

REGULAR COUNCIL MEETING

A G E N D A

TOWN OF CHINCOTEAGUE

August 2, 2010 - 7:00 P.M. - Council Chambers - Town Hall

CALL TO ORDER

INVOCATION BY COUNCILMAN T. HOWARD

PLEDGE OF ALLEGIANCE

PRESENTATION

OPEN FORUM / PUBLIC PARTICIPATION

STAFF UP-DATE

AGENDA ADDITIONS/DELETIONS AND ADOPTION:

1. Consider Adoption of the Minutes
 - Regular Council Meeting of July 13, 2010 **(Page 3 of 18)**
2. Bridge Celebration Update **(Page 17 of 18)**
3. Closed Meeting in Accordance with Section 2.2-3711(A) (3 & 7) of the Code of Virginia.
 - Consideration of the acquisition of real property
 - Legal Representation on Tax Rebate
4. Possible Motion to Rescind the Motion Relating to the Request for the Taxes and Fees adopted at the June 29, 2010 meeting
5. Mayor & Council Announcements or Comments
(Note: Roberts Rules do not allow for discussion under comment period)

ADJOURN:



CERTIFICATE OF APPRECIATION

presented to

Honorable James T. Frese

Term: July 24, 2008 – June 30, 2010

Public service is one of nobility and dedication.

You have displayed these attributes
in the highest tradition during your term as
Councilman of the Town of Chincoteague.

On behalf of a grateful community, I,
along with the members of
the Chincoteague Town Council,
proudly present to you this recognition
of meritorious service.

August 2, 2010

John H. Tarr, Mayor

MINUTES OF THE JULY 13, 2010
CHINCOTEAGUE REGULAR TOWN COUNCIL MEETING

Council Members Present:

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

CALL TO ORDER

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

INVOCATION

Councilman T. Howard offered the invocation.

PLEDGE OF ALLEGIANCE

Mayor Tarr led in the Pledge of Allegiance.

OPEN FORUM / PUBLIC PARTICIPATION

- Mrs. Clair Lott expressed her concerns to Council regarding the bridge intersection. She mentioned the speeding, crosswalks and safety.

Discussion continued and Public Works Director Spurlock advised that he spoke with Mr. Isdell of VDOT. He advised that VDOT is currently reviewing the issues at the bridge intersection.

- Mrs. Donna Mason reminded Council of the downtown businesses when VDOT decides what to do about the intersection. She also reminded those present of the questionnaires about the beach issues.
- Mr. Richard Conklin addressed Council about the change of ownership of the Convenience Center and the schedule change. He expressed his objection that commercial trash was not allowed to be taken there. He feels that the Council is anti small business. He also stated that the Center should be opened 7 days a week.

Mayor Tarr explained that the Town didn't turn the Convenience Center over to the County. He stated that it already belongs to the County. He added that the Town was only supplying part-time labor. He added that the Town only owns the fencing, the trailer and the light pole.

Mr. Conklin asked if the Town could have kept it the way it was.

Mayor Tarr advised that a few years ago the County sent a letter, which was mailed out to the businesses, regarding the discontinued use of the businesses or the green box site would be closed down. He stated that there was a sign of rules that the County posted.

Mr. Conklin feels that the Town could have saved \$30,000 a year elsewhere. He feels that the Town isn't helping small businesses. He stated that they can't have a banner or off premise

signage and now they can't dump trash. He added that the Town takes the tax and won't give anything back.

Councilman J. Howard asked what kind of business should be allowed to bring their trash to the Convenience Center. He asked where the Town draws the line.

Discussion continued. Mayor Tarr reminded Mr. Conklin that it is Accomack County's green box site and not the Town's. He stated they could close it at any time. He stated that letters have been sent to businesses telling them not to dump there. Mayor Tarr stated that the Town didn't give it away. He added that they fought the County about the tipping fees of over \$100,000 over the last 3 years.

Mr. Conklin feels they get nothing for their taxes.

- Mr. Joe Justice came before Council again regarding the drainage issues on his property. He is very upset that nothing has been done. He discussed business license fees and commercial trash. He also mentioned that nothing has been done about the poison oak along his property line. He added that the letter that Building and Zoning Administrator Lewis sent has done nothing.

