known flooding problems into areas that may be solved by a single drainage project and ranked them by potential damage to structures, roadways or property. Mr. Herzke recommended that as development continues to occur on the Island, the size of drainage pipes and ditches must get larger to compensate for the loss of natural storage areas.

Clark/Nexsen has proposed several projects that could be completed in a Phase 2 design study and recommends the preparation of design standards and specifications that would accommodate a 10-year storm event.

Councilwoman Conklin asked about Fowling Gut and additional storage capacity that could be provided in the central areas of the Island to prevent flooding problems. Mr. Sherman and Mr. Herzke responded that this should be a priority for the next phase including an evaluation of the need to elevate some structures in the future. Councilman T. Howard led a discussion of the history of manmade changes to Fowling Gut and the permitting requirements to dredge the channel today. The control of tidal effects on drainage was reviewed and Mr. Herzke concluded that the best improvement that may be possible is to provide the quickest possible drainage after the tide elevation goes down.

Councilman Jester commented that FEMA standards may require additional changes in the future to meet Flood Insurance standards. Councilman J. Howard identified a specific project to review the change in drainage patterns along Maddox Boulevard. Discussion continued on the need for storm water design standards that would be required for individual private development projects so that larger Town projects would be more cost effective.

Mayor Tarr asked about the benefits of larger ditches and ponds for storage. The discussion returned to planning for an overall drainage system similar to other coastal communities and developments in Florida. Councilman T. Howard described the change in vegetation along drainage channels as an indicator of fill that has occurred to block the tidal flow and discharge of storm water.

Mr. Herzke concluded with a recommendation that any comprehensive effort to accomplish drainage projects and provide increased protection for all property owners is to establish a 'drainage utility'. Similar to providing water or sewer utility service to all residents, a fee for storm water utility service would provide the Town with a dedicated revenue stream that would support bonding/financing for needed drainage improvements.

Council members asked questions about the storm water fee concept. Mr. Herzke offered practical advice based on his years of experience.

Mayor Tarr requested Public Works Director Spurlock to provide Council with a proposal for Phase 2 that would include individual steps and what the Town would receive for each step.

3. Watson Park – Master Gardener Project

Town Planner Neville presented a report from the Recreation and Community Enhancement Committee with an expense request for the purchase of plant materials to be installed at Watson Park. Master Gardeners Lisa Cannon and Heather Jorgenson have volunteered their labor to complete a beautification project in the existing landscape area along Cleveland Street.

The plan was reviewed by Council members with several questions about the need for shade on the sunny street corner surrounded by buildings. Councilman T. Howard advised that the Bradford Pear trees should be replaced with another variety of tree if they are ever damaged and removed. Vice Mayor Richardson raised the question of park benches and the remaining obligation to place a memorial plaque on the existing bench. It was agreed that any new structures or benches need to be approved by the Recreation Committee and a standard design established for different areas of Town.

Mayor Tarr requested a motion to approve the project at a cost not to exceed \$1,000. The motion was made by Vice Mayor Richardson, seconded by Councilman T. Howard and unanimously approved.

4. Council Member Comments

Planning Commission Chairman Rosenberger presented the status of work to update the Zoning Ordinance and adopt a new Zoning Map that will help to implement the recommendations of the 2010 Comprehensive Plan.

The proposed schedule for two public hearings on May 10th and June 14th will be held and the public record will be kept open for written public comment. Notices will be mailed to all Town property owners and placed in the local newspaper prior to the meetings.

A map of current zoning and a map of proposed zoning have been prepared and will be available for public review at the Town Office and on the website.

Vice Mayor Richardson commented on vehicle safety concerns at the Main Street/Maddox Boulevard intersection. Drivers turning right on red are in danger of hitting cars turning left across the intersection. Due to the tight turning radius along the east side of Main Street, VDOT should consider establishing ‘no right turn on red’ restrictions at the most dangerous corners, especially where visibility is restricted. Staff

was directed to coordinate with VDOT to determine if ‘no right turn on red’ signs may be added at this intersection.

Councilman Jester and Councilman T. Howard reported on the County Board meeting and the agreement to convey the Gymnasium building to the Town of Chincoteague. Mayor Tarr discussed with the Council the next steps to completing an agreement with the County and organizing groups to assist with the necessary repairs.

