

MINUTES OF THE JANUARY 3, 2012
CHINCOTEAGUE REGULAR TOWN COUNCIL MEETING

Council Members Present:

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

Council Members Absent:

None

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.

OPEN FORUM/PUBLIC PARTICIPATION

Mayor Tarr opened the floor for public participation.

STAFF UPDATE

Planning Department

Town Planner Neville reported that the Beach Access Committee met on December 21st with the Fish and Wildlife staff. He advised there has been a change due to the concerns raised by the public comment. They have made Alternative B comparable to Alternative A. The Committee is looking forward to working with the Fish and Wildlife staff in 2012.

Town Planner Neville also mentioned that the Zoning Map Amendment is scheduled to go before Council February 6th. He stated they have a workshop scheduled prior to this on January 19th to review the mapping changes. He advised that the Planning Commission will meet January 10th. They plan to finish the review of the Pony Penning Sales Permit. He also advised that they will be working closely with the Wastewater Advisory Committee.

Police Department

Chief Lewis gave Council a copy of the Police Department's yearly summary. He explained the increases and advised that crime has gone down. He also advised that the accreditation inspection was December 6th and they passed with flying colors. The award will be presented to the Police Department in February. He reported that the Police Department provided toys and food to 55 families on the Island and to 33 families in the Atlantic area.

Mayor Tarr congratulated Chief Lewis and staff for their work in the accreditation and their help with the needy families.

Councilman T. Howard stated that the Chincoteague Police Department will be the only Police Department that is accredited in the state of Virginia. He called for a round of applause.

Public Works Department

Public Works Director Spurlock reported that they are in the final phase of the Eastside Road paving and repair. Striping is scheduled to be completed within the week. He reported on that status of the repairs to the Island Activity Center. The floor repairs, insulation installation and all minor items on the punch-list are complete. The Coast Guard will begin painting January 5th. He reported that the Ocean Boulevard Trail has been cleared from Chicken City Road to Fowling Gut. He advised that they will need \$10,000-\$12,000 to build a bridge across Fowling Gut, which will be included in the next fiscal year budget. He stated that the Ridge Road and Chicken City Road intersection project will begin in February and has a completion date in May.

Public Works Director Spurlock also reported on upcoming projects with the Water Department.

Councilman Jester commented that they have done a great job on the Island Activity Center.

General Government

Town Manager Ritter reported that tax season has just ended and the second notices will go out in February. He stated that the contractors are working on the old jail site for Broadband. The pre-bid meeting for the Downtown Revitalization Project is next week. They are proceeding with the dredging permit through the Army Corps of Engineers for the downtown boat slips. He also advised that staff has been working on the 5-year budget to be reviewed at the January 24th workshop at which time they will discuss budget revisions.

Town Manager Ritter also advised that there is a financial matter between Mr. Jimmy Berry and Mr. Jimmy Adams regarding the demolition of the Mumford Street house.

Council discussed advertising the demolition job and billing Mr. Berry.

Town Manager Ritter reported on the revenues:

	<u>Year to Date</u>	<u>Prior Year</u>		<u>Difference</u>
Real Estate Tax	\$579,974	\$561,459	(+)	\$ 18,515
Tangible Property Tax	\$155,730	\$152,742	(+)	\$ 2,988
Meals Tax	\$465,399	\$442,754	(+)	\$ 22,645
Transient Occupancy Tax	\$536,606	\$523,717	(+)	\$ 12,889
Sales Tax	\$ 57,362	\$ 60,042	(-)	\$ 2,680
Water Rent	\$524,418	\$397,977	(+)	\$126,441

Councilman Jester asked Town Manager Ritter to contact Richmond about the sales tax.

There were comments regarding sales tax revenue.

There were questions and comments regarding requirements to demolish the Mumford Street house.

Mayor Tarr directed staff to research this matter further.

Councilman Jester asked about a grant in the amount of \$15,000.

Chief Lewis advised it was for Selective Enforcement and a Police vehicle.

Council asked when Broadband would be available.

Town Manager Ritter advised that they have not indicated a date as of yet.

AGENDA ADDITIONS/DELETIONS AND ADOPTION

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

1. Consider Adoption of the Minutes

▪ Regular Council Meeting of December 5, 2011

Councilman T. Howard motioned, seconded by Councilwoman Conklin to adopt the minutes of the December 5, 2011 meeting. Unanimously approved.

2. Wastewater Advisory Committee Update

Chairman Papadopoulos reported that the Committee held an organizational meeting in July. He listed the members of the Committee and their duties. He stated that they have reviewed the Clark Nexen Wastewater Report, Drainage Master Plan, Comprehensive Plan and the Water Master Plan. He advised that they have held 3 meetings. He reviewed the minutes of those meetings. He also mentioned the Atlantic Town Center project along with the feasibility of connections. He announced the next meeting of January 5th at 9:00 a.m.

There was brief discussion.

3. Christmas Lights Judging Results

Mayor Tarr thanked Ms. Laurie Walton and her group of judges this year.