Mayor Tarr stated that they would have to discuss this matter with Town Attorney Poulson. He also stated that this is a civil suit matter between the property owners.

Councilman T. Howard feels that it isn't only a nuisance but a health hazard.

Mr. Justice asked why he can't get daily trash collection if he can't use the Convenience Center. He expressed again how upset he was before leaving.

- Mr. Buddy Gorsuch of Surfside Golf advised that he received a letter from Building and Zoning Administrator Lewis regarding the Banner Ordinance. He would like to see what he could do to modify or rectify this situation. He advised that he has 4 banners along the parking lot fence. He is now aware that he is only allowed 1 banner and has to have a permit for this. He advised that he is going to take the others down and get the permit. He just wanted to speak to Council about this. Mr. Gorsuch advised that the banners are so that the visitors to the Island will know what his business has to offer. He stated that they should allow more banners to get more business to pay more taxes to the Town. He asked about the process to change this ordinance.

Mayor Tarr advised that the Planning Commission is the place to start. He stated that they have worked on the Sign Ordinance for over a year and a half with several public hearings. He also stated that banners were allowed, there was a lot of public outcry and it was changed approximately 6 months ago.

Mr. Gorsuch feels this doesn't work.

Vice Mayor Jester suggested reviewing the Sign Ordinance first and then taking his concerns to the Planning Commission.

- Ms. Debbie Ritter advised she lives on Cherrix Lane and has had neighbor issues. She stated that they are renting a camper and it has no running water, sewage or electric. She called the Town and was referred to the Health Department. She advised that she was referred to Building and Zoning Administrator Lewis about a “grandfather clause”. She then returned to Building and Zoning Administrator Lewis and requested to see the clause which didn’t help. She asked Council how they would know if something is grandfathered if it isn’t in writing.

Ms. Ritter then stated that she has been calling and no one calls her back. She then stated that she called Building and Zoning Administrator Lewis about a motor home that is still there and nothing has been done about it. She also stated that she has also responded negatively to the Police Department’s survey. She advised that she has not received a response to date.

Mayor Tarr stated that Building and Zoning Administrator Lewis will research the matter and return to Council with the information.

Ms. Ritter also asked about accountability. She wanted to know who to speak to if she didn’t get a response.

Mayor Tarr asked her to speak to the Town Manager or himself.

- Mr. Robert Watson, Sr. stated that he has been complaining for the last 3 weeks, attended the Council meetings and spoke to the Mayor. He advised that a kayak business is being operated out of the Town boat launch. He stated that because of this business, there is no parking left and no one can use the Town’s property. He also advised that there are boards loose on the piers and boards there are floating. His main concern is that he has brought it to the Town’s attention and no one wants to do anything about it. He wants to know who is liable.

Mr. Watson also stated that there are no trash receptacles and the parking needs to be specifically marked. He feels that the kayak business needs to be charged for operating business on Town property. He asked about the lighting on the bridges. He stated that there were plans to put lights along the bridge but now they’re not going to put as many. He is concerned with these issues and they need to be addressed. He thanked Council for allowing him to speak.

Mayor Tarr advised him they would look into the items he discussed.

Councilman J. Howard advised that he would be invited to the next Harbor Committee meeting so these matters could be addressed.

Mayor Tarr invited Mr. Watson to meet with Public Works Director Spurlock regarding VDOT’s bridge plans. He advised that VDOT decided not to put lighting on the bridges. He also added that the Town has sent letters requesting lighting along the entire causeway.

- Mrs. Helen Merritt stated that she came to Council last month asking for the Flag and

Banner Ordinances. She advised that no one has contacted her to date. She asked Council if they make the ordinances to enforce it for everyone. She expressed her objections to the current ordinance.

Mayor Tarr stated that this was a sign ordinance formed by the Planning Commission.

Mrs. Merritt was very upset.

Councilwoman Conklin asked about using the vehicle in Mrs. Merritt's yard as a sign.