Mayor Tarr commented on several items

- Request to Staff for purchase of door stops
- Fowling Gut cleanup is necessary to remove debris
- Standard bench design has been selected (see Karen Hipple) to order the plaque for Watson Park
- Following meeting with Rob Catron, Staff is requested to produce list of activities completed by political consultant. Mr. Catron will produce a list of grant opportunities and political contacts that he has made. Meeting with Congressman Rigell’s aide was positive.

Adjourn

Vice Mayor Richardson moved to adjourn, seconded by Councilman T. Howard. Unanimously approved.



Resolution for Spring Clean up, Paint up, and Fix up Week

A RESOLUTION of the Town of Chincoteague Island, Virginia, to acknowledge the importance of Earth Day and support the community-wide activities and events that remind us of our Island's connection to the rest of the planet.

WHEREAS, we are fortunate to live in a Town so abundantly blessed with natural assets and we have a continuing responsibility for conserving our environment by keeping it clean, healthy, and beautiful; and

WHEREAS, the Town of Chincoteague Island and our citizens are committed, through the goals of the Comprehensive Plan, ordinances, policies and our actions, to the conservation and stewardship of our natural landscape, open space and sensitive environmental areas; and

WHEREAS, Chincoteague's Mother Earth Day is Saturday, May 7, 2011; Mother Earth Day will celebrate the beauty of our Island and involve people around the world over the course of several days; and

WHEREAS, during this celebration, we have the opportunity to demonstrate to ourselves, our neighbors, and our visitors, our commitment to a clean and beautiful town.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF CHINCOTEAGUE, IN COUNCIL MET:

1. That the week of May 7 – May 13, 2011 is designated as **SPRING-CLEAN UP, PAINT UP, & FIX UP WEEK** in the Town of Chincoteague to coincide with the Earth Day Celebration
2. That all organized and individual segments of our population participate in this noble effort by developing and carrying out imaginative clean-up, paint-up, and fix-up projects which will serve to enhance, restore, or maintain the beauty of all properties in our Island community.
3. All Spring Cleanup debris should be placed for pickup during the week of May 7 –May 13, 2011 so that our Town of Chincoteague will exemplify cleanliness and beauty and to kick off the Tourist Season. Calling the Town Office with the items to be picked up will ensure collection of said items.

John H. Tarr, Mayor

Attest: _____
Robert G. Ritter, Jr., Town Manager



RESOLUTION

Hurricane Preparedness Week 2011

Whereas, The Town of Chincoteague hurricane season officially begins June 1st and ends November 30th of each year. In order to heighten awareness, the week of May 22-28, 2011 has been designated "Hurricane Preparedness Week"; and

Whereas, with the Town of Chincoteague being an Island, it is vulnerable to the devastating effects a hurricane or tropical storm can cause. With the average land elevation of 3.5 feet above mean high tide the Town could face loss of life and property if such a disaster occurs; and

Whereas, both public and private entities should develop emergency response and recovery plans in accordance with local jurisdictions and local emergency management offices. Such preventative action could save lives; and

Whereas, the Town of Chincoteague Emergency Management, the National Weather Service, and the Commonwealth of Virginia strongly suggest that all residents and visitors to the Town of Chincoteague be aware of the high winds, flooding and severe weather that may occur in conjunction with a tropical storm or hurricane.

Now, Therefore, Be It Resolved, that the Town Council of the Town of Chincoteague, Virginia does hereby proclaim the week of May 22-28, 2011 as "Hurricane Preparedness Week" in the Town of Chincoteague.

John H. Tarr, Mayor

Attest: Town Manager



PROCLAMATION

Americans are increasingly heading to the water for recreation and relaxation as the opportunities for on-the-water activities grow each year. But with this growth comes additional responsibility. It is vital that both novice and experienced boaters alike practice safe boating habits---especially wearing a life jacket. Approximately 88 percent of those who die in boating-related drownings were not wearing life jackets.

WHEREAS, hundreds of lives could be saved each year by wearing life jackets and the law requires that wearable life jackets be carried for each person on board a boat.