Town Manager Ritter read the winners of the Christmas Decorations.

Judges Choice *

Mr. & Mrs. Michael Jester
5141 Fish Lane

Most Festive *

Rev. & Mrs. William Gregory
6126 Taylor Street

Most Themed *

Mr. & Mrs. Raymond Rosenberger
7297 Sunset Drive

Most Traditional *

Mr. & Mrs. Ernest Dale Holston
7236 Olga Drive

Honorable Mention

The Chincoteague Center
6155 Community Drive

Alex Hubb
3015 Ridge Road

Chuck & Tama Ward
5375 Main Street

Each of the winners will receive a \$100 savings bond.

4. Motion to Approve the Trolley Operating Funds, Grant Application Resolution

Town Manager Ritter advised that this is a housekeeping item that is done each year to continue with the Trolley Operating Funds and for the Grant Application Resolution.

Vice Mayor Richardson motioned, seconded by Councilwoman Conklin to approve the Trolley Operating Funds and the Grant Application Resolution. Unanimously approved.



**Resolution Authorizing the Application for
State Aid to Public Transportation for
Fiscal Year 2013 beginning 10/1/2012**

BE IT RESOLVED by the Mayor & Council of The Town of Chincoteague, Inc. that the Town Manager of The Town of Chincoteague, Inc. is authorized, for and on behalf of The Town of Chincoteague, Inc., hereafter referred to as the, **PUBLIC BODY**, to execute and file an application to the Department of Rail and Public Transportation, Commonwealth of Virginia, hereafter referred to as the, **DEPARTMENT**, for a grant of financial assistance in the amount of \$75,400.00 to defray the costs borne by the **PUBLIC BODY** for public transportation purposes and to accept from the **DEPARTMENT** grants in such amounts as may be awarded, and to authorize The Town Manager to furnish to the **DEPARTMENT** such documents and other information as may be required for processing the grant request.

The Mayor and Town Council of The Town of Chincoteague, Inc. certifies that the funds shall be used in accordance with the requirements of Section 58.1-638.A.4 of the Code of Virginia, that the **PUBLIC BODY** will provide funds in the amount of \$23,000.00, which will be used to match the state funds in the ratio as required in such Act, that the records of receipts of expenditures of funds granted the **PUBLIC BODY** may be subject to audit by the **DEPARTMENT** and by the State Auditor of Public Accounts, and that funds granted to the **PUBLIC BODY** for defraying the expenses of the **PUBLIC BODY** shall be used only for such purposes as authorized in the Code of Virginia. The undersigned duly qualified and of the **PUBLIC BODY** certifies that the foregoing is a true and correct copy of a Resolution, acting Town Manager of The Town of Chincoteague, Inc. adopted at a legally convened meeting of the Town Council held on the 3rd day of January, 2012.

Robert G. Ritter, Jr., Town Manager
Town of Chincoteague, Inc.

5. Employee Handbook Review and Possible Adoption

Town Manager Ritter advised that at the November 17th Council Workshop there were items that Council requested to be reviewed and amended.

Councilman Jester advised it has been a long 2-year process.

Town Manager Ritter explained one of the revisions regarding essential personnel.

There was discussion about the section pertaining to “mandatory evacuation”.

Mayor Tarr mentioned the Virginia Conflict of Interest Act and the 1st paragraph not coinciding with the 2nd paragraph.

Town Manager Ritter stated that they can change it to read in both paragraphs that they will adhere to the Virginia Conflict of Interest Act.

Mayor Tarr asked if the corrections have been made to the line chart and was advised they were.

Councilwoman Conklin motioned, seconded by Councilman Jester to adopt the Employee Handbook with the stated changes. Motion Carried.

Ayes: Conklin, Jester, J. Howard, Muth

Nays: Richardson, T. Howard

Council requested a copy of the policy with the changes.

Vice Mayor Richardson feels they haven't had enough time to review all the changes.

Councilman T. Howard feels that this policy changes the lives of the employees and should be taken into more consideration.

6. Mayor and Council Announcements or Comments

Councilman J. Howard asked about dredging and the spoil site.

Councilman Jester commended Mr. Kevin Krome and Mr. Steve Potts on a wonderful job with the Christmas Light Program and the Christmas by the Sea Program.

Councilman Muth commended Chief Lewis for the tremendous feat of accreditation.

Councilwoman Conklin also commended those involved in the Christmas by the Sea Program. She advised that the Polar Plunge was well attended. She stated that the Island looks wonderful and she is proud of everyone.

Councilman T. Howard commended everyone; the Police Department, the Beach Access Committee, the Public Works Department, and the General Government staff. He asked Mayor Tarr about the closed session.

7. 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.

Councilwoman Conklin moved, seconded by Councilman J. Howard 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.

Ayes- Jester, Muth, T. Howard, J. Howard, Richardson, Conklin

Nays- None

Absent- None

Adjourn.

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

Mayor

Town Manager