Mrs. Merritt stated that Council can't control what is in her yard and the vehicle is waiting for repairs.

Councilwoman Conklin stated that it could be construed as an off-premise sign.

Mrs. Merritt advised her that if it is on wheels it is not considered an off-premise sign.

Mayor Tarr invited Mrs. Merritt and any member of her family to sit with the Town Manager and Building and Zoning Administrator for an explanation of the Sign Ordinance.

- Mrs. Peggy Thomas stated that at the last Council meeting there was a request for a \$35,000 observation deck at the Harbor. She expressed her opposition. She stated that the people of Chincoteague have been taxed enough.
- Mr. Jim Frese thanked the Town employees for their assistance during his term on Council. He also thanked Council and congratulated Councilman Muth and Councilwoman Richardson. He stated that there were complaints about the Eastside Ramp. He advised that he along with other employees of the Town is working on this matter diligently.
- Mrs. Lisa Smith of A.J.'s Restaurant also addressed the sign and banner ordinance. She advised that she was unaware of the ordinance and it wasn't easily obtainable online. She feels that with the current economy all the recognition they can get is necessary. She added that everyone needs to be able to promote their businesses. She also stated that she would attempt to take this matter to the appropriate Committees for discussion.

Mayor Tarr advised that the website is currently under construction.

STAFF UPDATE

Police Department

Chief Lewis stated that the Wallops Navy Military Police will not have the National Night Out this year because of the lack of funding.

Vice Mayor Jester commended the Police Department during the July 4th fireworks.

Public Works

Public Works Director Spurlock advised Council of the work that has been done for the month of June. Pension Street paving is complete, the part-time employees are working at the Harbor a few days a week for maintenance, curbs and white lines have been painted for safety. They completed the July 4th preparations, conducted routine maintenance and repaired the washed out DI on south Main Street. He advised that the Water Department has completed the fire connection at the Methodist Church, repaired the 8” main at Cockle Creek Bridge, installed a fire hydrant on Eastside Road and painted fire hydrants throughout the Island. They have also installed the backup generator for the wells along with routine operations of meter reading and leak repairs.

Public Works Director Spurlock also advised that for the month of July they are planning to replace the lift pump on Willow Street, prepare for Pony Penning, preparing for the fall paving project, cleaning shoulders and continuing to paint curbs and shoulders.

Councilman Muth asked if the crosswalks would be repainted.

Public Works Director Spurlock advised they would be painted also. There was discussion as to moving the stop line back at the intersection of Maddox and Main.

General Government

Town Manager Ritter advised that the Pony Penning Sales Permits and Blueberry Festival Permit sales have been coming in and this Friday is the last day according to the Ordinance for the Pony Penning Sales Permits. They are currently working with the VMRC on a joint permit application to put a fishing pier on the fender of the bridge at Bridge Street. This information will be brought to Council at a later time when all documents have been filed. They are currently working on year end and new FY entries. They have put \$115,000 in LGIP for the Harbor Fund, \$41,000 for the Water Fund and \$24,000 for Boat Ramp Repairs.

Town Manager Ritter also advised they are in the process of obtaining quotes for the repairs to the boards on the Town Dock. They have been actively working on the Healthcare enrollment. They have been working on the VDOT Revenue Sharing Grant for \$23,325 which will go for the repairs of Eastside Road near Piney Island Road. They have received the Port Authority money for the fuel system at the Harbor. They are completing the setup of the new website. He advised that they are waiting on the pictures and updated information. The Code updates are complete and delivered. Pony Penning preparations are underway along with the upcoming audit.

	<u>Year to Date</u>	<u>Prior Year</u>	<u>Difference</u>
Real Estate	\$617,561	\$611,058	(up) \$ 6,503
Tangible Property Tax	\$174,219	\$182,702	(down)\$ 8,483
Meals Tax	\$483,971	\$480,703	(up) \$ 3,268
Sales Tax	\$ 95,066	\$102,077	(down)\$ 7,011
Transient Occupancy	\$604,959	\$620,001	(down)\$ 15,042
Water Rent	\$890,594	\$807,816	(up) \$82,778

Councilman T. Howard asked about the road lottery status using the Revenue Sharing money.