WHEREAS, responsible boaters will learn the local boating regulations, master the “rules of the road”, not drink alcohol and boat, wear their life jacket, and respect fellow boaters.

WHEREAS, U. S. Coast Guard Auxiliary, Flotilla 12-06 Chincoteague provides safe boating instruction for all ages in order to prevent boating accidents and to teach rescue and survival techniques in case one does occur.

WHEREAS, boaters nationwide are wearing their life jackets this week and year round to recognize National Safe Boating Week with the theme, “Life Jackets. They Float. You Don’t.”

NOW THEREFORE, BE IT RESOLVED I, Mayor John H. Tarr, proclaim May 21 through 27, 2011 as Safe Boating Week within the Town of Chincoteague and encourage all boaters to wear their life jacket, boat responsibly, and enroll in a safe boating class.

DATED this 2nd, day of May, 2011

Mayor John H. Tarr
Town of Chincoteague, Inc.

Chief Petty Officer A. Mark Kannan
U. S. Coast Guard
Station Chincoteague

Frederick A. Gilman
Flotilla Commander 12-06
U. S. Coast Guard Auxiliary

MEMORANDUM

THE TOWN OF CHINCOTEAGUE

To: Mayor & Town Council
From: Robert Ritter, Town Manager
Date: April 27, 2011
Subject: Setting the Date for a Public Hearing for a Fiscal Year “12” Budget and Fee & Rate Schedules

Council will need to set the date for a public hearing scheduled for Monday, June 6, 2011, at 7:00 pm. We will advertise the public hearing in the May 25, 2011 edition of the Eastern Shore News. A copy of the proposed budget may also be seen at the Town Office starting May 25th. Once we have a public hearing the budget must set for 10 days. At the Council meeting of Thursday, June 16, 2011 at 7:00 pm you will have an opportunity to vote on the fiscal year 2012 Budget and Fee & Rate schedules.

If Council so chooses a motion can read:

“ Move to schedule a public hearing for the proposed fiscal year 2012 Budget and Fee & Rate schedules for Monday, June 6, 2011, at 7:00 pm.”

NOTICE OF PUBLIC HEARING

The Town of Chincoteague will hold a public hearing on Monday, June 2, 2011 at 7 p.m. in the Town Council Chambers, 6150 Community Drive, Chincoteague, Virginia to receive comments on a proposed 1% increase to Excise Tax for Transient Occupancy. Currently, the Town's Excise Tax for Transient Occupancy is 3% and the proposed FY'12 budget increases this tax to 4%. If approved by Council the increased one percent will be effective January 1, 2012, and the increase will be applied towards a Recreation and Beach access fund.

Public Works Committee Meeting
April 05, 2011
MINUTES

Members Present:

Hon. John Tarr, Chairman
Hon. John Howard
Hon. Ellen Richardson

Also Present:

Ms. Nancy Lane
Mr. Robert Ritter
Mr. and Mrs. Ray Rosenberger
Mr. Harvey Spurlock

Chairman Tarr called the meeting to order at 4:25 pm.

Mr. Howard made a motion to approve the agenda. The motion was seconded by Ms. Richardson and unanimously approved.

Public Participation

Ms Lane presented a request on behalf of the garden club to replace the large flower pots lining the downtown portion of Main St. Ms. Lane presented several options and recommended the pots sold by Sam's Club in Salisbury. There are a total of 14 pots the cost of which would be \$23 each for a total of \$322. The request was unanimously approved.

1. YMCA Non Profit Status Request

Mr. Spurlock presented a nonprofit status request from the Chincoteague YMCA. Mr. Spurlock explained nonprofit status would allow the YMCA to consume 40,000 gallons of water at no cost. The request was unanimously approved.

2. Water Usage Adjustment Request – Holt

Mr. Spurlock presented a request and supporting documentation on behalf of Jaan and Helen Holt for a one in five year water charge adjustment. Mr. Spurlock verified the request qualified as per the Town's utilities ordinance. The request was unanimously approved.

3. Water Usage Adjustment Request – Justice

Mr. Spurlock also presented a request and supporting documentation on behalf of Mr. Joseph Justice for a one in five year water charge adjustment. Mr. Spurlock verified the request qualified as per the Town's utilities ordinance. The request was unanimously approved.

4. Water Billing Adjustment Ordinance

Mr. Spurlock provided copies of *Section 62-59 Water Bill Adjustments* in response to questions from the committee regarding the necessity of committee review for every adjustment request. Mr. Spurlock noted that paragraph (b) (3) states the request and supporting documentation should be provided to the public works committee of the town council or its designee for a decision. In light of this fact it was determined a decision would be rendered by town staff subject to appeal to the committee. Mr. Spurlock will review the remainder of this section of code to ensure it is consistent with this interpretation.

5. Trash Fee Collection Policy

Mr. Spurlock presented a draft trash collection fees and collection ordinance for committee review. The policy, prepared by Ms. Kelly Fox, is being considered as the Town currently has no recourse should an individual refuse to pay the fee. Mr. John Howard inquired as to the feasibility of combining the trash fee with personal property taxes. Mr. Robert Ritter explained that combining the fee with active water accounts provides an indication that the residence is inhabited and should be charged a trash fee. Mr. Tarr observed nonpayment of the trash fee should be treated as are the nonpayment of any other town fee. It was ultimately decided to further consider this matter in conjunction with the upcoming budget review.

6. Questions/Comments

None

Mrs. Richardson motioned to adjourn the meeting at 5:00 pm. The motion was seconded by Mr. Howard and unanimously approved.

The next meeting is scheduled for Tuesday, June 7th, 2011 at 5:00 pm.

**Recreation and Community Enhancement
Committee Meeting Minutes
April 12, 2011**

Committee Members Present:

John Jester, Chairman

Bob Conklin
Cathy Plant
Jack Van Dame
Gene W. Taylor, Planning Commissioner

Committee Members Not Present:

John H. Howard, Councilman
Tripp Muth, Councilman

Others Present:

William Neville, Planning Director
Robert Ritter, Town Manager

Call to Order

Chairman John Jester called the meeting to order at 5:05 PM

1. Watson Park Master Plan

A proposal from Master Gardeners Lisa Cannon and Heather Jorgenson to renovate Watson Park was presented. Their garden plan would be implemented by volunteer labor, with the support of the Town Public Works Staff.

Lisa Cannon presented the need for improvements at the park. Removal of one or more of the damaged Bradford Pear trees would allow for plantings to make the area bright and attractive once more. Eventually benches and planters could be added. The garden plan was handed out for Committee review. Mr. Neville suggested that the proposed budget of approximately \$900 to \$1,500 would require Town Council approval for the purchase of plant materials at wholesale prices.

The Committee discussed the proposed use of oyster shell and pine straw mulch as well as the selection of hardy plants for the garden. Concerns for dust from shells and wind blowing the pine straw mulch were shared by Mr. Van Dame and Chairman Jester. Mr. Conklin asked about winter interest and the proposed use of a slow growing Crepe Myrtle as a replacement for the Bradford Pear.

Ms. Cannon talked about the ornamental frames for climbing vines, or 'tuteurs', as a garden element that will provide visual interest throughout the year. She also suggested that a pergola and benches could be constructed in the brick terrace area with volunteer help from Drew Jorgenson.

Mr. Van Dame confirmed that the existing brick walk and terrace would remain. Mr. Taylor asked about the budget and whether the Town has a supply of topsoil. Chairman

Jester suggested that Mr. Neville and Public Works Director Spurlock should refine the proposed budget and make it available for Council review at their next meeting.

Chairman Jester thanked the Master Gardeners and the Garden Club for their efforts to make the downtown area attractive.

2. Chincoteague Veterans Memorial Park

Chairman Jester reviewed the request by Donna Mason and members of her family to rename the Veterans Memorial Park. Town Council minutes from meetings conducted in March and May of 2000 were noted for the policy that was established to restrict any name changes at Chincoteague Veterans Memorial Park and to prevent any future individual memorials. Audience members in attendance from the American Legion and VFW were invited to speak to the Committee.