Town Manager Ritter advised that the Revenue Sharing money is to be used for public roads. He explained that the road lottery will be a system that the Town would have to form the rules to consider the lottery before the process can begin. He suggested discussing the rules at the next Public Works Committee meeting.

Councilman J. Howard asked about checking the unsafe boards on the docks. He also stated that anything the Town does on the road lottery, Town Attorney Poulson should review first.

Councilman T. Howard stated that there is a matter of the lack of communication. He suggested that a simple phone call would reduce a lot of the friction and lack of confidence in the community.

Mayor Tarr asked if the deadline for the Pony Penning Sales Permit has been advertised.

Town Manager Ritter advised that it has never been advertised.

Mayor Tarr asked if they could get the word out.

Planning Department

Town Planner Neville advised that the Planning Commission is working on the Zoning map updates. They are working with the ANPDC on some grants. He also stated that they are planning a meeting with the County regarding wastewater treatment needs. He advised that there is a good response on the Beach Access questionnaire.

AGENDA ADDITIONS/DELETIONS AND ADOPTION

Mayor Tarr asked if they could add item 2(b) to the agenda for the Downtown Park permitting.

Councilman T. Howard motioned, seconded by Councilwoman Richardson to adopt the agenda with the addition of item 2(b) Permit for the Downtown Park. Unanimously approved.

- 1. Consider Adoption of the Minutes:**
 - **Regular Council Meeting of June 7, 2010**
 - **Regular Council Meeting of June 17, 2010**
 - **Special Council Meeting of June 29, 2010**

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

2.(a) Selection of the Vice Mayor

Mayor Tarr advised that Council has to select a Vice-Mayor for the next 2 years.

Councilman J. Howard motioned seconded by Vice Mayor Jester for Councilwoman Richardson to be the Vice Mayor. Unanimously approved.

Mayor Tarr congratulated newly elected Vice Mayor Richardson.

Councilman T. Howard commended Vice Mayor Richardson for her hard work throughout her years of service on Council. He also stated that she is well deserving of this position.

Vice Mayor Richardson thanked Council for the vote and advised she would do her best.

2.(b) Permit for the Downtown Park.

Town Manager Ritter advised that there is an application for use of the Downtown Park. He explained the use and stated that there will be no alcohol served. He also advised that according to the rules of this park an event such as this would have to come before Council as it is not a typical request.

Mr. Dean Orsini and Ms. Robin Rothschild, with WCTG Radio Station, explained that there would be a barge parked at the pier as a stage for the band allowing the other space for food service. He advised this event would benefit the Food Bank. He stated the time of the event would be 12:00 noon to 7:00 p.m. He stated that they had the Pony Phest last year but used the pavilion.

Councilman T. Howard asked about the alcohol.

Mr. Orsini advised this part of the idea didn't work out and they want to work within the Town's Ordinances. He stated this would all be strictly Coca Cola sales. He also added that he met with the VMRC, the U.S. Coast Guard, Mr. Dean Fisher who will be assisting with the placement of the barge and the Harbor Master to work out the details.

Vice Mayor Richardson asked if it was open to the public and when the event would take place.

Mr. Orsini advised that it is open to the public and would be Saturday, July 24th from noon to 7:00 p.m. He added that they would announce the Pony Penning Sales Permit deadline of the 16th.

Councilman J. Howard motioned, seconded by Councilman Muth to approve the permit for the Downtown Park for the Pony Phest. Unanimously approved.

3. Setting the Date on a Joint Public Hearing on Home Occupation Ordinance

Town Planner Neville explained the purpose of the public hearing. He stated that the Planning Commission was asked to review the Home Occupation Ordinance. He advised that the Planning Commission feels they have adequately reviewed and made the recommendations to go to a public hearing or a joint work session.

Councilman J. Howard asked Town Planner Neville to review the districts.

Town Planner Neville stated there are new definitions listed. He advised of the other proposed changes and additions to each district. He also stated that a business license would be required for home occupations.

Discussion continued about the allowances and restrictions in the districts along with the ideas that they are making it too hard on a home occupation. They also discussed the grandfathered businesses and length to allow the grandfathered businesses. Council concurred that they would like a work session with the Planning Commission as there are concerns.

Mayor Tarr asked Town Planner Neville to make copies of the existing Ordinance along with the proposed Ordinance for Council to review and a work session would be planned.

4. Public Safety Committee Report of June 1, 2010

Mayor Tarr asked for questions concerning the recent report.

Councilman T. Howard asked about the Train the Trainer Class.

Mayor Tarr advised that Mr. Rush has taken the class to be an instructor.

5. Proposal for Road Engineering on Eastside Drive

Public Works Director Spurlock explained the proposal from Clark-Nexen. He stated that this will tell the Town what needs to be done to that low portion of Eastside Road.

Councilman J. Howard asked when the drainage work at Wayne Road would begin.

Public Works Director Spurlock advised that would begin in the fall.

Councilman T. Howard motioned, seconded by Councilman Jester to approve the proposal for road engineering for the repairs to Eastside Road. Unanimously approved.

6. Change in Code Chapter 18, Businesses, for Minimum Licensing Fee

Mayor Tarr advised that this is to change in the code what was changed in the budget for the minimum business license fee of \$30 to \$50.

Town Manager Ritter advised of the changes to the Town Code.

Councilman J. Howard motioned, seconded by Vice Mayor Richardson to adopt the change in the Code, Chapter 18, Businesses, for the minimum licensing fee change to \$50.00.

Unanimously approved.

7. Committee Appointments and Assignments

Mayor Tarr stated that there is a definition and preamble of what each Committee has been doing. He asked if there were any questions regarding the assignments.

**Committee & Appointments
Mayor & Council
July 13, 2010**

Budget & Personnel Committee

Nancy Conklin – Chair

John Jester
Tripp Muth

Ordinance Committee

Terry Howard – Chair
John Howard
Nancy Conklin

Meals Tax Committee

Nancy Conklin

Harbor Committee

John Howard – Chair
Terry Howard

Recreation & Community Enhancement Committee

John Jester – Chair
John Howard
Tripp Muth

Public Works Committee

John H. Tarr – Chair
Ellen Richardson
John Howard

Planning Commission

Tripp Muth

Cemetery Committee

Ellen Richardson – Chair
Terry Howard

Public Safety – Police, EMS, EOC (see note 1.)

John Tarr- Chair
John Jester
Ellen Richardson

Meeting Day and Time

Subject to change by the
Chairperson

2nd Tuesday @ 5:00 PM
Every Other Month

2nd Thursday @ 5:00 PM
Every other month

As needed during the budget
process

1st Thursday @ 5:00 PM
Every other month

2nd Tuesday @ 5:00 PM
Every other month

1st Tuesday @ 5:00 PM
Every other month

2nd Tuesday @ 7:00 PM

1st Thursday @ 6:00 PM
As needed

1st Tuesday @ 5:00 PM
Every other month

Liaison Committee

John Tarr
John Jester
Ellen Richardson

As needed

Chincoteague Recreation & Convention Center Authority

Nancy Conklin

2nd Monday @ 3:00 PM

Notes:

1. Trolley’s under Robert Ritter, General Government and Transportation issues under public works
2. Chairperson may call an additional meeting or cancel meetings subject to the importance of the agenda item (’s).

Councilman T. Howard motioned, seconded by Councilwoman Conklin to approve the Committee appointments and assignments. Unanimously approved.

8. Virginia Retirement System Plan II Adoption

Town Manager Ritter stated that this is a housekeeping item from the Virginia Retirement System. He advised that this is to bring forth Plan II which is the employees that are hired after July 1, 2010. He stated that Council can decide to continue the current contribution or have the employees hired after that date to pay 5% of the VRS contribution. He advised that the employees’ contribution is currently 2% and the Town’s contribution is 3%.

Council discussed the matter further.

Councilman T. Howard motioned, seconded by Councilman Jester to adopt the Resolution of the Virginia Retirement System Plan 2. Unanimously approved.