Mike Doyle, a member of the American Legion and VFW, spoke as the former post commander in 1956 when the Park was created. He described the history of a community wide effort to build a park for the families of visitors to Chincoteague Island and noted the expense of \$2,150 to acquire 3 parcels for 'Chincoteague Veterans Memorial Park'. Later group efforts completed the little league field, tennis courts, parking and playgrounds making it difficult to identify one individual that should be honored above others. He requested that the Committee leave the existing name unchanged.

Gilbert Lang, Chincoteague Memorial VFW Post 8629 Commander, agreed that the community should maintain a remembrance of veterans so that their memory and contribution to freedom is not lost. This park has been named in honor of those who served and those who have paid the ultimate sacrifice to keep our Nation free.

Ira Hudson, Second Vice Commander of American Legion Post 159 in Chincoteague, stated his opposition to the renaming of Chincoteague Veterans Memorial Park. He believes that the Town has done well to maintain this park in honor of veterans and it should stay that way for the future.

Chairman Jester asked about the deed and plat information provided by Staff. Mr. Neville identified this information and the prior Council policy as important background information for the Committee's consideration of the naming request. A photo of interpretive signs located along the Downtown Park waterfront was provided to the Committee as a suggestion for presenting a community's history. This is one idea for telling a fuller story of local veterans' contributions or the important role that landowners played in establishing the park.

Chairman Jester related this idea to the story of Lee Savage flying a seaplane off the coast on anti-submarine patrols during WW2, as well as the origin of the park due to the generosity of three families who donated land for the Chincoteague Veterans Memorial Park.

Ms. Plant and Mr. Van Dame stated that the name should not change, however an interpretive sign or plaque would be fine. Mr. Taylor agreed and suggested that there would be other locations that may be considered to honor Lee Savage, but not here at Veterans Memorial Park. Mr. Conklin commented on Lee Savage's service to his country and community, then agreed that the name of the park should not be changed and suggested that the Town encourage the full use of 'Veterans Memorial Park' as the name instead of just Memorial Park.

Chairman Jester commented on signs or memorials in the past that have listed members of the community that have served their Country or have been killed in service and suggested to the American Legion/VFW that a new memorial would be supported by the community. Chairman Jester will report to the Town Council a Committee recommendation that the name should not be changed along with the possibility of providing interpretive signs to enhance the Park.

Mr. Ritter informed the Committee about a poster that will be mounted in a sign cabinet near the fishing pier/boardwalk at Veterans Memorial Park to inform saltwater fishermen of a new Virginia registration requirement.

3. Project Report Updates

The Committee completed a review of updates to the list of active projects. Comments are noted below:

Donald Leonard Park – Committee members were concerned about the idea of leaving entrances to the park as a natural gravel surface. Asphalt surface should be installed at the entrance apron as previously approved by the Committee.

Harbor Area Master Plan – Mr. Conklin shared a panoramic photo of the view from the Harbor Area and requested that the Town allow this area to be open for upcoming rocket launches at Wallops Island. The memorial for fisherman lost at sea proposed by Barry Abel was again discussed along with long range improvements to permit additional public access. Chairman Jester suggested a meeting with Mr. Spurlock to get some ideas and a schedule down on paper.

Downtown Waterfront Park – Chairman Jester is collecting suggestions for improvements from CCA and others for consideration by the Committee at the next meeting. VDOT issues were discussed.

Safe Routes to School – Application for infrastructure funds are due April 29th. Chairman Jester directed that the request for assistance to construct a multi use trail along Hallie Whealton Smith Drive between the schools should be submitted again.

4. Committee Member Comments

Mr. Van Dame requested an update on the Schedule of Maintenance for park equipment at the next Committee meeting.

Mr. Ritter stated that repairs had been completed at the Skate Park and the facility was open.

Mr. Conklin informed the Committee about a notice given to Mr. MacDowell that if the Federal government shuts down, he was not permitted to use the east side channel along Assateague Island for boat tours. There was discussion about jurisdiction and control over the waters surrounding the Refuge and Seashore. Shellfish leases and permits for commercial boat tours may be in question under the new Master Plan and rules for the Seashore.

Adjournment:

Mr. Conklin moved to adjourn the meeting, Ms. Plant seconded the motion and it was approved unanimously.

The meeting was adjourned at 6:10 pm.