RESOLUTION

**Authorization to Pick-up the Employee’s Contribution to VRS
Under § 414(h) of the Internal Revenue Code For Plan 2 Employees**

WHEREAS, the Virginia General Assembly, in its 2010 session passed legislation creating a separate retirement plan for employees hired on or after July 1, 2010 (hereafter referred to as “Plan 2 Employees”). The legislation stipulates that Plan 2 Employees will pay their 5 percent member contribution and that, absent other action by the employer, such contribution will be paid through salary reduction according to Internal Revenue Code § 414 (h) on a pre-tax basis; and

WHEREAS, the legislation allows certain employers, including the Town of Chincoteague, to pick-up and pay all or a portion of the member contributions on behalf of its Plan 2 Employees as an additional benefit not paid as salary; and

WHEREAS, the election to pick-up and pay all or a portion of the member contributions on behalf of its Plan 2 Employees as an additional benefit not paid as salary shall, once made, remain in effect for the applicable fiscal year (July 1 - June 30) and shall continue in effect beyond the end of such fiscal year absent a subsequent resolution changing the way the 5 percent member contribution is paid; and

WHEREAS, employee contributions that are picked-up as an additional benefit not paid as salary are not considered wages for purposes of VA Code § 51.1-700 et seq. nor shall they be considered salary for purposes of VA Code § 51.1-100 et seq.; and

WHEREAS, the Town of Chincoteague desires to pick-up and pay its Plan 2 Employees' member contributions to VRS as an additional benefit not paid as salary in an amount equal to 3% of creditable compensation; and

WHEREAS, VRS tracks such picked-up member contributions and is prepared to treat such contributions as employee contributions for all purposes of VRS.

NOW, THEREFORE, IT IS HEREBY RESOLVED that effective the first day of August, 2010, the Town of Chincoteague shall pick-up member contributions of its Plan 2 Employees to VRS as an additional benefit not paid as salary in an amount equal to be phased in over three years according to the following schedule:

Year	Employer Share	Employee Salary Reduction Share
FY11	3	2
FY12	4	1
FY13	5	0

and it is further

RESOLVED that such contributions, although designated as member contributions, are to be made by the Town of Chincoteague in lieu of member contributions; and it is further

RESOLVED that nothing herein shall be construed so as to permit or extend an option to VRS members to receive the picked-up contributions made by the Town of Chincoteague directly instead of having them paid to VRS.

Adopted in the Town of Chincoteague, Virginia this 13th day of July, 2010.

John H. Tarr, Mayor

Authorized Signature

Robert G. Ritter, Jr. - Town Manager

9. Commercial Use of Town Facilities, Hold Harmless Agreement

Town Manager Ritter explained that at a previous Council meeting they requested that an agreement be drawn up for Commercial use of the Town’s facilities.

Councilman Jester asked if the term “commercial” should be defined.

Discussion continued.



**TOWN OF CHINCOTEAGUE, INC.
Commercial Use of Town Facilities**

Form must be executed and submitted prior to the commercial use of any Town facility.

Submit to the Town of Chincoteague, 6150 Community Dr., Chincoteague, VA,
(757) 336-6150

Business Name: _____

Authorized Agent: _____

Title: _____

Address: _____

Phone: (____) _____

Facility(ies) to be used: _____

Purpose of usage _____

The above named person/organization accepts full responsibility for any damages or other adverse impact to Town facilities sustained as a result of the person’s/organization’s utilization of said facilities for any commercial purpose. It is further agreed that said facility(ies) shall be utilized in a manner consistent with the intended purpose and in accord with all policies and regulations. The above named person/organization also hereby releases and promises to indemnify, defend and hold harmless the Town of Chincoteague, Inc., its employees, agents, volunteers and officers from responsibility for any and all associated losses, claim of loss, injury, damage or expenses, to include attorney’s fees, resulting from the named person’s/organization’s utilization of any Town facility.

Authorized Signature: _____ **Date** _____

Councilwoman Conklin motioned, seconded by Councilman Jester adopt the Commercial Use of Town Facilities, Hold Harmless Agreement. Unanimously approved.

Mayor Tarr feels this should be signed and the rules should be reviewed and put on the back of the agreement. He directed Town Manager Ritter to draft the rules and regulations to add at a later time.

10. Mayor & Council Announcements or Comments

Councilman Jester stated that he gave Town Manager Ritter a flash drive with the photographs of the old archived minutes. He would like to have a thank you letter sent out for this. He also would like a letter sent to VDOT to clean up the intersection from weeds. He commended North Accomack Little League Boys Baseball All-Stars for making it to the finals. He also commented on the article of Chincoteague being the “Best Beach Town in the United States”.

Councilman T. Howard thanked Councilman J. Howard for cleaning up the Greenwood Cemetery. He also feels that Council should listen to all the comments and take them under advisement.

Mayor Tarr stated that the Beach Access Committee has met twice. He stated that the surveys have been sent and they will be planning their next meeting with Mr. Hinds.

11. Closed meeting in Accordance with Section 2.2-3711(A)(3), (7) and (29) of the Code of Virginia.

- **Consideration of Acquisition of Real Property**
- **Legal Representation regarding Tax Rebates.**
- **Broadband Contracts Update**

Councilman T. Howard moved, seconded by Councilman Jester to convene a closed meeting under Section 2.2-3711(A)(3), (7) and (9) 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.

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)(3), (7) and (9) 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

Adjourn.

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



Chincoteague Dedication and Ribbon Cutting
Presented August 2, 2010

- WHAT:** Ribbon Cutting and Bridge Dedication to acknowledge the new Chincoteague Bridge
- WHEN:** Saturday, October 16, 2010, 10 a.m.
- WHERE:** In the town of Chincoteague on Main Street at the foot of the new Bridge
- HOW:** The Ribbon Cutting ceremony will act as the opening ceremonies for Chincoteague Island's 11th Annual Chili Chowder Cook-Off - a local event that is heavily attended by the townspeople of this and surrounding areas in Accomac.
- The ribbon cutting ceremony will be staged at the foot of the bridge on Main Street.
- WHO:** There are and estimated 1500 attendees to the Annual Chili Chowder Cook-off. Other proposed attendees include: Governor McDonnell, Secretary of Transportation (declined), VDOT Commissioner Whirley, VDOT Construction District Administrator Mark Cacamis, Mayor of Chincoteague, Board of Supervisors for the Town of Chincoteague, local Legislators, Chincoteague Public Works/engineering officials, contractors and subcontractors, residents and visitors.
- WHY:** The Virginia Department of Transportation has been invited to kick-off and to participate in the 11th Annual Chincoteague Island Chili Chowder Cook-off on October 16. This event is a perfect celebration for the Bridge cutting activities as it is attended by townspeople...those who are most affected not only by the construction, but by the day to day benefits the new Bridge brings to the town.

VDOT will host a ribbon cutting ceremony which will include comments by state, local and agency officials. After the ribbon is cut, VDOT will take part in the Cook-Off, and will have displays set up featuring the new and the replaced Bridge.

We are especially enthusiastic to present to the townspeople a special memento from the replaced Bridge. Jacobs Civil has retained steel beams from the replaced Bridge, salvaged during construction. VDOT intends to have the steel manufactured into medallions to distribute as a tribute to those attending the events of the day. The medallions will feature the new and replaced Bridges along with dates of service.

PROPOSED PROGRAM AGENDA:

VDOT will invite speakers to make comments at the Ribbon Cutting Ceremony, concluding with a keynote address. Each speaker is asked to prepare, with the assistance of VDOT Public Affairs office if requested, a brief five minute speech.

Ribbon Cutting Ceremony Draft Agenda

10 a.m.	Opening Remarks	Chincoteague Town Manager
10:03 a.m.	Remarks	VDOT ADA Construction
10:08 a.m.	Remarks	Contractor
10:13 a.m.	Townsperson's Story	
10:18 a.m.	Remarks	Chincoteague Mayor
10:23 a.m.	Keynote	Governor/Legislator
10:30 a.m.	Closing Remarks	Chincoteague Town Manager
10:33 a.m.	Ribbon Cutting All distinguished guests will cut the ribbon concluding activities.	